

TITLE 8 PARKS AND RECREATION

CHAPTER 1: CONDUCT IN THE PUBLIC PARKS and ENFORCEMENT THEREOF

8.01.01: PURPOSE & OBJECTIVES:

- (A) In order to promote public health, safety and welfare of the citizens of the city, a parks and recreation ordinance is hereby enacted for the general purpose of assuring the proper balance between (1) the use of park, cultural and recreational facilities and (2) the preservation of such facilities and law and order.

- (B) The intent of this section of the ordinance is to maintain the quality of outdoor and indoor cultural, recreational and other community resources; prevent property damage of public parks and facilities due to vandalism; and minimize the hazards of personal injury and loss of life by establishing rules and regulations governing the use of such parks and facilities.

8.01.02 APPLICABILITY:

- (A) Unless otherwise provided, this chapter applies to all parks, parkways, recreation areas, facilities and open space belonging to the City of Fernley, or within the possession and control of the City of Fernley, whether located within or without the corporate boundaries of the City of Fernley.

- (B) The provisions of this article shall not apply to any public officer, employee or peace officer who is acting in the course of and within the scope of the public business, or related activities for, on behalf of, and pursuant to lawful authority of an appropriate public entity.

8.01.03: OPPORTUNITIES FOR USE OF PUBLIC PARKS AND FACILITIES: Any and all individuals using city parks and facilities pursuant to the rules and regulations of this article shall be provided equal opportunity for use of any park, facility and program offered therein without regard to race, religious creed, color, national origin, disability, sexual orientation, gender identity or expression, ancestry, familial status or sex.

8.01.04: EXCLUSION OF PUBLIC: In the event of an emergency or the determination by the sheriff or the Fernley Parks Department that the public interest, health, welfare and safety requires that any park or portion thereof must be closed to the public, the City of Fernley and it's representatives shall have the authority to exclude all persons there from until such emergency or the basis for the sheriff or the Fernley Parks Department's determination has ceased.

8.01.05: PARENTAL RESPONSIBILITY: The parent or legal guardian of a person under 18 years of age who violates this section is liable for all fines and penalties imposed against the person. If the parent or legal guardian is unable to pay the fine and penalties

resulting from a violation of this section because of financial hardship, the court may require the parent or legal guardian to perform community service.

8.01.06: PENALTIES:

It shall be unlawful for any person to do any act prohibited or fail to perform any act required by this article. Any person who fails to comply with any provision of this article shall be deemed guilty of a misdemeanor.

8.01.07: HOURS OF USE:

Parks and recreation facilities shall be open to the public as set forth by City of Fernley City Council resolution(s). It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to remain on City of Fernley facilities after closing.

8.01.08: PROHIBITED ACTS IN PARKS AND RECREATION FACILITIES:

(A) Flora & Removal of Turf or Soil: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to:

- a. Deposit or install any earth, sand, turf, plant, rock, stone, structure or other substance within any park, recreation facility, community center or public lands, nor shall any person dig or remove any material there from; or
- b. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower or portion thereof; or
- c. Cut, break, injure, deface, or damage any building, sign, fence, bench, structure, apparatus, equipment, or other park property, or any portion thereof; or
- d. Make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device.
- e. Hunt, trap, net, impede, harass, molest, chase, kill, or remove any wildlife or livestock or damage, destroy, or remove any nest, burrow, or animal dwelling from any of the parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley.

(B) Camping: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to:

- a. Erect any tent, net, or structure.
- b. Engage in overnight camping. Overnight camping is only allowed in designated areas and overnight campers shall obtain an overnight camping permit from the City of Fernley. Overnight camping shall not exceed 3 (three days) without first obtaining proper authorization from the City of Fernley.
- c. Engage in the use of City of Fernley Utilities.

- d. Deposit Grey Water or Black Water – it is unlawful to dump any grey/black water from a trailer or camper within a City of Fernley park.
- (C) Fires: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to:
- a. Build, light, use, or maintain a fire within any park except for the use of a Barbeque. Upon existence of extreme fire danger, the City of Fernley may prohibit smoking or fires in designated areas within any park, or may close such areas to the public.
- (D) Property Damage: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to:
- a. Willfully mark, deface, damage, displace, remove or tamper with any park or facility buildings, tables, benches, fireplace, railing, paving or paving materials, water lines or other utilities, permanent or temporary signs, placards or notices, monuments, stakes, posts, boundary markers or other structures, equipment or parks or recreation property.
 - b. Climb, ride a vehicle or bicycle on or over any building, facility, structure, or natural feature in any city park or recreation facility unless the same is intentionally designed for that purpose.
 - c. Recline upon any seat, table, bench, or in any location not intended for such occupancy.
 - d. Litter, dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or any other litter in any waters in or contiguous to any park or facility, or anywhere on the grounds thereof, other than in the proper receptacles, where provided.
 - e. Spit upon grounds or other surfaces.
- (E) Swimming: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley to swim, bathe, wade in the water of any fountain, stream or pond in any park except places designated for such purposes.
- (F) Water Pollution: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley to discharge or otherwise place or cause to be placed in the waters of any fountain, pond or lake or any storm sewer or drain flowing into such waters any substance, matter or things, liquid or solid, which will or may result in the pollution of such waters.
- (G) Sewage: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley to

deposit sewage or effluent from sinks, portable toilets or other plumbing fixtures directly upon or into the surface of the ground or water in any park area.

- (H) Glass & Open Container: It shall be at minimum a misdemeanor for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley to possess any beverage container, cup, tumbler, or bottle made of glass.

- (I) Alcohol: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to consume, possess, or bring into any of the parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, any beer, wine, liquor, malt or any other alcoholic beverage whatsoever without first obtaining proper authorization from the City of Fernley, unless otherwise allowed by law or permit.

- (J) Mobile Business Operations in Parks: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to practice, carry on, conduct or solicit for any occupation, business, or profession, or sell or offer for sale, any food, beverage, merchandise, article or anything whatsoever.

- (K) Gambling: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to conduct any card game for money, or any other game for money, or participate in any form of betting or gambling.

- (L) Sound amplifying equipment: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to use sound amplification devices, or sound equipment, in any parks and outdoor recreation facilities, in excess of 50 decibels measured within 50 feet from the location of the sound amplification device or sound equipment, without first obtaining a sound amplification permit. Even if a permit is obtained, the sound amplification device or sound equipment shall not exceed 75 decibels at the boundaries of the permitted area.

- (M) Illegal dumping: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to deposit into a trash receptacle or dumpster or leave behind any trash, rubbish or other waste material.

- (N) Golfing: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to drive or hit golf balls in any park, parkway, recreation area, or open space.
- (O) Fishing: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to fish.
- (P) Animals: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley to ride, graze, hitch, fasten, lead, drive or let loose any animal or fowl of any kind in any park area except in areas designated for such use.
- (Q) Animal Waste: It shall be a violation of this section for any person to allow his or her animal or pet to excrete waste within and upon any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without picking up or cleaning up the excreted waste immediately thereafter.
- (R) Metal Detectors: It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to operate a metal detector.

8.01.09: VEHICULAR USE:

- (A) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to enter a City park with a commercial vehicle.
- (B) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to enter a park with off-road recreational vehicles, including, but not limited to, dirt bikes, quads, sand rails, buggies, scooters, mini-bikes, or snowmobiles.
- (C) The City of Fernley reserves the authority to close any area within any parks and recreation facilities to motorized vehicles, including that of oversized commercial vehicles and recreational vehicles, skateboards, bicycles, in-line skates, snowmobiles or other wheeled or unwheeled recreational conveyance when visitor safety or the protection of natural or manmade features are at conflict with possession or use of such skateboards, bicycles, in-line skates, snowmobiles or other conveyances.

(D) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to drive a motorized vehicle at a speed limit in excess of 15 miles per hour unless otherwise posted.

8.01.10: PARKING:

(A) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to park in an area not designated as a parking zone. Parking lots located in parks and recreation facilities are for use by park and recreational facility patrons only.

(B) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, for a motorized vehicle to enter or remain in the City of Fernley facilities after closing time.

(C) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to clean, wash, or polish, or otherwise perform detail or maintenance type action on any motorized vehicle.

8.01.11: DOGS:

(A) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to permit a dog to be present during a special event. This prohibition does not apply to dogs used to service dogs.

(B) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to allow a dog to present at a time other than a special event, unless the dog is leashed.

8.01.12: CHILDREN:

(A) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, who is a parent, guardian, or other person having the care, custody or control of any child under the age of 14 years to cause, permit or allow such child to be in any public park or recreation area unless such child is accompanied by a person not less than 16 years of age.

8.01.13: FEEDING OF WILDLIFE

(A) It shall be a violation of this section for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley, to feed waterfowl, birds or wildlife.

8.01.14: PROFESSIONAL FILMING OR RECORDING

(A) It is unlawful for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley to participate in motion picture filming or photography for professional or commercial purposes.

8.01.15: SPECIAL EVENTS AND PERMITS

It is unlawful for any person, within any parks and recreation facilities, or other areas under the jurisdiction of the City of Fernley, without first obtaining proper authorization from the City of Fernley to violate the special events and permits policy. (ORD 2012-008)

CHAPTER 2: OUTDOOR FESTIVALS

8.02.01: DEFINITION: "Outdoor festival" means any music festival, dance festival, "rock" festival or similar musical activity at which music is provided by paid or amateur performers or by prerecorded means, which is held at any place other than in a permanent building or permanent installation which has been constructed for the purpose of conducting such activities or similar activities and to which members of the public are invited or admitted for a charge or free of cost.

8.02.02: LICENSE REQUIRED: No person shall operate, maintain, conduct, advertise or sell or furnish tickets for an outdoor festival in the City unless he shall first obtain a license from the City to operate or conduct such festival.

8.02.03: APPLICATION FOR LICENSE: Application for a license to conduct an outdoor festival shall be made in writing to the City Council at least sixty (60) days prior to the time indicated for the commencement of the planned activity and shall be accompanied by a nonrefundable application fee of one hundred dollars (\$100.00) and shall contain the following information:

- (A) The name, age, residence and mailing address of the person making the application. If the application is made by a partnership, the names and addresses of the partners must appear. Where the applicant is a corporation, the application must be signed by the president, vice president and secretary thereof and must contain the addresses of the corporate officers, and a certified copy of the articles of incorporation shall be submitted with the application.
- (B) A statement of the kind, character or type of festival which the applicant proposes to conduct, operate or carry on.
- (C) The address or legal description of the place where the proposed festival is to be conducted, operated or carried on. Additionally, the applicant must submit proof of ownership of the place where the festival is to be conducted or a statement signed by the owner of the premises indicating his consent that the site be used for the proposed festival.
- (D) The date or dates and the hours during which the festival is to be conducted.
- (E) An estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted.

The applicant shall provide names and addresses of anyone contributing, investing or having a financial interest greater than five hundred dollars (\$500.00) in producing the festival.

At the time of making application the applicant shall arrange to be fingerprinted by office of the Sheriff.

8.02.04: FESTIVAL PLANS: A detailed explanation of the applicant's plans to provide security and fire protection, water supply and facilities, food supply and facilities, sanitation facilities, medical facilities and services, vehicle parking space, vehicle access and on-site traffic control shall be required and, if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities. The applicant's plans shall include what provisions shall be made for numbers of spectators in excess of the estimate, provisions for cleanup of the premises and removal of rubbish after the event has concluded.

A plot plan showing arrangement of the facilities, including those for parking, egress and ingress, shall be submitted with the application.

8.02.05: PROCESSING OF LICENSE APPLICATION:

(A) NOTICE OF REVIEW; INVESTIGATION OF APPLICANT: Upon receipt of a complete application and the application fee, the Clerk of the City Council shall set the application for public hearing at a regular meeting of the City Council, not less than fifteen (15) days nor more than thirty (30) days thereafter, and shall give not less than ten (10) days written notice thereof to the applicant. He shall promptly give notice of hearing and copies of the application to the Sheriff, the County Health Officer and the City Engineer who shall investigate the application and report in writing to the City Council, not later than the hearing, with appropriate recommendations related to their official functions as to granting a license and conditions thereof.

(B) REVIEW BY CITY COUNCIL: Based upon the testimony of the witnesses and evidence presented at the hearing, including the report of the department heads, the Board of Commissioners shall grant the license, deny the license or set conditions which must be met or security given that they will be met before a license may be granted. If conditions are imposed by the Council, the applicant shall furnish or cause to be furnished to the Clerk proof that all conditions have been met before the license may be issued by the Clerk.

8.02.06: DENIAL OF LICENSE: After holding the required public hearing, the City Council may deny issuance of license if it finds any of the following:

(A) That the applicant fails to meet the conditions imposed pursuant to this Chapter.

(B) That the proposed festival will be conducted in a manner and/or location not meeting the health, zoning, fire or building and safety standards established by the ordinances of the City or the laws of the State.

(C) That the applicant has knowingly made a false, misleading or fraudulent statement of material fact in the application for license or in any other document required pursuant to this Chapter.

(D) That the applicant, his employee, agent or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager has previously conducted the type of festival being applied for which resulted in the creation of a public or private nuisance.

(E) That the applicant, his employee, agent or any person associated with applicant as partner, director, officer, stockholder, associate or manager has been convicted in a court of competent jurisdiction by final judgment of:

- (1) An offense involving the presentation, exhibition or performance of an obscene production, motion picture or place or of selling obscene matter, or
- (2) An offense involving lewd conduct, or
- (3) An offense involving the use of force and violence upon the person of another, or
- (4) An offense involving misconduct with children, or
- (5) A felony offense.

Where the application is denied, the City Council shall mail to the applicant written notice of denial within fourteen (14) days of the action, which notice shall include a statement of the reasons the application was denied.

8.02.07: ISSUANCE OF LICENSE; FEE: When the City Clerk certifies that conditions have been met, the Sheriff shall, upon payment of one hundred dollars (\$100.00) per day of operation, issue a license specifying the name and address of the licensee, the kind of festival licensed and the number of days operation is authorized. The City Council may waive the requirement of payment of the one hundred dollars (\$100.00) per day of operation.

8.02.08: LICENSE TO BE POSTED; NONTRANSFERABILITY: The licensee shall keep the license posted in a conspicuous place upon the premises at which the festival is conducted. No license issued pursuant to this Chapter shall be transferable or removed to another location.

8.02.09: CONDITIONS OF LICENSE: At the hearing required under subsection 8.02.05A of this Chapter, the City Council may establish conditions which must be met prior to the issuance of any license hereunder; except, that the Council may take a matter under submission before determining which conditions shall be imposed. Where the Council takes a matter under submission, written notice of any condition imposed as prerequisite to the issuance of a license must be mailed to the applicant within fifteen (15) days of the original hearing.

The conditions which may be imposed by the City Council pursuant to the City's general police power for the protection of health, safety and property of local residents and persons attending festivals in the City are as follows:

(A) FINANCIAL STATEMENTS: Each licensee shall be required to provide a financial statement to give assurance of the ability of the promoters and/or applicants to meet the conditions of the permit.

- (B) **BONDS:** Any licensee may be called upon to post an indemnity bond and/or a performance bond in favor of the City in connection with the operation of a festival. Bonds required by this Chapter must be approved by the City Council prior to the issuance of a license. An applicant may be required to submit a surety bond written by a corporate bonding company authorized to do business in the State by the Department of Commerce, Insurance Division, in a penal amount determined by the City Council. The bond shall indemnify the City, its agents, officers, servants and employees and the City Council against any and all loss, injury and damage of any nature whatsoever arising out of or in any way connected with the festival and shall indemnify against loss, injury and damage to both person and property. Additionally, the City may demand that applicant provide a corporate surety bond written by a corporate bonding company authorized to do business in the State, indemnifying the City and the owners of property adjoining the festival site for any costs necessitated for cleaning up and/or removing debris, trash or other waste from, in and around the premises. The bond shall be in an amount determined by the City Council.
- (C) **POLICE PROTECTION:** Every licensee shall employ, at his own expense, police protection. The number and type of officers shall be determined and specified by the County Sheriff to provide for the preservation of order and protection of property in and around the place of the festival. Funds to employ this specified number of law enforcement officers at the current hourly salary rate for Sheriff's deputies shall be deposited with the County at least ten (10) days prior to the specified date the activity is to occur. A minimum of one law enforcement officer for every five hundred (500) persons expected to be in attendance shall be required. Where the Sheriff specifies the employment of off-duty peace officers to meet the requirements of this Chapter, the peace officers shall be under the complete direction and control of the Sheriff. The Sheriff must be satisfied that the requisite number of peace officers will be provided at all times of operations, plus any specified time prior to and following the event, before a license is issued.
- (D) **FIRE PROTECTION:** Every licensee shall provide, at his own expense, adequate fire protection, as determined by the fire protection agency or agencies having jurisdiction, where the event is to be conducted. If the event is located in a hazardous fire area, as defined in the Lyon County Fire Code, a suitable number of fire guards shall be employed by the licensee who shall be approved by the chief of the responsible fire protection agency or agencies. Flammable vegetation and other fire hazards shall be removed in a manner and in such quantity as determined by the fire chief(s). First aid fire extinguishment equipment shall be provided as directed by the fire chief(s).
- (E) **WATER AND SEWER FACILITIES:**
- (1) **WATER FACILITIES:**
- (a) Every licensee shall provide, from a water surveyor operating under a permit as required under section 533.080 NRS of the State Health and Safety Code, an ample supply of potable water for drinking and sanitation purposes on the

premises of the festival. Location of water facilities on the premises must be approved by the Health Officer prior to issuance of a license.

(b) The minimum supply of water to outdoor festivals shall be fifteen (15) gallons of water for each person in attendance per day. All water shall meet U.S. Public Health Service standards.

(c) Public and private flush-type water closets, lavatories and drinking facilities shall be required as determined by the County Health Officer.

(2) SEWER FACILITIES: Sewage and drainage systems relating to such facilities shall meet the requirements of the Health and Safety Code, and be subject to the prior approval of the County Health Officer and City Engineer.

(F) SANITATION FACILITIES: Every licensee shall provide at least one enclosed flush-type water closet facility marked "Men" and one such facility marked "Women" on the premises of a festival on the basis of one flush-type water closet for each forty (40) males and one for each forty (40) females expected to be in attendance. Urinals may be substituted for the required flush-type water closets for men on the ratio of one urinal and one flush-type water closet per sixty (60) males.

(G) MEDICAL FACILITIES:

(1) Where the proposed festival is located close to adequate existing facilities, the applicant shall provide, as required by the Health Officer, emergency treatment facilities on the premises of the festival.

(2) The location of such facilities, number of doctors, psychiatrists, psychologist, nurses and other aides needed to staff the facilities and the quantity of medical supplies, drugs, ambulances and other equipment that must be on the site shall be approved by the County Health Officer prior to the issuance of any license under this Chapter.

(3) The County Health Officer shall calculate the need for medical services, based on the number of persons expected to attend a festival, their expected age group, the duration of events planned and the possibility of exposure to inclement weather and outdoor elements. Traffic lanes and other adequate space shall be designated and kept open for access and travel for ambulance, helicopter and other emergency vehicles to transport patients or staff to appropriate on- and off-site treatment facilities.

(H) PARKING AND ACCESS:

(1) PARKING AREAS: Every licensee shall provide adequate parking space for persons attending the festival by motor vehicle. Persons desiring to operate or conduct a festival may be called upon to provide a separate parking space for every two (2) persons expected to attend the festival by motor vehicle. Such individual parking spaces shall be clearly marked and shall not be less than twelve feet (12') wide and twenty feet (20') long. The City Council must approve an applicant's parking plan before a license shall be issued.

(2) ACCESS AND PARKING CONTROL: Every licensee shall provide adequate ingress and egress to festival premises and parking area therefor. Necessary roads, driveways and alleyways shall exist to insure camping facilities and

overnight areas that meet the requirements of the provisions of section 407.065 NRS for mobile home parks, special occupancy trailer parks and campgrounds, including travel trailer parks, recreational trailer parks, temporary trailer parks, incidental camping area and tent camps.

Such areas and facilities shall be approved by the County Health Officer and City Engineer prior to the issuance of any license.

(I) FOOD CONCESSIONS:

(1) Where the proposed festival is to be held a substantial distance from public eating places, food handling places or like establishments, applicant shall be required to demonstrate that food will be available at the premises for each day of operation to adequately feed the number of persons expected to be in attendance.

(2) Concessionaires must be licensed and operate under a valid Health Department permit pursuant to local ordinances and State laws.

(3) Every licensee shall provide at least one flush-type water closet and lavatory for each sex in a closed facility for employees of each food concession or operation within the enclosure area of such food operation unless otherwise approved by the Health Officer.

Under no circumstances shall the Health Officer allow such flush-type water closets and lavatories to be located more than fifty feet (50') from the food concession or operation. All lavatories required in conjunction with food concessions and food operations shall be provided with hot and cold water, under pressure, which shall be dispensed by an approved type mixing faucet.

(4) All sewage, sink waste and waste water from water closets, lavatories and sinks operated in connection with food concessions or food operations shall be disposed of to a public sewer or a sewage disposal system approved by the County Health Officer and City Engineer.

(J) COMMUNICATION SYSTEM: Licensee shall be required to establish a communication system for public use where ordinary communications are not available.

(K) OTHER CONDITIONS: Any applicant may be required to meet any other condition prior to receiving a license to conduct a festival which is reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending a festival

8.02.10: PROHIBITED ACTS AND CONDITIONS: It shall be unlawful for any licensee, employee or agent of person associated with the licensee to do any of the following:

(A) Conduct or operate a festival without first procuring a license to do so.

(B) Sell tickets to a festival without a license first having been obtained.

- (C) Operate, conduct or carry on any festival in such a manner as to create a public or private nuisance.
- (D) Exhibit, show or conduct within the place of festival any obscene, indecent, vulgar or lewd exhibition, show, play, entertainment or exhibit no matter by what name designated.
- (E) Allow any person on the premises of the licensed festival to cause or create a disturbance in, around or near any place of a festival by offensive or disorderly conduct.
- (F) Knowingly allow any person to consume, sell or be in possession of intoxicating liquor while in a place of a festival, except where such consumption or possession is expressly authorized under the terms of this Chapter and under the laws of the State.
- (G) Knowingly allow any person at the licensed festival to use, sell or be in possession of any narcotic or dangerous drug while in, around or near a place of the festival.

Any of the above-enumerated violations shall constitute a criminal act and shall be punishable pursuant to ordinances of the City and the laws of the State; provided, however, that the City retains any and all civil remedies, including the right of civil injunction, for the prevention of the violations and for the recovery of money damages therefor.

8.02.11: COMPLAINTS: Any person may file a complaint with the Clerk of the City Council or may petition the City Council to conduct a hearing concerning the revocation of the license of any licensee. The Clerk of the City Council shall notice the petition for hearing in accordance with the provisions of subsection 8.02.05A of this Chapter.

8.02.12: REVOCATION OF LICENSE: The City Council shall have the power to revoke any license or to revoke and reinstate any license upon suitable conditions when the following causes exist:

- (A) The licensee fails, neglects or refuses to pay to the City the fee prescribed by this Chapter.
- (B) The licensee, his employee or agent fails, neglects or refuses to fulfill any or all of the conditions imposed pursuant to this Chapter.
- (C) The licensee allows the festival to be conducted in a manner which violates any law or regulation established by the ordinances of the City or the laws of the State.
- (D) The licensee allows the festival to be conducted in a disorderly manner or knowingly allows any person to remain on the premises of the festival while under the influence of intoxicating liquor or any narcotic or dangerous drug.

(E) The licensee, his employee or agent is convicted of any of the offenses under Section 8.02.06 of this Chapter.

Notice of intent to revoke any license shall be given, and the licensee shall be entitled to a hearing. The Clerk of the City Council shall give notice, which notice shall set forth the cause for revocation and the time and place at which the matter of revocation will be heard before the City Council. The notice shall be mailed not later than ten (10) days prior to the date set for hearing. The City Council shall hear all interested parties and may revoke a license only for one or more causes enumerated by Section 8.02.06 of this Chapter.

8.02.13: COMPLIANCE WITH GENERAL BUSINESS AND LICENSE PROVISIONS:
The provisions of Chapter 1 of this Title are required to be met for any outdoor festival in addition to the requirements of this Chapter.