

CHAPTER 65

SAFETY AND DISASTER SERVICES

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Safety and Health of County Officers and Employees

General Provisions

65.010 Definitions. As used in sections 65.010 to 65.260, inclusive, the words and terms defined herein shall have the following meaning:

1. "Division" means the division of risk management of the department of finance.
2. "Property/casualty program" means a program to cover risks

involving county property and county operations, to adjust claims made against the county by third parties, and includes the maintenance of the appropriate funds, insurance, or combination thereof, to provide such coverage.

3. "Safety program" means a program to provide a safe work environment for county officers and employees, to monitor accidents and incidents in the workplace, and to administer a program of industrial insurance for workplace injuries.

[Preamble, Ord. No. 237; A Ord. No. 558; repealed '2, Ord. No. 987; reenacted '3, Ord. No. 987; A Ord. Nos. 1058, 1374 eff. 6-20-08]

65.020 Creation of risk management division.

1. There is hereby created the Washoe County division of risk management, which is a division of the department of finance.

2. The purpose of the division is to administer the property/casualty program and the safety program of the county.

['1, Ord. No. 237; repealed '2, Ord. No. 987; reenacted '4, Ord. No. 987; A Ord. Nos. 1058, 1374 eff. 6-20-08]

65.030 County risk manager: Creation; powers; duties.

1. The position of county risk manager is hereby created. The risk manager shall be appointed by the county manager upon recommendation of the director of finance and serves at the pleasure of the county manager. The county risk manager is in the unclassified service of the county, and shall receive a salary to be set by county manager within the range approved by the board of county commissioners.

2. The risk manager shall:

(a) Administer the risk management division, including administration of the property/casualty program and the safety program of the county;

(b) Administer the self-insurance funds;

(c) Review and approve or disapprove all expenditures from the funds;

(d) Pursue subrogation where feasible;

(e) Administer all contracts related to the property/casualty program, and the safety program;

(f) Develop, initiate and carry out systems of premium charges and deductibles where feasible;

(g) Recommend levels of self-funding and purchased insurance, subject to county commission approval when required, which will protect the operating revenues of Washoe County from the effects of claims and litigation;

(h) Analyze and assess the risks of county activities and business transactions and make recommendations to minimize the risks presented by such activities;

(i) Approve and execute, on behalf of Washoe County, indemnity

and hold harmless agreements whereby Washoe County agrees to release third parties from liability under appropriate circumstances;

(j) Review all claims and suits against Washoe County, initiate investigations, coordinate the defense of Washoe County and maintain all necessary records to insure that adequate data are available for use when reviewing self-insurance funding levels. In the absence of the risk manager, the director of finance shall perform the duties specified in this subsection; and

(k) In consultation with and approval of the district attorney's office, retain outside counsel where appropriate, and retain such other investigators and experts in the defense of claims and suits as may be necessary. The retention of such professionals shall be upon such terms and in such amounts as may be necessary and deemed appropriate by the risk manager and are not governed by section 15.530.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 558, 656, 733; repealed '2, Ord. No. 987; reenacted, renumbered and amended '5, Ord. No. 987; A Ord. Nos. 1048, 1055, 1058, 1374 eff. 6-20-08]

65.040 Safety and health inspections. The risk management division shall conduct inspections of county facilities and operations in order to note and make recommendations to correct safety, fire and health deficiencies. Such inspections shall be coordinated with the department under inspection.

['9, Ord. No. 237; A Ord. Nos. 558, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '6, Ord. No. 987]

65.050 Preparation of statistical information for development of accident-prevention measures. The county risk manager shall have each accident or incident report received in compliance with section 65.010 to 65.220, inclusive, tabulated and analyzed and shall maintain adequate records of insurance losses, injuries, fatalities, and other statistical information useful in the development and maintenance of accident prevention and loss control measures.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '7, Ord. No. 987]

65.060 Safety program: Legislative findings, declaration. The board of county commissioners finds and declares:

1. The Nevada Occupational Safety and Health Act (NOSHA) (chapter 618 of NRS) was enacted to provide safe and healthful working conditions for every employee and to establish the division of industrial relations of the department of business and industry of the state to supervise and regulate all matters relating to the protection of the safety and health of employees in conformity with the provisions of chapter 618 of NRS.

2. Pursuant to chapter 618 of NRS, all employers in Nevada have

duties with respect to places of employment, to furnish safety devices and safeguards, to post information informing employees, and other matters as set forth in chapter 618 of NRS.

3. Pursuant to chapter 618 of NRS, all employers in Nevada must establish a written safety program containing such matters as are covered in NRS 618.383.

4. The Washoe County safety program provides Washoe County officers and employees with conditions of employment consistent with the objective of NOSHA.

[Preamble, Ord. No. 237; A Ord. No. 558; repealed '2, Ord No. 987; reenacted, renumbered and amended '8, Ord. No. 987]

65.070 Policy of the board.

1. The board of county commissioners declares that this section constitutes the safety policy of the board. The policy shall be published as part of the safety program as a separate document and posted in appropriate areas readily accessible to county officers and employees.

2. The personal safety and health of each employee of Washoe County is of primary importance. To the greatest degree possible, the board of county commissioners shall provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.

3. It is the board of county commissioners' policy that Washoe County maintain a safety program conforming with the best practices of local government programs. To be successful, such a program must embody the proper attitudes toward injury and illness prevention on the part of department heads, supervisor and employees and requires cooperation in all safety and health matters, not only among department heads, supervisors and employees, but also between each employee and his fellow workers. Only through such a cooperative effort can a safety record in the best interests of all be established and preserved.

4. The objective of the board of county commissioners is a safety program which will reduce the number of injuries and illnesses to a minimum, not merely in keeping with but surpassing the best experience of other governmental units.

[Part '2, Ord. No. 237; A Ord. No. 381; repealed '2, Ord. No. 987; reenacted '9, Ord. No. 987]

65.080 Safety program. The county risk manager shall prepare and keep updated a safety program for adoption by the board of county commissioners which program shall comply with NRS 618.383 and NAC 618.540 and 618.542. The safety program shall contain goals to achieve a safe and healthy work environment for county officers and employees. The safety program shall specify the obligations of county and officers and employees with respect to carrying out the

provisions of the safety program. The safety program shall also contain procedures for identifying and controlling hazards, requirements for safety training, procedures for accident investigation and corrective action, methods of communicating the safety program and enforcement provisions.

['3, Ord. No. 237; A Ord. No. 656; repealed '2, Ord. No. 987; reenacted '10, Ord. No. 987]

65.090 County safety officer: Duties. The county safety officer, who shall administer the county safety program, shall perform his duties under the direction of the county risk manager.

['3, Ord. No. 237; A Ord. No. 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '11, Ord. No. 987]

65.100 Posting of safety notices. Department heads shall select a heavily traveled, conspicuous area for a bulletin board where safety notices, bulletins, regulations and posters can be posted. One copy of each of the following publications shall be posted in each designated area:

1. Washoe County safety policy.
2. Departmental safety programs.
3. "Safety and Health Protection on the Job," published by the state division of industrial relations and explaining chapter 618 of NRS.
4. OSHA Form 200, "Summary of Occupational Injuries and Illnesses" (this Summary must remain posted for 30 Days).
5. Emergency telephone numbers.

['15, Ord. No. 237; renumbered '14 by Ord. No. 381; A Ord. No. 558; repealed '2, Ord. No. 987; reenacted, renumbered and amended '12, Ord. No. 987]

65.110 Written reports required for occupationally related injury, illness. The following reports: C1 Notice of Injury or Occupational Disease (to be completed by the employee), Supervisor's Report of Injury (to be completed by the supervisor), and C3 Employer's Report of Industrial Injury or Occupational Disease (to be completed by the department head or designee), shall be submitted to the county safety officer when any occupationally related injury or illness results in:

1. Death, regardless of the time between the injury and death or the length of the illness.
2. Absence from work.
3. Necessity for transfer to another job or termination of employment.
4. Loss of consciousness.
5. Restriction of work or movement.
6. Medical treatment of any kind, including first aid.

These reports shall be prepared and submitted as soon as possible, but not later than 5 days after the injury or illness is reported.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 558, 656, 863; repealed '2, Ord. No. 987; reenacted, renumbered and amended '13, Ord. No. 987]

65.120 Emergency reports. An immediate report shall be made by telephone to the risk management division after any accident which results in serious injury, fatality, possible fatality or which requires hospitalization of three or more employees.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '14, Ord. No. 987]

Safety and Health Program

65.140 Requirements for investigation, evaluation of accidents, incidents. The county safety officer or the county risk manager shall review each accident or incident report prepared by county officers, employees or volunteers, and conduct such investigation as deemed necessary to determine the circumstances related to the accident or incident. The county risk manager or his designee shall specifically review all auto accidents or incidents pursuant to the driver's selection training policy, other than those involving peace officers employed by the Washoe County Sheriff's Office, which accidents or incidents shall be subject to the review process of the sheriff's office. A report of the findings and conclusions of the risk manager about the cause of each accident or incident and recommendations on preventing reoccurrence shall be provided to any employee that is the subject of the investigation, the employee's department head and the president of any recognized collective bargaining association that represents such an employee. The report shall include a statement that the report can be reviewed by the safety committee at the request of the employee, the employee association that represents the employee acting through its authorized representatives or the employee's department head.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '15, Ord. No. 987; A Ord. No. 1296 eff. 5-5-06]

65.145 Request of review of report of the findings and conclusions. Any employee who is the subject of a report by the risk manager pursuant to this chapter, the employee association that represents the employee acting through its authorized representatives, the department head of the department in which the employee works or the risk manager may request that the report and the underlying matter be reviewed by the safety committee by sending

a written request to the risk manager within 30 days of the date of the delivery of the report.

['1, Ord. No. 1296 eff. 5-5-06]

65.150 County safety committee: Creation; purposes.

1. The county safety committee is hereby created.

2. The purposes of the county safety committee are to:

(a) Serve in an advisory capacity to the board of county commissioners, the county manager, the county safety officer and the county risk manager in all matters relating to safety and health of county officers, employees and volunteers.

(b) Communicate safety policies to all employees and volunteers.

(c) Review the report of the risk manager of the accidents or incidents pursuant to the driver's selection training policy upon the request of a person authorized by this chapter to request review. Following the requested review the safety committee may accept, reject, amend or modify the report of the risk manager.

(d) Review all on-the-job accidents or injuries which result in lost time compensation pursuant to the county=s workers compensation program, and all accidents or incidents referred by the county safety officer or county risk manager. Where deemed necessary by the committee, the county safety committee may conduct additional evaluations. The county safety committee may recommend employee counseling, training or corrective measures, and other future accident-prevention or loss-control measures.

(e) Review and recommend action on all safety issues brought before the safety committee.

3. The county safety committee does not recommend any disciplinary measures. Any discipline shall, subject to applicable personnel rules, be imposed as appropriate by the responsible supervising authorities and reviewed in accordance with county policy by the personnel division.

[Part '2, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '16, Ord. No. 987; A Ord. No. 1048; A Ord. No. 1296 eff. 5-5-06]

65.160 County safety committee: Composition; terms of office of members; chairman.

1. The county safety committee consists of seven members and a majority of the committee constitutes a quorum. The committee members are to be selected as follows:

(a) One department head, appointed by the county manager;

(b) One representative of the Washoe County Sheriff's Deputies Association appointed by the association or the Washoe County Sheriff=s Supervisory Association;

(c) One representative of the Washoe County Employees' Association, appointed by the association;

(d) One representative of the Washoe County Nurses' Association, appointed by the association;

(e) One representative chosen annually by and from the remaining employee organizations which represent county employees which selection shall be made on a rotating basis among those organizations;

(f) The county safety officer; and

(g) The county risk manager.

2. The term of office of each member of the county safety committee is as follows:

(a) The county safety officer and the county risk manager are permanent members;

(b) The department head, the representative from the sheriff's associations, the representative from the nurses' association and the representative from the county employees' association are 2-year appointments; and

(c) The one representative from the remaining employee organizations which represent county employees is a one-year appointment.

3. At the first meeting of the county safety committee held each year, the committee shall elect a chairman from among its members who shall not be the county safety officer or the county risk manager.

4. Committee members shall make their best efforts to attend all committee meetings. If a committee member, for good cause, is unable to attend a meeting, another employee designated by the member or the member's association may appear and vote in such member's place and stead.

[Part '2, Ord. No. 237; A Ord. Nos. 381, 558, 656, 791; repealed '2, Ord. No. 987; reenacted, renumbered and amended '17, Ord. No. 987; A Ord. No. 1048; A Ord. No. 1296 eff. 5-5-06]

65.170 Meetings of county safety committee. The county safety committee shall meet every other month and upon the call of the chairman.

[Part '2, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted and renumbered '18, Ord. No. 987]

65.180 When member of county safety committee prohibited from participating; effect on quorum and action.

1. A member of the county safety committee shall not participate in the evaluation of an accident involving an officer, employee or a volunteer working under that member's direct supervision. The member shall not participate in such officer's, employee's or volunteer's review and shall not make findings or recommendations regarding that officer, employee or volunteer.

2. When a member of the county safety committee abstains from participating in a matter by virtue of the provisions of subsection

1, the number of members necessary to constitute a quorum, and the number necessary to take action is deemed reduced by the number of persons abstaining.

[Part '2, Ord. No. 237; A Ord. No. 381; repealed '2, Ord. No. 987; reenacted, renumbered and amended '19, Ord. No. 987; A Ord. No. 1048]

65.190 Responsibilities of the county safety committee with respect to accidents and incidents.

1. After an investigation or hearing the county safety committee or the county risk manager or his designee may require additional written information from the officer, employee or volunteer and may interview that person if it deems necessary. The county safety committee or the county risk manager or his designee may request from the sheriff, the district attorney or other appropriate personnel technical assistance for the conduct of additional investigation if deemed necessary.

2. After investigation and evaluation, the county safety committee or the county risk manager or his designee may if deemed necessary submit to the head of the department in which the accident occurred, a recommendation as to whether or not employee counseling, training or non-disciplinary corrective measures should be taken and what other future accident prevention or loss control measures might be taken. The county safety committee may also recommend that the person be required to participate in a driving course. The county safety committee shall make such other recommendations as it deems warranted by the circumstances of each case.

3. A recommendation for employee counseling, training or corrective measures (such as additional defensive driving courses) shall be placed in the employee's personnel file.

4. A department head shall, within seven (7) days after receipt of a safety committee recommendation for employee counseling, training or corrective measures, or other future accident prevention or loss control measures, provide a written response to the risk manager detailing what action, other than employee discipline, has or will be taken.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '20, Ord. No. 987; A Ord. No. 1048; A Ord. No. 1296 eff. 5-5-06]

65.200 Property/Casualty: Reporting requirements following accident, incident or injury. Any person who, while performing services for Washoe County as an officer, employee or volunteer, is involved in an accident or incident involving damage to any property or injury to any other person shall:

1. When required by law, report the accident or incident to the proper authority.

2. Notify the head of his department as soon as practicable after

the accident or incident.

3. Forward a written report of the accident or incident to the head of his department within 24 hours or the next working day after its occurrence.

[Part '11, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '21, Ord. No. 987]

65.210 Transmittal of written reports by department heads to county risk manager; additional reports.

1. The head of a department who receives a written report pursuant to section 65.200 shall forward the report and any other material relating to the accident or incident to the county risk manager within 24 hours or the next working day of receipt of the written report.

2. The county risk manager may require additional reports to be filed if, in his opinion, the written report is insufficient. In addition, the department head will provide any documents and information requested by the county risk manager to assist the county risk manager in his investigation of claims.

['12, Ord. No. 237; A Ord. Nos. 381, 656; repealed '2, Ord. No. 987; reenacted, renumbered and amended '22, Ord. No. 987]

65.220 Use, form, contents of written documentation of accidents, incidents. Departmental reports and any other materials relating to an accident or incident which are submitted to the county risk manager pursuant to section 65.210:

1. Remain the property of the department or office which submitted the report or other material.

2. Are confidential and shall not be released to any person other than the district attorney, the county safety officer, the county manager, the director of finance and the county risk manager unless the approval of the district attorney is first obtained, except that the county risk manager may release the following reports and materials to a claimant or his legal representative:

(a) Accident, incident or injury reports specifically made on forms provided by the county risk manager and prepared for the county risk manager; and

(b) Booking and Property Reports, sheriff's office form S-15, pertaining to any claim that the sheriff's office lost the property of an inmate.

The county risk manager or county safety officer shall provide access to records as provided in NAC 618.577.

3. Are for use in accident prevention, loss control and such disciplinary action as may be warranted against the employee involved.

4. Shall be submitted in such form as may be prescribed by the county risk manager.

5. May include estimates of vehicle, property and liability

losses as well as information sufficiently detailed to disclose, with reference to the accident or incident, its cause, the conditions then existing and the persons and property involved.

['1, Ord. No. 14; A Ord. Nos. 591, 656, 787; repealed '2, Ord. No. 987; reenacted, renumbered and amended '23, Ord. No. 987; A Ord. Nos. 1055, 1058]

65.240 Authority of county risk manager to administer claims on behalf of Washoe County.

1. The county risk manager shall review all claims submitted to or by Washoe County and shall either approve or disapprove such claims pursuant to the provisions of this section.

2. The county risk manager may settle a claim up to \$1,000. Once a week, the risk manager shall prepare a list of all claims which have been settled pursuant to this subsection and forward it to the director of finance.

3. The county risk manager, after consultation with the director of finance and the district attorney, has sole authority to negotiate and settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is less than \$10,000.

4. The county manager, after consultation with the county risk manager, the director of finance and the district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$10,000 or more but less than \$25,000.

5. The board of county commissioners, after consultation with the county risk manager and district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$25,000 or more.

['2, Ord. No. 14; A Ord. Nos. 591, 656, 733; repealed '2, Ord. No. 987; reenacted, renumbered and amended '24, Ord. No. 987; A Ord. Nos. 1055, 1058]

Division of Emergency Management and Homeland Security

65.300 Definitions. As used in section 65.300 to 65.355, inclusive, unless the context otherwise requires:

1. "Board" means the board of county commissioners.

2. "Administrator" means the administrator of the emergency management and homeland security program, in the absence of the administrator, it shall mean the management services director.

3. "Disaster" means an emergency which is so severe or widespread that it is beyond the ability of local governments or private relief agencies to alleviate the damage, loss, hardship or

suffering caused thereby.

4. "Emergency" means any man-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering or financial loss to the extent that extraordinary measures must be taken to protect the public health, safety, and welfare. Such events include, but are not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills of oil or other hazardous substances, disease, blight, infestation, disruption of utility or transportation service, civil disturbance, riot, sabotage, acts of terrorism, and war. An emergency can exist without an official declaration of a state of emergency.

5. "Emergency Management and Homeland Security" means all tasks and activities necessary to coordinate and maintain the emergency services system for all hazards both natural and man-made.

6. "Emergency Management Program and Homeland Security " means a program within the county manager's office under the direction of the management services director to carry out the responsibilities set forth in section 65.300 to 65.355, inclusive.

7. "Emergency services" includes those activities provided by state or local government, private agencies, and organizations with emergency operational responsibilities to prepare for and carry out any activity to prevent, minimize, respond to or recover from an emergency. These activities include, without limitation, coordination, planning, training, interagency liaison, fire fighting, hazardous substance management, law enforcement, medical, health and sanitation services, engineering and public works, search and rescue activities, public warning and information, damage assessment, administration and fiscal management.

8. "Emergency services agency" means an organization within the emergency services system which performs essential services for the public's benefit before, during or after an emergency. This term includes, but is not limited to, organizational units within local governments such as law enforcement, fire control, health, medical and sanitation services, public works and engineering, social services and public information and communications.

9. "Emergency services system" means that system composed of federal, state and local governmental agencies and private agencies and organizations involved in the coordinated delivery of emergency services.

10. "Emergency service worker" means a person who performs emergency services and who is subject to the order or control of, or who performs the services pursuant to a request of, an emergency service agency or the emergency management and homeland security program office of the county manager's office.

['2, Ord. No. 706; Renumbered and amended by Ord. No. 733; A Ord.

Nos. 1059, 1243, 1326 eff. 4-6-07]

65.305 Creation of Washoe County emergency management and homeland security program: Purpose.

1. There is hereby created the Washoe County emergency management and homeland security program. The emergency management and homeland security program is a management services program within the office of the county manager.

2. The purpose of the emergency management and homeland security program is to provide for the safety, welfare and protection of the people and property within Washoe County in a disaster or emergency through organized emergency operations, and to coordinate those operations with appropriate public authorities, private persons, business associations and other organizations.

['3, Ord. No. 706; Renumbered and amended by Ord. No. 733; A Ord. Nos. 1059, 1243, 1326 eff. 4-6-07]

65.310 Administrator of emergency management and homeland security program: Position created; appointment; powers and duties; salary.

1. The position of administrator of the emergency management and homeland security program is hereby created. The administrator shall be appointed by the county manager on the recommendation of the management services director and is in the unclassified service of the county. The administrator serves at the pleasure of the county manager and upon appointment, the administrator's salary shall be fixed by the county manager within the range approved by the board of county commissioners.

2. Under the direction of the management services director, the administrator shall oversee all functions of the emergency management and homeland security program and shall supervise employees which the board or county manager authorizes to be employed by the county and assigns to the program.

3. Under the direction of the management services director, the administrator may:

(a) Represent the board of county commissioners and county manager on all matters pertaining to emergency management and homeland security.

(b) Require and direct cooperation of county officials in the preparation and implementation of emergency management and homeland security plans.

['4, Ord. No. 706; Renumbered and amended by Ord. No. 733; A Ord. Nos. 1059, 1243, 1326 eff. 4-6-07]

65.315 Duties of the emergency management and homeland security program.

1. Establish an organization for emergency management and homeland security operations, utilizing for this purpose federal,

state, county, city, public and private resources.

2. Prepare an emergency operations plan and an emergency resource management plan that is in support of and consistent with any other county, city, state and federal emergency plan.

3. Designate and prepare operating procedures for an emergency operations center from which centralized direction and control of the emergency services system may be exercised.

4. Test the emergency services system by conducting drills and take such other steps as may be necessary to develop the system to effectuate the purposes of section 65.300 to 65.355, inclusive.

5. Collaborate with other public and private agencies to develop mutual aid arrangements for reciprocal emergency management aid and assistance in case of an emergency or disaster. Such arrangements shall be consistent with all county, city, state or federal emergency management and homeland security plans and programs.

6. Recommend to the board any ordinance, policies, or procedures which would assist the board and other county officials in the performance of their duties in preparing for, responding to and recovering from an emergency or disaster.

7. Perform such functions outside of the county as required under mutual aid agreement or as authorized by the county manager.

8. Implement the emergency disaster plan during local emergencies.

['77, Ord. No. 733; A Ord. Nos. 1059, 1326 eff. 4-6-07]

65.320 Declaration of emergency; procedure.

1. If the board determines that a state of emergency exists, it shall declare in writing that an emergency exists and shall publicize the existence of the emergency. If circumstances prohibit timely action by the board, the county manager may declare a state of emergency and seek the ratification of that declaration by a majority of the board at the next lawful meeting of the board. If the board fails to ratify the action of the county manager, the state of emergency ceases to exist.

2. Upon such declaration, the county manager is empowered, except as prohibited by law, to assume centralized control of and have authority over all departments, divisions, and offices of the county in order to implement the provisions of this code.

3. The board or county manager shall terminate the state of emergency when the emergency no longer exists or the threat of an emergency has passed.

['6, Ord. No. 706; Renumbered by Ord. No. 733]

65.325 Emergency powers of administrator.

1. At the inception of and during a disaster or emergency, the administrator:

(a) Shall implement the emergency disaster plan and may direct and control such other county employees as are required to implement the plan.

(b) May, through requisition or contract with private parties or other governmental entities, obtain vital services, supplies and equipment needed to protect life and property and implement the plan, and may bind the county for the value thereof without being required to comply with the normal purchasing procedures if compliance with those procedures would unreasonably hamper or impair the implementation of the plan.

(c) May suspend the licensing requirements for persons whose services are required for implementation of the emergency plans.

2. In the absence of the administrator, the management services director shall have the powers provided for herein.

3. The emergency powers granted the administrator, or the management services director in the administrator's absence, under this section may be revoked, limited or restricted by order of the county manager.

['7, Ord. No. 706; Renumbered and amended by Ord. No. 733; A Ord. No. 1243]

65.330 Emergency regulation and control.

1. If a declared state of emergency exists within the county, the board may, if it deems it necessary to maintain peace and protect the public, order and enforce the measures listed in subsection 2. If circumstances prohibit the timely action of the board, the county manager may, under the same circumstances, order the emergency measures listed in subsection 2 and shall report his or her actions to the board at its next regularly scheduled meeting.

2. Subject to the limitations imposed by subsection 1, the board or county manager may:

(a) Establish a curfew for the area designated as an emergency area which fixes the hours during which persons other than officially authorized personnel may be upon the public streets or other public places.

(b) Prohibit or limit the number of persons who may gather or congregate upon any public street, public place or any outdoor place within the area designated as an emergency area.

(c) Barricade streets and roads, as well as access points onto streets and roads, and prohibit or restrict vehicular or pedestrian traffic in the area.

(d) Prohibit the sale, distribution or giving away of gasoline or any other flammable or combustible product in any container except a gasoline tank properly affixed to a motor vehicle, or a type of container generally used in connection with normal home use or legitimate commercial use.

(e) Order the closing of all or portions of gasoline stations and other establishments which sell, distribute or dispose of liquid flammables or combustible products.

(f) Order the closing of retail intoxicating liquor stores.

(g) Prohibit the sale of intoxicating liquor.

(h) Prohibit the sale, distribution or giving away of firearms or ammunition.

(i) Order the closing of any or all establishments or portions thereof which sell, distribute, dispense or give away firearms, ammunition or explosives.

(j) Enter into contracts and incur obligations necessary to mitigate, prepare for, respond to or recover from emergencies or disasters.

(k) Redirect funds for emergency use.

(l) Suspend standard procurement procedures to obtain necessary services or equipment.

(m) Commit to mutual aid agreements.

(n) Perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population.

['8, Ord. No. 706; Renumbered by Ord. No. 733; A Ord. No. 1326 eff. 4-6-07]

65.332 Delegation of authority to county manager.

1. The board hereby expressly delegates to the county manager the ability to exercise any and all lawful authority which it may possess from any source whatsoever during the period of a declared emergency as necessary to protect the health and safety of the public.

2. The delegation of authority to the county manager pursuant to this section is separate from and independent of the authority of the county manager to order the performance of the emergency measures described in section 65.330 of this code.

3. The county manager shall report any actions taken under this section to the board at its next regularly scheduled meeting.

['2, Ord. No. 1341 eff. 8-24-07]

65.335 Removal of debris: Power of director of public works.

1. To the extent necessary during or after the existence of a declared emergency or disaster, the director of the county's public works department may remove debris which threatens the public health or safety. In exercising this power, he may:

(a) Use county departments, mutual aid agreements with other governmental entities or, if necessary, private resources.

(b) Accept funds from the federal government or the state and utilize those funds for the purpose of removing such debris.

2. Debris which exists on county-owned property may be removed

at county expense, provided that the expense of removing any debris caused by the negligent or intentional act of any person may be recovered from that person.

3. The public works director may order that debris which exists on privately-owned property be removed by the owner of the property or the person responsible for the property at the owner's or other person's expense. Each order must specify the nature of the threat to the public and the minimum quantity of debris which must be removed to eliminate the threat. During an emergency, the order is effective when orally conveyed to the owner or other person responsible for the property. At all other times a written order must be made, and is effective only upon approval by the board and service upon the owner or other persons responsible for the property.

4. Upon the failure of a person to comply with an order described in subsection 3, the public works director may remove or cause the removal of the debris. The owner of the property or the person responsible for the property is liable to the county for the costs incurred.

5. When immediate emergency measures are determined necessary for protection of public health and safety, or public or private property, and oral or written authorization cannot be obtained from the owner or other person responsible for the property, the public works director may authorize the entry upon the public or private lands or waters and perform such tasks necessary to the emergency removal or clearance operations.

['9, Ord. No. 706; Renumbered by Ord. No. 733]

65.340 Eligibility of emergency service worker for benefits for injury sustained in emergency service. An emergency service worker may apply for and may receive such benefits as are provided in chapters 616 and 617 of NRS for an injury sustained in emergency service performed within or without the county.

['10, Ord. No. 706; Renumbered by Ord. No. 733]

65.345 Payment of worker's compensation premiums. Premiums for worker's compensation coverage for emergency service workers must be paid for by the emergency service agency that accepts the services of the emergency service worker.

['11, Ord. No. 706; Renumbered by Ord. No. 733]

65.350 Succession of authority. If the county manager is unavailable or otherwise unable to perform his duties set forth in this chapter, the succession of authority shall be:

1. First, to the designated assistant county manager. If the designated assistant county manager is unavailable, to another assistant county manager.

2. Second, if no assistant county manager is available, to the

director of public works.

3. Third, if the director of public works is unavailable, to the chairman of the board.

['12, Ord. No. 706; Renumbered and amended by Ord. No. 733; A Ord. Nos. 1055, 1144, 1185]

65.355 Unlawful acts; penalties. It is unlawful during an emergency or disaster for any person to:

1. Willfully obstruct, hinder or delay any member of the division or other person acting pursuant to the authority granted under sections 65.300 to 65.355, inclusive, in the enforcement of any order issued pursuant to those sections, or in the performance of any duty imposed upon him by virtue of those sections.

2. Do any act forbidden by any order issued pursuant to sections 65.300 to 65.355, inclusive, of this ordinance, if such act is of such a nature as to give assistance to the enemy or to imperil the life or property of any person within Washoe County or to prevent, hinder or delay the defense or protection thereof.

3. Wear, carry or display without authority any mark or identification specified by the division.

['14, Ord. No. 706; Renumbered and amended by Ord. No. 733]

911 Telephone Enhancement

65.400. Purpose and authority.

1. The 1995 Nevada Legislature enacted Senate Bill 473 which authorizes a telephone line surcharge to be imposed in certain counties for the enhancement of existing 911 telephone service (hereinafter "Act"). The Act required that any county imposing the surcharge create an advisory committee to develop a plan for 911 enhancements and recommend expenditures of money collected for said purpose.

2. The county of Washoe desires to implement the provisions of the Act to assure that the 911 emergency response system within the county is capable of providing the most efficient service available.

['2, Ord. No. 941]

65.410. Creation of advisory committee. A 911 Emergency Response Advisory Committee is hereby created, pursuant to the provisions of Senate Bill 473 of the Sixty-Eighth Session of the Nevada Legislature, to develop a plan for the enhancement of the county 911 emergency response system and to recommend to the Washoe County commission the expenditures of money collected through the telephone line surcharge imposed in section 65.450.

['3, Ord. No. 941]

65.420 Definitions.

1. "Board" means the board of county commissioners.
2. "Telephone company" means a company providing local telephone service to customers within the boundaries of Washoe County, including but not limited to cellular or other service to a telephone installed in a vehicle or otherwise portable.
['4, Ord. No. 941]

65.430 Membership; qualifications of members; terms; removal; rotating chairmanship.

1. Membership. The membership of the committee shall be as follows:
 - (a) Two members appointed by the city of Reno;
 - (b) Two members appointed by the city of Sparks;
 - (c) Two members appointed by the county of Washoe; and
 - (d) One member appointed by the members appointed pursuant to 1(a), (b) and (c).
2. Qualifications. A member appointed to the committee must:
 - (a) Be a resident of and a qualified elector in Washoe County;
 - (b) Possess knowledge concerning telephone systems for reporting emergencies; and
 - (c) May not be an elected public officer.
3. Term. The term of appointment shall be for 4 years except that for the terms commencing January 1, 1996, each of the appointing entities shall appoint one member for a 2-year term and the committee shall initially be appointed for a 1-year term.
4. Removal. A member may be removed for cause by the appointing body in accordance with procedures established by the appointing body.
5. Chairmanship. A chairman shall be selected from among the members at the first meeting in January of each year and must rotate each year among the appointees from the city of Sparks, city of Reno and Washoe County.

['5, Ord. No. 941]

65.440 Rules; records; quorum.

1. Rules. The committee shall adopt rules for the conduct of business.
2. Records. The committee shall keep a record of its business, which record shall be a public record. Complete records of actions of the committee shall be kept on file in the department of the county manager.
3. Quorum. A quorum consists of a majority of the members and action may be taken upon an affirmative vote of a majority of a quorum.
['6, Ord. No. 941]

65.450 Telephone line surcharge; duties of telephone companies; special revenue fund; commencement date; implementation.

1. Surcharge. There is hereby imposed a fee upon access lines or trunk lines of customers receiving telephone service within Washoe County as follows:

(a) Twenty-five cents per month for each customer access line to the local exchange;

(b) Two dollars and fifty cents per month for each customer trunk line to the local exchange;

(c) Twenty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.

2. Commencement date. The surcharge imposed pursuant to subsection 1 above shall be imposed and collected by a telephone company commencing with the first full monthly billing cycle on or after January 1, 1996.

3. Setting the surcharge amount by resolution. The surcharge imposed pursuant to subsection 1 may be changed by the board of county commissioners by the adoption of a resolution in accordance with this section. The amount of the surcharge set by such resolution shall:

(a) Not exceed twenty-five cents per month for each customer access line to the local exchange;

(b) For each customer trunk line to the local exchange, an amount per month not to exceed, but which must be equal to, 10 times the amount of the surcharge imposed for each access line to the local exchange as set forth in 3(a) above;

(c) Not exceed twenty-five cents per month per telephone number assigned a customer by a supplier of mobile telephone service.

4. Commencement date of change in surcharge set by resolution. The resolution adopted by the board pursuant to subsection 3 hereof shall set the actual amount of surcharge to be imposed and collected. The amounts so established by resolution shall take effect on the first billing period of the telephone company following the effective date of the resolution.

5. Deposit. All money collected by a telephone company pursuant to this section shall be deposited into a special revenue fund and shall be expended solely for purposes of 911 emergency telephone enhancements and improvements.

6. Retention. A telephone company may retain an amount of the collected surcharge equal to the cost to collect the surcharge.

7. Implementation. The county manager shall adopt procedures necessary to effectuate the provisions of this section, including but not limited to a schedule for transfer of the surcharge by telephone companies to the county and review of costs for collection.

Note: This subsection 5 became effective on December 1, 1995. Sections 65.400 to and including 65.460, except as otherwise provided, became effective on January 1, 1996.

['7 and 8, Ord. No. 941; A Ord. No. 1109]

65.455 Remittance of funds; schedule of penalties.

1. Except for such amount of the surcharge as a telephone company is entitled to retain to equal the cost of collection of the surcharge pursuant to NRS 244A.6737, a telephone company shall remit the surcharge it collects to the treasurer of the county not later than the 15th day of the month after the month it received payment of the surcharge from its customers.

2. A surcharge imposed and collected by a telephone company pursuant to WCC 65.450 shall be considered subject to penalty for purposes of this subsection if not remitted to the county treasurer within ninety (90) days from the date established for remittance to the county.

3. A penalty in the amount of 5% of the amount determined to be delinquent shall be assessed and made payable with the next quarterly remittance.

['1, Ord. No. 990; A Ord. No. 1109]

65.460 Effective date: Sunset.

1. Subsection 5 of section 65.450 shall be effective upon publication as provided in NRS 244.100. All other provisions of sections 65.400 to 65.460, inclusive, shall be effective on January 1, 1996.

2. Section 65.450 shall expire by limitation on December 31, 2001.

['8, Ord. No. 941; A Ord. No. 1107]