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JAN 11 1984

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DESCRIPTION OF LEGAL ADVERTISING  
Bill No. 759A  
3349008 586

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Notary Fee 2.00

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January

PROOF OF PUBLICATION

STATE OF NEVADA, ss.  
COUNTY OF WASHOE

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of Bill No. 759A

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 3rd day of Jan., 1984 and, Jan. 10, the full period of 2 days, the last publication thereof being in the issue of January 10 19 84.

Signed Doris Mertz  
Subscribed and sworn to before me this

10th day of January, 1984  
Alice L. Buffaloe  
Notary Public

NOTICE OF COUNTY ORDINANCE  
NOTICE IS HEREBY GIVEN that Bill No. 759A, Ordinance No. 586, entitled "An ordinance amending the Washoe County Code by adding thereto a requirement that water rights and water supply, storm drainage and sewer facilities be dedicated to the County prior to approval of subdivisions or issuance of certain permits," was adopted on December 20, 1983, by Commissioners Williams, King, Lillard, McDowell, and Ritter. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.  
Judi Bailey  
County Clerk  
3349008-Bill No. 759A  
Jan. 3, 10-ic 133

ALICE L. BUFFALOE  
Notary Public - State of Nevada  
Washoe County  
My Appointment Expires June 5, 1985

Summary: Amends Washoe County Code by requiring dedication of water rights and facilities.

BILL NO. 759A

ORDINANCE NO. 586

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ADDING THERETO A REQUIREMENT THAT WATER RIGHTS AND WATER SUPPLY, STORM DRAINAGE AND SEWER FACILITIES BE DEDICATED TO THE COUNTY PRIOR TO APPROVAL OF SUBDIVISIONS OR ISSUANCE OF CERTAIN PERMITS.

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

SECTION 1. Chapter 115 of the Washoe County Code is hereby amended by adding thereto a new section which shall read as follows:

115.XXX Dedication of facilities and water rights.

1. In addition to any land which is required to be dedicated pursuant to this chapter, a subdivider shall dedicate, as a condition precedent to final map approval:

(a) Any water rights reasonably necessary to insure an adequate water supply to the subdivision; and

(b) Any facilities for storm water drainage, water treatment, supply, storage, transmission and distribution and any facilities for sewage collection, treatment and disposal, and appurtenances (such as wells, pipelines, pumps and storage tanks) located within or outside of the subdivision which are necessary to insure an adequate water supply to the subdivision, adequate sewage disposal for the subdivision, and adequate storm water collection and disposal for the subdivision.

2. Facilities to which this section applies are facilities which will be constructed to serve the proposed subdivision, except the following:

(a) Facilities to serve a single family residence in an existing subdivision.

(b) Facilities previously constructed and serving existing users and which are enlarged or improved in order to serve the proposed subdivision.

(c) Facilities which will be owned and operated by a utility which at the time of dedication is regulated by the Public Service Commission.

3. The public works department shall, subject to board approval, develop written criteria and, pursuant to that criteria, shall determine the amount of water rights necessary under paragraph 1(a) and shall determine the facilities required to be dedicated under paragraph 1(b). Lack of criteria shall not be cause for delay of approval of projects.

4. The public works department may enter into contracts, subject to approval of the board of county commis-

sioners, permitting the use of the water rights and facilities by other governmental entities, public and private utilities, and any other persons engaged in providing water, storm drainage and sewer service.

5. The dedication of water rights and facilities required by this section will be satisfied if the subdivider enters into an agreement with the county, secured by a performance bond or other undertaking acceptable to the county. The agreement must constitute a binding offer to dedicate, conditioned only upon failure to receive final map approval or upon expiration of the tentative map.

6. The facilities subject of a dedication agreement must be designed and constructed in accordance with standards and other requirements established by ordinance or recommended by the public works department as a condition to tentative map approval. Standards and other requirements may include plan checking, design review, inspections, system testing and other matters to be determined by the public works department.

7. The public works department will accept a dedication pursuant to this section if the facilities conform to the requirements of this section and perform as designed.

8. Except for permits issued for the construction of a facility to be dedicated, no building permit or special use permit may be issued and no other administrative approval may be granted until the dedication is accepted or an agreement conforming to this section has been executed. Unless issued for the construction of a facility to be dedicated, any permit or approval for which application has been made subsequent to adoption of this ordinance and issued prior to the dedication is void.

9. If any other section of this code makes this section applicable to a person (other than a subdivider) applying for an administrative permit or approval, the requirements of this section which are applicable to a subdivision and the subdivider also apply to the parcel and the applicant.

SECTION 2. Section 100.065 of the Washoe County Code is hereby amended to read as follows:

100.065 U.B.C. Section 302 amended: Application for permit. Section 302 of the Uniform Building Code is hereby amended to read as follows:

Application for Permit

Sec. 302. (a) Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in subsections (b) and (c) of this section.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by permittee, or his authorized agent, who may be required to submit evidence to indicate such authority.
7. Give such other data and information as may be required by the building official.

(b) Plans and Specifications. With each application for a building permit, and when required by the building official for enforcement of any provisions of the code, two sets of plans and specifications shall be submitted. The building official may require plans and specifications to be prepared and designed by an engineer or architect licensed by the State of Nevada to practice as such. Plot plans, when required, shall show elevations and drainage and shall be drawn to scale and verified by a registered architect, civil engineer, licensed contractor or land surveyor.

(c) Dedication of facilities. With each application for a building permit, the applicant shall submit written confirmation from the sanitation division of the department of public works that dedications of the same type have been made in the same manner as required of subdividers by section 115.XXX.

SECTION 3. Section 100.070 of the Washoe County Code is hereby amended to read as follows:

100.070 U.B.C. Section 303 amended: Permits, issuance. Section 303 of the Uniform Building Code is hereby amended to read as follows:

Permits, Issuance.

Sec. 303 (a) Issuance. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirement of this code

and other pertinent laws and ordinances, that the fees specified in Section 304 have been paid, and that the written confirmation required by section 100.065 of this code (Sec. 302(c) of Uniform Building Code) has been submitted, he shall issue a permit therefor to the applicant.

When the building official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building or structure will be granted.

The building official may issue a comprehensive permit (including permits required for specialty contractors) to be taken out by general contractors on all buildings. Before such a permit is issued, the NAME, ADDRESS, and STATE LICENSE NUMBER of the general contractor shall be furnished to the building official.

The address of each building shall be posted by the contractor in the location designated by the building official and shall be posted on all existing buildings.

Permits for commercial work shall be issued only to persons in conformance with chapter 624 of NRS (Contractors).

(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 90 days after the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all time during which the work authorized thereby is in progress.

(c) Validity of Permit. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except to the extent the work or use which it authorizes is lawful.

The issuance of a permit based upon plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of

errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction.

(d) Expiration. Except for a project which has been approved by the building official for a 36-month permit because the project is too extensive or mammoth to be completed within 18 months, all permits issued by the building official under the provisions of this code expire by limitation and become null and void if the building or work authorized by the permit is not completed within 18 months after the date of issuance. Before work authorized under an expired permit can be continued, a new permit must be obtained from the building official.

The amendments to Paragraph (d) of Section 303 extending the terms of a valid building permit from 12 to 18 months shall be applicable to any permit which is still valid on July 23, 1980.

(e) Renewals. Except as otherwise provided in Paragraph (d), in the event work authorized by the building official cannot be completed within 18 months after the date of the issuance of a building permit, the applicant may apply for a renewal of the original permit at one-half the original permit fee, excluding any park tax and plan check fees, if:

1. The application for a renewal permit is submitted to the building official prior to the expiration of the original permit; and
2. No structural changes have been made or will be made in the original plans and specifications for the project.

(f) Suspension or Revocation. The building official may, upon service of written notice, suspend or revoke a permit issued pursuant to the provisions of this code wherever the permit is issued:

1. In error;
2. On the basis of incorrect information supplied by the applicant; or
3. In violation of any state statute, ordinance or regulation.

SECTION 4. Section 110.216 of the Washoe County Code is hereby amended to read as follows:

110.216 Special use permit: Procedure. Any person seeking the issuance of a special use permit shall file an application with the administrator and shall appear before the board of adjustment or the planning commission presenting evidence of all the following:

1. That the use is necessary to the public health, convenience, safety and welfare and to the promotion of the general good of the community;

2. That the use of the property for such purposes will not result in material damage or prejudice to other property in the vicinity; and

3. That dedications of the same type will be made in the same manner as required of subdividers by section 115.XXX.

SECTION 5. Section 110.219 of the Washoe County Code is hereby amended to read as follows:

110.219 Special use permit: Findings; recommendation; conditions.

1. Within 65 days after the date of filing, the board of adjustment or the planning commission shall submit findings and a recommendation to the board of county commissioners. The applicant shall be notified of such recommendation not later than 3 days after submission of the report to the board of county commissioners.

2. The board of adjustment, the planning commission or the board of county commissioners, in approving the special use permit, may require certain conditions under which the proposed use may be allowed which will prevent material damage to adjacent properties and provide suitable safeguards to the public health, safety and general welfare. Such conditions shall include dedications required by section 115.XXX and may include time limitations, architectural considerations, access provisions, off-street parking, greenbelt planting requirements or other controls.

SECTION 6. Section 110.239 of the Washoe County Code is hereby amended to read as follows:

110.239 Resolution of intent to reclassify property: Conditions, stipulations or limitations.

1. The board of county commissioners, in adopting a resolution of intent to reclassify all or a portion of the property included in the proposed change or amendment, may include any conditions, stipulations or limitations which the board of county commissioners feels necessary to require in the public interest as a prerequisite to final action and shall include a condition requiring dedications of the same type and in the same manner as required of subdividers by section 115.XXX.

2. The fulfillment of all conditions, stipulations and limitations contained in the resolution on the part of the applicant shall make the resolution a binding commitment on the board of county commissioners. Upon completion of compliance action by the applicant, the board of county commissioners shall by ordinance effect such reclassification.

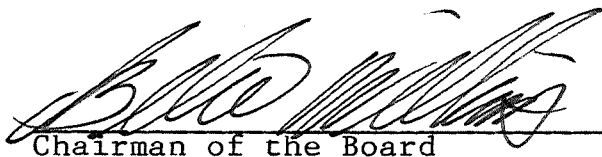
3. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in the

resolution, including the time limit placed in the resolution, shall render the resolution of intent to reclassify void, unless an extension is granted by the board of county commissioners upon recommendation of the planning commission.

Proposed on the 8th day of November, 1983.  
Proposed by Commissioners Williams, King, Lillard, McDowell and Ritter.  
Passed on the 20th day of December, 1983.

Vote:

Ayes: Commissioners: Williams, King, Lillard, McDowell, Ritter  
Nays: Commissioners: None  
Absent: Commissioners: None

  
Chairman of the Board

ATTEST:

  
County Clerk

This ordinance shall be in force and effect from and after the 10th day of January, 1984.