

CHAPTER 30

INTOXICATING LIQUOR AND GAMING
LICENSES AND REGULATIONS

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and County Gaming Board

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Merger of County Liquor Board
and County Gaming Board

30.001 Merger of county liquor board and county gaming board;
composition of merged board; functions; powers; voting;
delegation.

1. Pursuant to NRS 244.352, the county liquor board and the county gaming board are hereby merged. The merged board is composed of the board of county commissioners and the sheriff and is named the county liquor and gaming board.

2. The merged board shall perform all of the functions and has all of the powers provided for each of the separate boards.

3. A majority of the members of the liquor and gaming board constitutes a quorum for the transaction of business.

4. A majority vote of the members of the liquor and gaming board present at a meeting governs in the transaction of all business.

5. The liquor and gaming board hereby delegates to the license division the powers enumerated in sections 30.010 to 30.510, inclusive, for the purposes of regulating gaming and intoxicating liquors in the unincorporated area of Washoe County, and of issuing intoxicating liquor and gaming licenses in Washoe County and its incorporated cities.

[§13, Ord. No. 827; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.003 Liquor and gaming board ordinances to be set forth in
Washoe County Code; amendments; citations to code numbering
system.

1. The ordinances of the liquor board and the liquor and gaming board are to be included in the Washoe County Code with a numbering system compatible therewith. The utilization of that numbering system shall commence on July 8, 1991, with Liquor Board Ordinance No. 5 and Gaming Licensing Board Ordinance No. 3.

2. All ordinances of the liquor and gaming board shall add to, amend or repeal the provisions of liquor board and liquor and gaming board ordinances by utilizing the numbering systems used in the Washoe County Code.

3. The ordinances of the liquor board and liquor and gaming board may be cited by the numbering system utilized in the Washoe

County Code.

4. For purposes of NRS 244.345, the ordinances enacted by the gaming board may be deemed regulations of the liquor and gaming board and/or the license board.

[§2, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.005 Short title. This chapter shall be known and may be referred to as the Liquor and Gaming License Ordinance.

[§5, Ord. No. 1139]

Regulation of Sales of Intoxicating Liquors

30.010 Definitions. As used in sections 30.010 to 30.3315, inclusive, unless the context otherwise requires:

1. "Alcohol" means any product of distillation of any fermented liquor, rectified either once or more often, whatever may be the origin thereof, and synthetic ethyl alcohol.

2. "Beer" means any liquor obtained by the alcoholic fermentation of an infusion or concoction of malt, barley and hops in drinking water.

3. "Board" means the liquor and gaming board of Washoe County.

4. "Cabaret" means a tavern having an orchestra or any type of live entertainment, or where dancing is permitted.

5. "Club" means any association of persons, whether incorporated or unincorporated, for the promotion of some common object, but not including associations organized for any commercial or business purpose.

6. "Internal review board" means a panel of three or more persons as authorized herein that is convened by the sheriff to hear and decide appeals of a denial by the sheriff of a work permit.

7. "Intoxicating liquor" means the four varieties of liquor: Alcohol, spirits, wine and beer, and every liquor or solid, patented or not, containing alcohol and intended for consumption by human beings as a beverage, and is synonymous with "alcoholic liquor" and "alcoholic beverage."

8. "Intoxicating liquor license" is used in sections 30.010 to 30.3315, inclusive, interchangeably with and to mean any of the following licenses:

- (a) Cabaret license.
- (b) Retail beer and wine license.
- (c) Package beer license.
- (d) Package liquor license.
- (e) Tavern license.

9. "License division" means the business license staff and code enforcement personnel of the department of community development.

10. "Licensee" means any person to whom an intoxicating liquor license has been issued, and is used in sections 30.010 to 30.3315, inclusive, in the plural as well as the singular sense.

11. "Main bar" means a bar where intoxicating liquors are dispensed by the drink.

12. "Package beer establishment" means any place where beer is sold or otherwise lawfully distributed for consumption off premises.

13. "Package liquor establishment" means any place where intoxicating liquor is sold or otherwise lawfully distributed for consumption off premises.

14. "Person" means a natural person, firm, association, partnership, corporation or other entity.

15. "Retail beer and wine establishment" means any place where beer or wine is sold at retail by the drink to the general public.

16. "Service bar" means any bar where drinks are prepared for service only at tables in hotels, restaurants or casinos, and does not permit sales directly to the customers at such bar.

17. "Special events permit" means a license approved by the license division for the sale of intoxicating liquor at such locations as specified on the permit for a period of not more than 1 week.

18. "Spirits" means any liquor which contains alcohol obtained by distillation, mixed with drinkable water and other substances in solution, including rum, brandy, whiskey and gin.

19. "Tavern" means any place where intoxicating liquors are sold at retail by the drink to the general public.

20. "Wholesaler" means any person in possession of intoxicating liquors for the purpose of sales to package or retail outlets.

21. "Wine" means any intoxicating liquor obtained by the fermentation of natural sugar contents of fruits or other agricultural products containing sugar, including fortified wines such as port, sherry and champagne.

[§3 to 21, Liquor Board Ord. No. 5, §2, Ord. No. 1050; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.100 Declaration of policy. It is found and declared that:

1. The public health, safety, morals and welfare of the inhabitants of the county outside the incorporated cities and towns require the regulation and control of all persons engaged in the sale or disposition of intoxicating liquor. All such persons must be licensed and controlled so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the county outside the incorporated cities and towns and to safeguard the public.

2. An intoxicating liquor license or work permit is a privilege. The operation of an intoxicating liquor sales facility when authorized by a license is a privilege to conduct business subject to the provisions of sections 30.010 to 30.3315, inclusive. Any license or work permit may be revoked for a violation of any provision contained in sections 30.010 to 30.3315, inclusive.

[§22, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.110 License required; application.

1. Every person who engages in the business of selling, distributing or providing intoxicating liquor to others in the unincorporated areas of Washoe County must first obtain all applicable intoxicating liquor licenses pursuant to sections 30.010 to 30.3315, inclusive. Wholesale liquor licenses and importer liquor licenses must be first obtained in the manner set forth in sections 25.4340 to 25.4347, inclusive.

2. Application for intoxicating liquor licenses shall be made by filing an application with the license division on a form provided by the division.

3. Each application shall be accompanied by the required license fee and shall contain:

(a) The name, mailing address, physical business address, social security number (if required for an investigation), and business telephone number of the applicant.

(b) The license desired.

(c) The physical address of the location to be used.

(d) A statement saying whether or not the applicant has been convicted of a felony or any other crime that would be considered a felony under the laws of the State of Nevada.

(e) A written declaration by the applicant, under penalty of perjury, that the information contained in the application is true and correct, the declaration being dated and signed in the county.

4. If the applicant is the sole owner the information shall be required as to him. If the applicant is a partnership, the information shall be required as to each general partner and must include a statement as to the percentage of the business owned by each individual. If the applicant is a corporation, the information shall be required as to each officer and director.

5. The applicant shall furnish such additional information as may be needed for the license division to process the application for the license.

[§23 to 26, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.130 Investigation of suitability; fees.

1. Upon receipt of an application for an intoxicating liquor license, the license division shall request the sheriff to

conduct a criminal background check of the applicant pursuant to section 30.135, 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. The sheriff may charge an applicant 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.

2. The sheriff shall be given a reasonable amount of time to verify any information presented or ascertained. The officer or employee charged with the duty of making the investigation shall make a report thereon to the license division, favorable or otherwise, after receiving the application or a copy thereof.

3. It is the intent of this section that all investigations shall be completed within 90 days. If it is not possible for the sheriff to complete an investigation within 90 days after receipt of an application, the sheriff shall report that fact to the license division. The license division may order additional time, not to exceed 90 days, for the investigation. Any subsequent extensions of time must be approved by the board.

4. In addition to an investigation by the sheriff, the license division shall coordinate a review of each application by the appropriate County departments and other public agencies to determine whether it complies with all applicable requirements including, without limitation:

(a) Sections 30.245 and 30.250.

(b) Fire, health, water, sewer, building, and zoning requirements.

[§27, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.135 Applicant to be fingerprinted; written response to questions. No intoxicating liquor license shall be issued for the operation of any liquor or beverage business unless each owner, officer, and director required to have a criminal history background check first presents himself within fourteen (14) days of filing a complete application for an intoxicating liquor license to the sheriff for a complete set of fingerprint impressions and to make a written reply to all such questions pertaining to the issuance of the license as may be required by the sheriff or the license division. Each owner, officer and director shall provide the sheriff with written permission authorizing the sheriff to forward the impressions for a criminal history background investigation. The sheriff shall forward the impressions to the central repository for Nevada records of criminal history for submission to the Federal Bureau of

Investigation to determine whether a criminal history record exists for the person. NRS 239B.010(1)(a) 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.

[§28, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.145 Refund of investigation fees. No part of the investigation fees deposited with the license division shall be refunded except when the applicant withdraws his application prior to the beginning of an investigation, in which case all fees deposited shall forthwith be returned to the applicant.

[§30, Liquor Board Ord. No. 5]

30.155 Issuance of temporary intoxicating liquor license.

1. The license division, upon examination of a new application, may issue a temporary intoxicating liquor license in accordance with this section to allow time for the sheriff to complete an investigation required by this chapter.

2. Upon receipt of a complete application for an intoxicating liquor license, the license division may issue a temporary license after determining that:

(a) The temporary operation of the business will not threaten the public health or safety; and

(b) All required permits for the construction, alteration, and occupancy of the proposed premises and structures have been issued by the approving agencies.

3. Except as provided in section 30.193 and section 30.195, a temporary license automatically expires, and the holder shall immediately surrender the license and cease and desist all business authorized, if the license division serves notice upon the applicant or his agent or employee at the location stated on the temporary license that the license division has denied the license.

[§32, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.160 Issuance of license by license division; denial for unsuitability.

1. The license division may grant or deny the application for an intoxicating liquor license, or place conditions on a license to ensure compliance with this chapter and other applicable laws and regulations. A denial must be based upon a finding by the license division that any applicant on any license, whether made by an individual, partnership or corporation, is unsuitable for the issuance of an intoxicating liquor license.

2. To better define the policy of sections 30.010 to 30.330, inclusive, the following persons are declared not to be suitable for the issuance of a liquor license:

(a) A person who has been convicted within the past ten (10) years of:

(1) A felony or other crime which under the laws of this state would amount to a felony.

(2) Any crime of which fraud or intent to defraud was any element whether committed in this state or elsewhere.

(3) Buying or receiving stolen property.

(4) Unlawful entry of a building.

(5) A gross misdemeanor, or equivalent conviction in another state, or unlawful possession, use or distribution of controlled substances or dangerous drugs.

(6) Illegal use, carrying, possession or display of a pistol or other dangerous weapon.

(b) A person under the age of 21 years.

(c) A person who has failed to disclose, misstated or otherwise attempted to mislead the license division or the sheriff with respect to any material fact contained in any application for a license.

(d) A person who has concealed or refused to disclose any material fact in any investigation by the license division or the sheriff.

(e) A person who has been identified as being a member or associate of organized crime, or as being of notorious and unsavory reputation.

(f) A person who has been placed and remains in the constructive custody of any federal, state, county or city law enforcement authority.

(g) A person who has had a liquor license or work permit revoked or committed any act which is a ground for the revocation of a liquor license or work permit or would have been a ground for revoking his liquor license or work permit.

(h) A person who has indicated intemperate habits by his past conduct, including a conviction during the five (5) years preceding the date of application which involved the operation of a motor vehicle while under the influence of intoxicating liquor or controlled substances or dangerous drugs.

(i) A person whom the license division determines is not a suitable person, having due consideration for the proper protection of the public health, safety, morals, good order and general welfare of the inhabitants of the county.

3. Pursuant to NRS 244.350, the license division will not issue an intoxicating liquor license to a place where, in the judgment of the license division, the sale or disposition may tend to create or constitute a public nuisance, or where by the

sale or disposition of liquor a disorderly house or place is maintained.

[§33, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.165 Established place of business required. No regular intoxicating liquor license shall be issued under sections 30.010 to 30.330, inclusive, to any person who:

1. Does not have an established place of business in Washoe County and who has not complied with all federal, state and county regulations pertaining to the operation of such business, including, without limitation, the business license requirements of chapter 25 of this code, or

2. Proposes to operate at a business licensed in accordance with sections 25.4421 to 25.4426 of this code.

[§34, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.170 Resubmission of disapproved location. If the license division denies an application for a particular location as proposed by the applicant, request for approval of the same location may not be resubmitted for 6 months.

[§35, Liquor Board Ord. No. 5]

30.180 Bars in hotels and gaming casinos. Service bars are permitted in hotels, restaurants, and casinos. Each hotel and each gaming casino is required to obtain an intoxicating liquor license for each main bar and each service bar operated within the hotel and gaming casino.

[§36, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.185 Package licenses and retail licenses.

1. A package beer license does not permit the sale of draft or bottled beer for consumption in such licensed establishment unless a retail beer and wine license is also obtained.

2. If an intoxicating liquor licensee is granted both a package license and a retail, tavern, or cabaret license, both licenses shall be valid only for such licensee and for one establishment and location.

[§37, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.190 Changes in corporate officers and directors. In the case of a corporate licensee, any change in the officers or directors shall be reported to the license division within 30 days after the appointment or election of such officers and directors, as the case may be, and such officers and directors may be required to qualify for an intoxicating liquor license.

[§38, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.191 Appeal of denial of liquor license.

1. If an application for a liquor license is denied or a liquor license is not renewed by the license division, the applicant or holder thereof shall be notified in writing of the reason or reasons therefor and may appeal that decision in writing to the board not later than 15 days after service of the notice upon the applicant or holder in the manner prescribed in section 30.302.

2. A failure to appeal the decision of the license division within 15 days constitutes an admission that the decision is well founded and precludes further administrative or judicial review.

3. No appeal may be taken from the decision of the license division to deny a temporary liquor license.

[§39, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.193 Hearing on appeal; decision of board.

1. When an appeal is filed, an appeal hearing shall be scheduled, taking into account agenda scheduling, at the next available board meeting and not more than thirty (30) days after receipt of the appeal. If the appeal is for the denial of an intoxicating liquor license and a temporary license has been previously issued, the period for the use of the temporary license shall automatically be extended until such time that the appeal is finally acted upon by the board.

2. After receiving testimony and evidence from the appellant and any other interested party, the board shall make findings of fact and render a decision affirming or reversing the license division's denial. The board may continue action until the next regularly scheduled meeting. The board's decision, and the reasons therefor, shall be provided in writing to the appellant within ten (10) working days of the board's action at the meeting.

3. For the purposes of Chapter 241 of NRS, a criminal history background check conducted by the sheriff is deemed an investigation into the character of the applicant, and the board may discuss the results thereof in closed session and consider action based on these discussions in open session.

[§40, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.195 Judicial review. Any applicant for a liquor license aggrieved by the decision of the board may seek judicial review thereof and shall file a writ of mandamus within thirty (30) days of the board's decision at its meeting. During the course of the review, any temporary license shall be continued until a decision is rendered by the district court.

[§41, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.220 Unlawful for owner to allow unlicensed operations. It is unlawful within the county for any person knowingly to permit the sale of any intoxicating liquors to be conducted, operated or carried on in any house or building owned by him, except pursuant to a valid intoxicating liquor license.

[§54, Liquor Board Ord. No. 5]

30.223 Unlawful for liquor licensee to employ persons who do not possess required work permit.

1. It is unlawful for any liquor licensee to employ or allow to be employed any person in the selling, serving or other disposition of intoxicating liquor unless that person holds a current valid work permit issued pursuant to sections 30.010 to 30.3315, inclusive. Holders of package beer and/or liquor licenses are exempt from the provisions of this subsection.

2. In addition to any criminal sanctions, a violation of subsection 1 is grounds for revocation or suspension of a liquor license.

3. In any proceeding to suspend or revoke a liquor license which is based upon an alleged violation of this section, a defense that the licensee had a good-faith belief that the employee possessed a valid work permit 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 prior to his employment and that the licensee had a bona fide belief that the permit was valid.

[§55, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.225 Minor prohibited in package sale area.

1. Except as provided in subsection 2, it is unlawful for any holder of a package beer and/or liquor license or his agent or employee to permit any person under the age of 21 years to remain in the area where intoxicating liquor is sold, served, given away or otherwise disposed of unless that person is employed for the purpose of sales and has attained the age of 21.

2. Persons who have attained the age of 16 may be employed for the purpose of package beer and/or liquor sales if they are under the supervision of an employee of at least 21 years of age and such employee is physically present.

[§56, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.230 Sale or distribution outside licensed building prohibited; hours to sell or dispose of intoxicating liquor.

1. Except as provided in subsection 2, it is unlawful for any holder of an intoxicating liquor license, or any servants, agents or employees of such licensee, to sell, serve, give away or otherwise distribute any intoxicating liquor outside the building described in the application of such licensee and for which such

license is issued, or to sell, serve, give away or otherwise distribute any intoxicating liquor in any manner other than for consumption in the building described in the application of such licensee.

2. The license division may, for good cause shown, authorize the sale, service or other lawful distribution of intoxicating liquor in specified areas or premises under the supervision, management and operation of the licensee.

3. The holder of an intoxicating liquor license may sell, serve, give away, dispose, or otherwise distribute intoxicating liquor 24 hours per day unless restricted by other licensing or permitting.

[§57, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.235 Unlawful to serve minor. It is unlawful for any licensee or any person employed in a place of business which sells intoxicating liquor to sell, serve, give away or dispense intoxicating liquor to any person under the age of 21 years. For the purpose of this section, a person is deemed to be employed in a place of business which sells intoxicating liquor if he has the ostensible authority to make sales, whether actually receiving a wage or not.

[§58, Liquor Board Ord. No. 5]

30.240 Serving minor: Demand of proof of age as defense. In any proceeding for the suspension or revocation of any license based upon a violation of section 30.235, proof that the defendant licensee or his agent or employee demanded and was shown, immediately prior to furnishing any intoxicating liquor to a person under the age of 21 years, bona fide, unaltered, documentary evidence of majority and identity of the person, issued by a federal, state, county or municipal government or subdivision or agency thereof, including but not limited to a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the armed services is a defense to the proceeding for the suspension or revocation of the license.

[§59, Liquor Board Ord. No. 5]

30.245 Interior lighting. At all times while any intoxicating liquor-licensed premises are open for business, the interior lighting therein shall be sufficient to make easily discernible, immediately upon entering the main entrance, the appearance and conduct of all persons and patrons in that portion of the premises where intoxicating liquors are sold, served, delivered or consumed. In no event shall the intensity of the interior lighting be less than 1 foot candlepower of light when measured

at a point 30 inches from the floor whenever persons and patrons are sitting or standing within the premises. This requirement applies in all cases except in licensed establishments where floor shows are permitted under the Washoe County Code. In such cases, the floor show room lights only may be dimmed during the floor show and, at the conclusion of each floor show, the lighting must be immediately restored to the minimum standards of light intensity prescribed.

[§60, Liquor Board Ord. No. 5]

30.250 Location; schools and churches.

1. Except as provided in subsection 2, it is unlawful for an intoxicating liquor licensee to sell, serve, give away or distribute any intoxicating liquor within 500 feet of any schoolhouse or place wherein a school is conducted or within 500 feet of any church.

2. Subsection 1 does not apply to licensees or places of business selling intoxicating liquor in an approved location prior to July 8, 1991, or to licensees engaged in the business of selling intoxicating liquors in an approved location which would become a prohibited location by reason of the establishment of a church or public school within 500 feet of such approved location.

3. The 500-foot limitation as specified in subsection 1 shall be determined by measurement from the nearest corner of the building used for a school or church to the nearest corner of the building wherein intoxicating liquors are sold.

[§61, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.255 Term of license. All intoxicating liquor licenses provided for in sections 30.010 to 30.330, inclusive, shall be issued for one quarter of a year. The quarter-year periods for each year are as follows:

1. The first quarter begins on January 1.
2. The second quarter begins on April 1.
3. The third quarter begins on July 1.
4. The fourth quarter begins on October 1.

[§62, Liquor Board Ord. No. 5]

30.265 Automatic termination of license.

1. If the holder of an intoxicating liquor license, other than a tavern or cabaret license, discontinues business for more than 60 days without the specific approval of the license division, such license shall terminate automatically without action by the license division or board.

2. If the holder of a tavern or cabaret license discontinues business for more than 30 days without the specific approval of

the license division, such license shall automatically terminate without action by the license division or board.

[§63, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.270 Renewal; transfers not allowed; fictitious names.

1. The license division may attempt to notify each licensee of the due date of any fees required in this chapter. However, neither the license division's failure to attempt to so notify nor the failure of the licensee to actually receive such notice excuses the licensee from a timely tender of such fees.

2. All licensees required to have an intoxicating liquor license under the provisions of sections 30.010 to 30.330, inclusive, who desire to renew an existing valid county intoxicating liquor license, provided there has been no change of location, are required to pay the license fee established by the board of county commissioners in section 25.203.

3. Intoxicating liquor licenses issued under this chapter are issued only to the applicant and may not be transferred to another person.

4. If the licensee engages in business under a fictitious name, the licensee must immediately notify the license division if the fictitious name is changed and provide a copy of an updated fictitious name certificate issued by the county clerk.

[§64, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.275 Fee deemed a debt due county. The intoxicating liquor license fee imposed by the board of county commissioners is deemed a debt due the county from and against any person who commences, carries on, engages in or conducts the sale of liquor or beverages for which an intoxicating liquor license is required, and such person is liable in a civil action in the name of the county as plaintiff, in any court of competent jurisdiction, for the recovery of the amount of the license fee, penalties and for the cost of suit.

[§65, Liquor Board Ord. No. 5]

30.280 Suspension and revocation of licenses.

1. Any license issued pursuant to the provisions of sections 30.010 to 30.330, inclusive, or any amendment thereof may be suspended, revoked, conditioned, or not renewed for good cause. Good cause for such suspension or revocation includes, but is not limited to:

(a) The existence of unsanitary conditions, noise, disturbances and other conditions at, near or on the premises which cause or tend to cause or create a public nuisance or which injuriously affect the public health, safety or welfare;

(b) The commission of, or permitting or causing the commission of, any act in the operation of the business which act is made

unlawful or is prohibited by any applicable law, ordinance, rule or regulation of any city, county, state or the Federal Government;

(c) Fraudulent practices or misrepresentations in the operation of the business, or concealment or misrepresentation of a material fact in procuring the license;

(d) Knowingly permitting the licensed premises to be frequented by or to become the meeting place, hangout or rendezvous for known prostitutes, vagrants, persons described as undesirables in liquor operations or those who are known to engage in the illegal use or distribution of controlled substances or dangerous drugs or in any other illegal occupation or business. Any licensee permitting such conditions on the licensed premises may be subject to provisional suspension of his intoxicating liquor license pending elimination of the indicated violation. Proceedings for revocation of an intoxicating liquor license shall be initiated if the licensee fails to eliminate a violation of this subsection by taking affirmative corrective action within 10 days after the date of written notice of the existence of any such condition or violation; or

(e) Violation of any of the terms or conditions of the license.

2. Upon failure to tender any required fees for a period of 30 days after the due date, the license shall be automatically suspended without further notice or proceedings.

[§66, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.285 Conducting investigation.

1. The license division or the sheriff, or any representative of the license division or the sheriff, may conduct an investigation of any licensee who apparently is engaged in any conduct or transaction indicating possible grounds for restriction, suspension or revocation of an intoxicating liquor license.

2. The license division shall insure that periodic investigations are made to ascertain any violations of the Washoe County Code.

[§67, Liquor Board Ord. No. 5]

30.290 Cooperation with other regulatory agencies. The license division and sheriff shall cooperate with all other public agencies concerned with the regulation and control of the liquor industry and to that end may exchange with such agencies all types of appropriate information. The license division may enter into any agreement with the licensing boards of incorporated cities and towns so that an overall regulation and control can be more effectively maintained.

[§68, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.300 Procedure for suspension or revocation of licenses.

1. Any person who observes a violation of sections 30.010 to 30.3315, inclusive, may notify the sheriff, the license division, or an official possessing citation powers applicable to the enforcement of land development regulations. Such notification shall be for the sole use of the notified official and the name and address of the person providing such notification shall be presumed confidential unless permission to disclose the name and address is given by that person or disclosure is required pursuant to a judicial proceeding.

2. Whenever it appears, whether by complaint of any person or otherwise, that a licensee is violating any of the provisions of this code, any other applicable law or any of the conditions of the license, the license division may commence proceedings to suspend or revoke such license in substantially the following manner:

(a) The license division shall conduct whatever investigation is necessary and, if warranted, prepare a complaint and cause it to be served in the manner provided in section 30.302.

(b) The complaint shall set forth the reasons alleged to constitute grounds for action. It shall be accompanied by a notice that a written answer must be filed with the license division not later than 7 working days in advance of the hearing, which period may be extended by the board only upon a showing of good cause. If the licensee fails to file an answer, the board shall presume the facts as set forth in the complaint are not contested.

(c) The answer must be made under oath and fully answer and respond to all allegations and specify all excuses or defenses of the licensee. The answer shall also contain the names, addresses and telephone numbers of at least two persons upon whom any future notices or process may be served during normal daytime business hours. Persons at locations other than the place of business may be included only if no person is present at the place of business, but the persons at other locations must be within Washoe County and not be located more than 20 miles from the location of the business.

(d) The license division shall set a date and location for the hearing before the board and include that date and location in the complaint. Except in the case of an emergency, the date shall be not less than 30 working days after receipt of service of the complaint pursuant to section 30.302.

(e) Any notices subsequent to that accompanying the complaint may be served on the licensee or any of those persons designated by the licensee pursuant to subsection 3.

[§69, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.302 Notice and service for appeal hearings, and for complaints, and for hearings for suspension and revocation of licenses.

1. Prior to the board holding a hearing for an appeal or for the suspension and revocation of a license, the license division must serve written notice of the appeal hearing or written notice of the complaint for suspension and revocation. The license division must receive proof of service of the notice or complaint prior to the hearing. The written notice or complaint must include:

- (a) The date, time and location of the hearing;
- (b) A list of general topics concerning the person or licensee that will be considered by the board; and,
- (c) If applicable, the provisions in county code and regulation or policy for the board to hold a closed session pursuant to section 30.305.

2. Service of the complaint may be made by the license division or its agent by personal delivery:

- (a) If the licensee is an individual, upon that individual at the place of business;
- (b) If the licensee is a partnership, upon any of the partners whether general or limited, at the place of business; or
- (c) If the licensee is a corporation, upon the resident agent.

3. If service cannot be made as provided in subsection 2, then service may be made by leaving a copy of the complaint with an employee at the place of business or with a person of suitable age at the address as shown on the license for the licensee or any partner.

4. If service cannot be made as provided in subsections 2 or 3, then service may be made by posting a copy of the complaint in some conspicuous place on the premises and by mailing a copy to the address shown on the license for the licensee or any partners. Mailing shall be by U. S. mail with a request for acknowledgment of receipt and return if not delivered within 10 days after the first attempt.

5. If service cannot be made as provided in subsections 2, 3 or 4, then service may be made by publication in a newspaper of general circulation in the county of a notice that proceedings are being commenced to suspend or revoke the license. Such notice shall inform the licensee that a copy of the complaint is on file with the license division and that a copy may be obtained during normal business hours. A copy of the notice shall also be posted in a public place within the county.

6. Service shall be deemed completed upon personal delivery in the case of service made under subsections 2 or 3, upon posting and mailing in the case of service made under subsection 4 or

upon publication and posting in the case of service made under subsection 5.

[§70, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.305 Hearing; determination and order.

1. At the time set for the hearing the appellant or licensee may appear either in person or by counsel authorized to practice law in the State of Nevada, or both. The hearing shall proceed as determined by the chair and the burden shall be upon the county to establish, by a preponderance of the evidence, that good cause exists for the revocation or suspension of the license. For the purposes of Chapter 241 of NRS, a criminal investigation or criminal history background check conducted by the sheriff is deemed an investigation into the character of a licensee, and the board may discuss a license suspension or revocation based on the results thereof in closed session.

2. After receiving testimony from the appellant or licensee and any other interested party, the board shall in open session make findings of fact and order appropriate action. The board may continue the item, if necessary, to its next regularly scheduled meeting. The action of the board may include:

(a) A decision affirming or reversing the license division's denial; or,

(b) Revocation, suspension, reinstatement, or imposition of reasonable conditions necessary to insure the health, safety or welfare of the public. In the case of a suspension, the board shall specify any terms or conditions of the suspension.

3. Within 10 working days of the board's action, a written order of the board's action, and the reasons therefor, shall be served in the manner provided in section 30.302 on the appellant or the licensee or other persons identified in accordance with subsection 2(c) of section 30.300.

4. If the appellant or licensee fails to appear at the hearing and any action is ordered, there shall be no reopening or review of the proceedings before the board, except that if it subsequently appears to the satisfaction of the board that the appellant's or licensee's failure to answer or appear was due to matters beyond his control and not to inexcusable neglect on the part of the licensee, the hearing may be reopened or reviewed by the board.

5. Any applicant or licensee aggrieved by the action of the board may seek judicial review thereof within 30 days of the board's action. During the course of judicial review, any temporary license or license shall be continued until a decision is rendered by the district court.

[§71, Liquor Board Ord. No. 5; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.315 Emergency suspension.

1. Notwithstanding any other provision of this code, a license issued pursuant to 30.010 to 30.330, inclusive, is subject to immediate suspension whenever the continued operation of the business constitutes an immediate and clear danger or threat to the health, peace, safety or welfare of the people in Washoe County.

2. Whenever it appears by complaint of any person or otherwise, that the continued operation of any business constitutes an immediate danger or threat to the health, peace, safety or welfare of the people in Washoe County, the license division or other appropriate agency may conduct such investigation as is necessary to determine whether such threat or danger exists.

3. If it is determined that such a threat or danger exists and that immediate action is necessary to protect the health, peace, safety or welfare of the public, the license division may suspend the license and the license division or sheriff may take whatever action may be necessary to protect the public including, without limitation, the closure of the business and restriction of access to the business and related areas.

4. At the time of such action the license division shall cause service of a written complaint setting forth the reasons for such action and shall inform the licensee of the hearing date established in accordance with section 30.300. The complaint shall be served in the manner provided in section 30.302. In circumstances where preparation of such complaint is not practicable, the license division or its agent shall verbally inform the licensee or any responsible person on the premises of the reasons for the action.

[§72, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.320 Penalties. Any person who engages in the business of selling or dispensing intoxicating liquor without a valid liquor license authorizing him to do so is guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000, by a term of imprisonment in the county jail of not more than 6 months, or by both such fine and imprisonment.

[§73, Liquor Board Ord. No. 5]

30.325 Liquor and gaming board ordinances; penalties for violation. Any person committing an act which is declared unlawful by any ordinance adopted by the liquor board or the liquor and gaming board is guilty of a misdemeanor and shall be punished as provided in section 125.050 of this code.

[§74, Liquor Board Ord. No. 5; A Ord. No. 1139]

30.330 Saving clause. If any clause, sentence, section, provision or part of sections 30.010 to 30.3315, inclusive, is adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not invalidate, impair or affect the remainder of sections 30.010 to 30.3315, inclusive.

[§75, Liquor Board Ord. No. 5; A Ord. No. 1139]

Work Permits for Employees of Intoxicating Liquor Licensees

30.331 Work permit required; exception.

1. Except as provided in subsection 2, any person who is employed as an employee or independent contractor of an intoxicating liquor licensee in the selling, serving or other disposition of intoxicating liquor must hold a current, valid work permit issued and administered by the sheriff in accordance with sections 25.0451 to 25.0459, inclusive, of this code and sections 30.331 to 30.3315, inclusive.

2. No work permit is required of any person employed in a package beer or liquor establishment that is not a retail establishment, tavern, or cabaret.

[§42, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

30.3311 Grounds for denial or revocation of work permit. The sheriff shall deny, revoke, or refuse to renew a work permit for any of the reasons stated in section 25.0452 of this code or if the applicant or holder thereof has:

1. Not reached the age of 21 years.

2. Knowingly failed to comply with the provisions of sections 30.010 to 30.3315, inclusive, at a place of previous employment.

3. Been convicted within the past ten (10) years of any crime of moral turpitude, embezzlement or larceny against his employer or any other intoxicating liquor licensee, or any violation of any law pertaining to the sale or disposition of intoxicating liquor, or any other crime which is inimical to the declared policy of this county concerning the sale or disposition of intoxicating liquor.

4. Been identified as being a member or associate of organized crime, or as being of notorious and unsavory reputation.

5. Been placed and remains in the constructive custody of any federal, state, county or city law enforcement authority.

[§43, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

30.3313 Period of work permit validity; renewal. A work permit issued to an employee of an intoxicating liquor licensee remains valid for a period of 5 years from the date of its issuance and may be renewed.

[§46, Ord. No. 1139]

30.3315 Questions to be answered by applicant for work permit. Any person required to be fingerprinted under the terms of section 30.331 to 3315, inclusive, must answer all questions deemed appropriate and necessary by the sheriff and liquor board pertaining to the issuance of the work permit and the fitness of any person to receive such a permit in his capacity as an owner, part owner, officer, manager or administrative assistant or employee.

[§47, Ord. No. 1139]

Gaming Licenses and Regulations

30.335 Definitions.

1. As used in sections 30.335 to 30.600, inclusive, unless the context clearly otherwise requires, the following words have the meanings set forth in this section:

(a) "Close corporation" is a corporation whose stock, or at least voting stock, is held by a single shareholder or closely knit group of shareholders.

(b) "Board" means the merged liquor and gaming board established pursuant to section 30.001.

(c) "License division" means the business license staff and code enforcement personnel of the department of community development.

(d) "Public-issue corporation" is a corporation in which there are public investors and whose voting stock outstanding is available for purchase by the public.

(e) "Sheriff" means the sheriff of Washoe County, Nevada, or his designee.

2. Unless the context clearly otherwise requires, the definitions contained in chapter 463 of NRS apply to sections 30.335 to 30.600, inclusive.

[§2, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.340 Declaration of policy. It is found and declared that:

1. The public health, safety, morals and welfare of the inhabitants of the county require the regulation and control of all persons engaged in the business of gambling games and devices. All such persons shall be licensed and controlled so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the county and to safeguard the public.

2. The right to obtain such a license is a privilege, and that the operation of a gambling facility, when authorized by such a license, is a privileged business subject to regulation.

3. A gaming license may be revoked for violation of the conditions of sections 30.335 to 30.430, inclusive.

[§5, Gaming Licensing Board Ord. No. 3]

30.345 Persons not qualified for license.

1. A valid gaming license issued by the State of Nevada for the particular game or device for the particular location is a prerequisite to the issuance and maintenance of a county license. A person who would be classified as unsuitable to be associated with a gambling enterprise under NRS 463.170 will not be considered qualified to hold a county gaming license.

2. Determination by the appropriate state agencies of suitability for a state license shall be prima facie evidence of suitability for a county gaming license. Such determination may be rebutted by a showing that there is relevant evidence which was not available to the state at the time it made its determination, and that knowledge of that evidence would have affected the state's determination.

[§6, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.350 License required, general business and individual games.

1. It is unlawful for any person, firm, corporation or other association, to conduct a business within the county wherein there is operated any table, slot machine, race or sports book or pool, or other game or device for which a license is required under chapter 463 of NRS without having first obtained and maintained a county business license therefor.

2. Notwithstanding the securing of a general license for the operation of the business, it is unlawful to operate, conduct or carry on any individual table, slot machine or other game or device for which a license is required under chapter 463 of NRS without having first obtained and maintained a county license for each table, slot machine or other game or device.

3. Where the machine, game or device is owned by a person other than the owner or operator of the business wherein it is located, the license may be obtained by either the owner of the machine, game or device or the person in possession of the premises unless the possessor of the premises receives a portion or percentage of the revenue therefrom, in which case the license must be obtained by the possessor of the premises. In any event the premises must be approved by the license division and the State of Nevada for the location of the machine, game or device.

[§7, Gaming Licensing Board Ord. No. 3]

30.360 License application.

1. Every person who engages in the operation of any gambling game or device in Washoe County must first obtain a gaming license pursuant to sections 30.335 to 30.430, inclusive. Application for gaming licenses shall be made by filing an application with the license division on a form provided by the division. Each application shall be accompanied by the required license fee and by proof that the applicant holds a valid license issued by the state of Nevada authorizing the particular games or devices at the specified location. The application shall contain:

(a) The name, mailing address, physical home address, social security number, and telephone number of the applicant.

(b) The physical address of the location to be used.

(c) A written declaration by the applicant, under penalty of perjury, that the information contained in the application is true and correct, the declaration being dated and signed in the county.

2. If the applicant is the sole owner the information shall be required as to him. If the applicant is a partnership, the information shall be required as to each general partner and must include a statement as to the percentage of the business owned by each individual.

3. In all cases where the applicant for a gaming license is a public-issue corporation, the information shall be required as to each officer and each director.

4. The applicant shall furnish such additional information as may be needed for the license division to process the application for the license.

[\$9, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.375 Licenses nontransferable. No license issued to an applicant under the provisions of sections 30.335 to 30.430, inclusive, is transferable in any manner, and no refund of any portion of the fees charged shall be made if an applicant ceases doing business or his license is suspended or revoked prior to the expiration of the license.

[\$12, Gaming Licensing Board Ord. No. 3]

30.380 Owner of premises: Unlawful acts. It is unlawful for any person knowingly to permit any of the slot machines, games or devices mentioned in section 30.350 to be conducted, operated, dealt or carried on in any house or building owned by him in whole or in part, except by a person who has received a license or his employee.

[\$13, Gaming Licensing Board Ord. No. 3]

30.385 Social games not prohibited. Nothing in sections 30.335 to 30.430, inclusive, shall be construed to prohibit social games played in private homes or residences.

[§14, Gaming Licensing Board Ord. No. 3]

30.390 License fees. Pursuant to NRS 463.390, there is hereby imposed a quarterly license fee for the operation of a business wherein games, tables, machines or devices are operated. The amount of that fee shall be determined on the basis of the number and types of games, tables, machines or devices contained on the premises.

1. The fee shall be the cumulative total of the calculations based on the following formula:

(a) \$25 per month for each table used for a card game, including but not limited to, stud and draw poker, bridge, whist, solo and panguini for money.

(b) \$10 per month for each slot machine unit whether operated solely by a single handle or in combination with another unit with the same handle.

(c) \$50 per month for each game or device other than those described in paragraphs (a) and (b).

2. The initial license fees are payable at the time of application prorated to the end of the calendar quarter during which the application is made. Thereafter, the license fee is due and payable quarterly in advance on January 1, April 1, July 1 and October 1 and will not be refundable after the license is issued.

3. In accordance with NRS 463.323, all fees received by the county pursuant to this section shall be retained by the county treasurer for credit to the county general fund, except for the portion of the fees collected from licensees within the boundaries of an incorporated city that must be paid into the general fund of the city.

[§15, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.391 Additional gaming license fees. Any license fee imposed by the county pursuant to section 21.1620 of this code is payable to the license division at the same time as, and in addition to, the fee imposed pursuant to section 30.390.

[§57, Ord. No. 1139]

30.395 Investigation, recommendation by license division, issuance.

1. Upon receipt of a completed application from the unincorporated area of the county, accompanied by proof that the applicant holds a valid license issued by the State of Nevada authorizing the particular games or devices at the specified location and a tender of the required fees, the license division

may request the sheriff to conduct a criminal background check of the applicant to determine whether cause for denial exists.

(a) The applicant shall present himself within fourteen (14) days of filing a complete application for a gaming license to the sheriff for a complete set of fingerprint impressions. The applicant shall also provide the sheriff with written permission authorizing the sheriff to forward the impressions for a criminal history background investigation. The sheriff shall forward the impressions to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation to determine whether a criminal history record exists for the person. NRS 239B.010(1)(a) 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.

(b) The reasonable costs of the investigation shall be the responsibility of the applicant and shall be paid to the sheriff in advance. The sheriff may charge an applicant 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.

(c) The investigation should be completed in the shortest possible time, but the sheriff shall be given a reasonable amount of time to verify any information presented or ascertained. It is the intent of sections 30.335 to 30.430, inclusive, that all investigations be completed within 90 days. However, if it is not possible for the sheriff to complete an investigation within 90 days after receipt of the application, the sheriff shall report that fact to the license division. The license division may order additional time for the investigation, not to exceed 90 days. Any subsequent extensions of time must be approved by the board.

2. In addition to any investigation by the sheriff, the license division shall coordinate a review of each application from the unincorporated area of the county by the appropriate county departments and other public agencies to determine whether it complies with all applicable requirements including, without limitation:

(a) Section 30.405.

(b) Fire, health, water, sewer, building, and zoning requirements.

3. Upon the completion of any investigation conducted pursuant to subsections 1 and 2 of this section and after determining that the proposed gaming business will be conducted in compliance with law and that no cause for denial exists pursuant to section

30.410, the license division may issue the gaming license. The license division may deny an application or place conditions on a license to ensure compliance with this chapter and other applicable laws and regulations. If the license division denies an application, the reasons for denial shall be provided to the applicant in writing.

4. The license is valid for a period of 3 months provided that all subsequently required fees or reports are timely made.

[§16, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.3951 Appeal of denial of gaming license.

1. If an application for a gaming license is denied or a gaming license is not renewed by the license division, the applicant or holder thereof shall be notified in writing of the reason or reasons therefor and may appeal that decision in writing to the board not later than 15 working days after service of the notice upon the applicant or holder in the manner prescribed in section 30.4201.

2. A failure to appeal the decision of the license division within 15 working days constitutes an admission that the decision is well founded and precludes further administrative or judicial review.

[§1, Ord. No. 1384 eff. 9-19-08]

30.3953 Hearing on appeal; decision of board.

1. When an appeal is filed, an appeal hearing shall be scheduled, taking into account agenda scheduling, at the next available board meeting and not more than thirty (30) days after receipt of the appeal.

2. After receiving testimony and evidence from the appellant and any other interested party, the board shall make findings of fact and render a decision affirming or reversing the license division's denial. The board may continue action until the next regularly scheduled meeting. The board's decision, and the reasons therefor, shall be provided in writing to the appellant within ten (10) working days of the board's action at the meeting.

3. For the purposes of Chapter 241 of NRS, a criminal history background check conducted by the sheriff is deemed an investigation into the character of the applicant, and the board may discuss the results thereof in closed session and consider action based on these discussions in open session.

[§1, Ord. No. 1384 eff. 9-19-08]

30.3955 Judicial review. Any applicant for a gaming license aggrieved by the decision of the board may seek judicial review thereof and shall file a writ of mandamus within thirty (30) days of the board's decision at its meeting.

[§1, Ord. No. 1384 eff. 9-19-08]

30.400 Renewal; notice of due date; substantial changes.

1. The license division may attempt to notify each licensee of the due date of any fees required in this chapter. However, neither the license division's failure to attempt to so notify nor the failure of the licensee to actually receive such notice excuses the licensee from a timely tender of such fees.

2. All licensees required to have a gaming license under the provisions of sections 30.335 to 30.430, inclusive, who desire to renew an existing valid county gaming license, provided there has been no change in location, are required to pay the license fees established in sections 30.390 and 30.391.

3. If, during the preceding calendar quarter, there has been a change in ownership or location of the gaming establishment, games, or devices, or if the state gaming license has been revoked, suspended, conditioned, or limited, or if the number of games, slot machines, and other gaming devices has changed, or if there has been any other substantial change in the operation of the business, the applicant shall inform the license division and the license division may require an application for a new license and may proceed in the same manner as provided for an application for a new license. Investigative fees which may be required for an application for renewal are not refundable, whether or not the license is renewed.

[§17, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.405 Location near schools and churches.

1. No gaming license shall be granted to an applicant located within the unincorporated area of the county for the conducting of a gaming establishment within 500 feet of any school, church, edifice, building or structure erected and used exclusively for devotional services or religious worship, nor shall a gaming license be issued in those unincorporated areas of the county where operation of the business would create or constitute a public nuisance.

2. This section does not prohibit the issuance or renewal of a license for the conducting of a gaming establishment if the establishment was licensed at its existing location before the school, church, edifice or religious structure was constructed.

3. The 500-foot limitation as specified in subsection 1 shall be determined by measurement from the nearest corner of the

building used for a school or church to the nearest corner of the building housing the gaming establishment.

[§18, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.410 Grounds for refusal to grant, renew gaming license.

The license division may refuse to grant or to renew a gaming license to any applicant located within the unincorporated area of the county if it appears to the license division that:

1. The applicant or licensee is not a suitable person to hold a gaming license as provided in section 30.345.

2. The applicant or licensee has not properly and fairly conducted such slot machine, device or game.

3. The applicant or licensee has violated any of the provisions of this code or applicable state or federal law or has been convicted within the past ten (10) years of any illegal act which involves moral turpitude.

[§19, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.415 Posting gaming license required; failure constitutes grounds for revocation.

1. All gaming licenses issued under the provisions of sections 30.335 to 30.430, inclusive, for gambling games, devices and slot machines of every character and description shall be posted in a conspicuous place where such gambling games, devices and slot machines are installed in order that they may be inspected by authorized state and county officials.

2. Failure to comply with the provisions of this section constitutes a ground for the revocation of such license not so posted.

[§20, Gaming Licensing Board Ord. No. 3]

30.419 Suspension and revocation of gaming licenses.

1. Any license issued pursuant to the provisions of sections 30.335 to 30.430, inclusive, or any amendment thereof may be suspended or revoked for good cause. Good cause for such suspension or revocation includes, but is not limited to:

(a) The existence of unsanitary conditions, noise, disturbances and other conditions at, near or on the premises which cause or tend to cause or create a public nuisance or which injuriously affect the public health, safety or welfare.

(b) The commission of, or permitting or causing the commission of, any act in the operation of the business which act is made unlawful or is prohibited by any applicable law, ordinance, rule or regulation of any city, county, state or the Federal Government.

(c) Fraudulent practices or misrepresentations in the operation of the business, or concealment or misrepresentation of a material fact in procuring the license.

(d) Any action or circumstance which would warrant the denial of the issuance or renewal of the license.

(e) Violation of any of the terms or conditions of the license.

2. Upon failure to tender any required fees for a period of 30 days after the due date, the license shall be automatically suspended without further notice or proceedings.

[§24, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]

30.420 Procedure for suspension or revocation of licenses.

1. Any person who observes a violation of sections 30.335 to 30.430, inclusive, may notify the sheriff, the license division, or an official possessing citation powers applicable to the enforcement of land development regulations. Such notification shall be for the sole use of the notified official and the name and address of the person providing such notification shall be presumed confidential unless permission to disclose the name and address is given by that person or disclosure is required pursuant to a judicial proceeding.

2. Whenever it appears, by complaint of any person or otherwise, that a licensee is violating any provision of this code or any other applicable law or any of the conditions of the license, the license division may commence proceedings to suspend or revoke such license in substantially the following manner:

(a) The license division shall conduct whatever investigation is necessary and, if warranted, prepare a complaint and cause it to be served in the manner provided in section 30.4201.

(b) The complaint must set forth the reasons alleged to constitute grounds for action. It must be accompanied by a notice that a written answer must be filed with the license division not later than 7 working days in advance of the hearing, which period may be extended by the board only upon a showing of good cause. If the licensee fails to file an answer, the board shall presume the facts as set forth in the complaint are not contested.

(c) The answer must be made under oath and fully answer and respond to all allegations and specify all excuses or defenses of the licensee. The answer shall also contain the names, addresses and telephone numbers of at least two persons upon whom any future notices or process may be served during normal daytime business hours. Persons at locations other than the place of business may be included only if no person is present at the place of business, but the persons at other locations must be within Washoe County and not located more than 20 miles from the location of the business.

(d) The license division shall also set a date and location for the hearing before the board and include that date and location in the complaint. Except in the case of an emergency, the date shall be not less than 30 working days after receipt of service of the complaint pursuant to section 30.4201.

(e) Any notices subsequent to that accompanying the complaint may be served on the licensee or any of those persons designated by the licensee pursuant to subsection 3.

[§25, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1384 eff. 9-19-08]

30.4201 Notice and service for appeal hearings, and for complaints, and for hearings for suspension and revocation of licenses.

1. Prior to the board holding a hearing for an appeal or for the suspension and revocation of a license, the license division must serve written notice of the appeal hearing or written notice of the complaint for suspension and revocation. The license division must receive proof of service of the notice or complaint prior to the hearing. The written notice or complaint must include:

(a) The date, time and location of the hearing;

(b) A list of general topics concerning the person or licensee that will be considered by the board; and,

(c) If applicable, the provisions in county code and regulation or policy for the board to hold a closed session pursuant to section 30.4202.

2. Service of the complaint may be made by the license division or its agent by personal delivery:

(a) If the licensee is an individual, upon that individual at the place of business;

(b) If the licensee is a partnership, upon any of the partners whether general or limited at the place of business; or

(c) If the licensee is a corporation, upon the resident agent.

3. If the license division or its agent is unable to make service as provided in subsection 2, service may be made by leaving a copy of the complaint with an employee at the place of business or with a person of suitable age at the address as shown on the license for the licensee or any partner.

4. If the license division or its agent is unable to make service as provided in subsections 2 or 3, service may be made by posting a copy of the complaint in some conspicuous place on the premises and by mailing a copy to the address shown on the license for the licensee or any partners. Mailing shall be by U.S. mail with a request for acknowledgment of receipt and return if not delivered within 10 days of the first attempt.

5. If the license division or its agent is unable to make service as provided in subsections 2, 3 or 4, service may be made

by publication in a newspaper of general circulation in the county of a notice that proceedings are being commenced to suspend or revoke the license. Such notice shall inform the licensee that a copy of the complaint is on file with the license division and that a copy may be obtained during normal business hours. A copy of the notice shall also be posted in a public place within the county.

6. Service shall be deemed completed upon personal delivery in the case of service made under subsections 2 or 3, upon posting and mailing in the case of service made under subsection 4, or upon publication and posting in the case of service made under subsection 5.

[§65, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

30.4202 Hearing.

1. At the time set for the hearing the licensee may appear either in person or by counsel authorized to practice law in the State of Nevada, or both. The hearing shall proceed as determined by the chair and the burden shall be upon the county to establish, by a preponderance of the evidence, that good cause exists for the revocation, suspension or conditioning of the license. For the purposes of Chapter 241 of NRS, a criminal investigation or criminal history background check conducted by the sheriff is deemed an investigation into the character of the licensee, and the board may discuss a license suspension or revocation based on the results of such an investigation in closed session.

2. Upon the conclusion of the hearing and in open session, the board shall make findings of fact and order appropriate action. The board may continue action on the matter to its next regularly scheduled meeting if necessary. The action of the board may include revocation, suspension, reinstatement, or imposition of reasonable conditions necessary to insure the health, safety or welfare of the public. In the case of a suspension, the board shall specify any terms or conditions of the suspension.

3. Within 10 working days of the board's action at the meeting, a written copy of the board's order shall be delivered to the license division and served in any reasonable manner on the licensee or his designee, if available for service. If those persons are unavailable for service, the order shall be posted upon the business premises.

4. If the licensee fails to appear at the hearing and any action is ordered, there shall be no reopening or review of the proceedings before the board, except that if it subsequently appears to the satisfaction of the board that the licensee's failure to answer or appear was due to matters beyond his control and not to inexcusable neglect on the part of the licensee, the hearing may be reopened or reviewed by the board.

5. Any applicant or licensee aggrieved by the action of the board may seek judicial review thereof within 30 days of the board's action. During the course of judicial review, any temporary license or license shall be continued until a decision is rendered by the district court.

[§66, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

30.4203 Emergency suspension.

1. Notwithstanding any other provision of this code, a license issued pursuant to sections 30.335 to 30.430, inclusive, is subject to immediate suspension whenever the continued operation of the business constitutes an immediate and clear danger or threat to the health, peace, safety or welfare of the people in Washoe County.

2. Whenever it appears, by complaint of any person or otherwise, that the continued operation of any business constitutes an immediate danger or threat to the health, peace, safety or welfare of the people in Washoe County, the license division or other appropriate agency may conduct such investigation as is necessary to determine whether such threat or danger exists.

3. If it is determined that such a threat or danger exists and that immediate action is necessary to protect the health, peace, safety or welfare of the public, the license division may suspend the license and the license division or the sheriff may take whatever action may be necessary to protect the public including, without limitation, the closure of the business and restriction of access to the business and related areas.

4. At the time of such action, the license division shall cause service of a written complaint setting forth the reasons for such action and shall inform the licensee of the hearing date established in accordance with section 30.420. The complaint shall be served in the manner provided in section 30.4201. In circumstances where preparation of such complaint is not practicable, the license division or its agent shall verbally inform the licensee or any responsible person on the premises of the reasons for the action.

[§67, Ord. No. 1139]

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.

[§26, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1194]

30.430 Severability. If any section of sections 30.335 to 30.430, inclusive, or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining portions of sections 30.335 to 30.430, inclusive.

[§27, Gaming Licensing Board Ord. No. 3]

Work Permits for Gaming Employees

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 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.

[§2, Ord. No. 1194]

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.

[§29 to 31, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1194]

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.

[§32, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1194]

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 written permission from the applicant authorizing the sheriff to forward the applicant's complete set of fingerprint impressions for a criminal history background investigation. NRS 239B.010(1)(a) 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.

5. 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.

6. 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.

[§34, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1194, 1384 eff. 9-19-08]

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. The sheriff shall forward the impressions to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation to determine whether a criminal history record exists for the person. The investigation need not be limited solely to consideration of the results of the report concerning the criminal history of the applicant. NRS 239B.010(1)(a) 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.

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.

[§35, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1194, 1384 eff. 9-19-08]

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.

[§36, Gaming Licensing Board Ord. No. 3; A Ord. No. 1194]

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 30 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.

[§37, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1050, 1139, 1194, 1384 eff. 9-19-08]

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.

[§38, Gaming Licensing Board Ord. No. 3; A Ord. Nos. 1139, 1194]

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) The complete set of 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.

[§3, Ord. No. 1194; A Ord. No. 1384 eff. 9-19-08]

30.510 Penalties. Any person who engages in any occupation as a gaming employee without a valid temporary work permit or work permit authorizing him to do so is guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000, by a term of imprisonment in the county jail of not more than 6 months, or by both such fine and imprisonment.

[§43, Gaming Licensing Board Ord. No. 3]

Confidentiality of Records

30.520 Confidentiality of records regarding intoxicating liquor and gaming licenses.

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

(a) Information contained in an application for an intoxicating liquor license or gaming license while an investigation is pending;

(b) The complete set of impressions taken in accordance with sections 30.135 and 30.395;

(c) Information received from the Central Repository of Nevada Records or the Federal Bureau of Investigation regarding a criminal history background check of an applicant or licensee; and

(d) Other records compiled by the license division or the sheriff regarding an applicant or licensee while an investigation is pending.

2. The license division or 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 chapters 25 and 30. The license division and the sheriff shall disseminate the information only to authorized representatives of criminal justice, judicial, and administrative entities.

3. Any record of the license division or the sheriff that shows that the applicant or licensee has been convicted of a crime in another state must show whether the crime was a 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.

[§78, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

30.525 Confidentiality of records regarding works permits for employees of intoxicating liquor licensees and gaming employees.

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

(a) Information contained in an application for a work permit for an employee of an intoxicating liquor licensee or a gaming employee while an investigation is pending;

(b) The complete set of fingerprint impressions taken in accordance with section 25.0455 of this code and section 30.470;

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

(d) Other records compiled by the sheriff regarding an applicant or work permit holder while an investigation is pending.

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 chapters 25 and 30. 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 work permit holder has been convicted of a crime in another state must show whether the crime was a 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.

[§79, Ord. No. 1139; A Ord. No. 1384 eff. 9-19-08]

Criminal Penalty for Violation of
Liquor and Gaming Board Ordinances or Regulations

30.600 Liquor and gaming board ordinances and regulations:
Penalty for violation. Any person committing an act which is declared unlawful by any ordinance or regulation adopted by the liquor and gaming board of the County of Washoe or any other board which has the power to adopt ordinances or regulations is guilty of a misdemeanor and shall be punished as provided in section 125.050 of this code.

[§44, Gaming Licensing Board Ord. No. 3; A Ord. No. 1139]