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BILL NO. 4-19-22-2

SUMMARY – An ordinance to amend Clark County Code Title 6, Chapter 6.10, to remove child care providers from the work identification card requirements; and providing for other matters properly related thereto.

ORDINANCE NO. _____

(of Clark County, Nevada)

An ordinance to amend Clark County Code Title 6, Chapter 6.10, to remove child care providers from the work identification card requirements; and providing for other matters properly related thereto.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK,
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION ONE. Title 6, Chapter 6.10, Subsection 6.10.020 of the Clark County Code is hereby amended to read as follows:

6.10.020 Work identification card required.

(a) It shall be unlawful for any licensee engaging in any business for which the code requires work identification cards for the licensee or employees thereof to employ any person unless such person is the holder of a valid work identification card issued in conformity with the provisions of this chapter. It shall be unlawful for any person to be employed as a non-gaming employee without a valid work identification card. A licensee who violates this provision shall be subject to the penalties provided in Section 6.04.140.

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- (b) Each hiring authority shall determine if an employee or prospective employee has a valid work identification card for such business pursuant to this code. If the employer determines that the employee or prospective employee does not have a valid work identification card then the hiring authority shall provide the employee or prospective employee with a referral form to obtain a work identification card.
- (c) Notwithstanding any other provision of this code to the contrary, or subsequent repeal thereof, a work identification card is required for employees, owners, and managers of the following non-gaming categories:
 - (1) ~~[Child care and family]~~ Family home care providers;
 - (2) Security guards;
 - (3) Adult entertainment cabarets;
 - (4) Erotic dance establishments pursuant to the provisions in Clark County Code Section 6.160.090;
 - (5) Escort bureaus;
 - (6) Dancehalls;
 - (7) Teenage dancehalls;
 - (8) Adult nightclub establishments pursuant to the provisions of Clark County Code Section 6.170.080;
 - (9) Martial arts; and
 - (10) As required pursuant to Nevada Revised Statutes.

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SECTION TWO. Title 6, Chapter 6.10, Subsection 6.10.040 of the Clark County Code is hereby amended to read as follows:

6.10.040 Denial of work identification card.

(a) The sheriff or his authorized designee may deny the issuance or renewal of a work identification card for the following reasons:

- (1) The applicant has submitted an incomplete referral form or has made false, misleading or fraudulent statements with respect to any material fact contained in the referral form for a work identification card;
- (2) The applicant has within seven years of the date of referral, been adjudicated guilty in a court of competent jurisdiction of a felony crime involving violence, theft, or fraud; the sale, possession, distribution or use of a controlled substance; or a law of any other jurisdiction which prohibits the same or similar conduct; or
- (3) The applicant has, within three years of the date of referral, been adjudicated guilty in a court of competent jurisdiction of a gross misdemeanor crime involving violence, theft, or fraud; the sale, possession, distribution or use of a controlled substance; or law of any other jurisdiction which prohibits the same or similar conduct; or
- (4) The applicant has, within three years of the date of referral, been adjudicated guilty in a court of competent jurisdiction of any crime not included within subsection (a)(2) or (a)(3) involving deceptive trade practices, consumer fraud, intent to defraud, fraudulent advertising, or other illegal business practices related to the nature or conduct of the business for which the referral form is made; or

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- (5) The applicant has, within one year of the date of referral, been adjudicated guilty in a court of competent jurisdiction of any crime not included within subsection (a)(2) or (a)(3) involving moral turpitude, as defined in Section 6.04.005, which crime is of such a nature that continued employment of the applicant in that specific occupation will disrupt the peace, health, safety, and welfare of the county. If a crime of moral turpitude is also a crime specified in another section of this code, the more specific section controls.
- (6) A work identification card for the applicant has been previously denied, suspended or revoked within one year of the date of referral form or the renewal thereof has been denied by Clark County or any other jurisdiction within one year of the date of referral form for any of the grounds set forth in this subsection (a).
- (b) Chapters of the code that require persons involved in specific regulated or privileged businesses to have work identification cards shall provide grounds for denying the issuance or renewal instead of the general grounds outlined in subsection (a) of this subsection.
- (c) The fact that an adjudication of guilt from a court of competent jurisdiction is being appealed shall have no effect on the denial, non-renewal, suspension or revocation of a work identification card for the applicant~~[-or, in the case of a child care provider applicant, other persons associated with the applicant]~~; however, any adjudication of guilt that is overturned, reversed, expunged or vacated on appeal shall not be considered grounds for denial of a work identification card.
- (d) If an applicant's initial plea or adjudication of guilt in a court of competent jurisdiction is reduced following the successful completion of probation, the date of said initial plea or

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adjudication of guilt shall be the date used for purposes of all calculations of time pursuant to subsection (a) of this section.

- (e) The sheriff or his designee shall notify the applicant in writing of the denial of a work identification card pursuant to subsections (a) and (b) of this section, including the reason(s) for such denial, and, if applicable, include the false, misleading or fraudulent statement in question or information concerning criminal convictions by a court of competent jurisdiction that is sufficient to allow the applicant to sign an agency specific release authorizing use in proceedings regarding the denial.

SECTION THREE. If any provision, section, paragraph, sentence, clause, or phrase of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this ordinance. It is the intent of the County Commission in adopting this ordinance that no portion or provision thereof shall become inoperative or fail by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this ordinance are declared to be severable.

SECTION FOUR. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION FIVE. This ordinance shall take effect and be in force from 12:01 a.m. on January 1, 2022, and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published

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in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the _____ day of _____, 2022.

PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2022.

AYES: _____

NAYS: _____

ABSTAINING: _____

ABSENT: _____

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BOARD OF COUNTY COMMISSIONERS

BY: _____
JAMES B. GIBSON, Chair

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after
the _____ day of _____ 2022.