

# RENO GAZETTE-JOURNAL

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WASHOE COUNTY  
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## PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice: ordinance 935

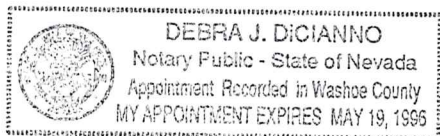
of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:  
Sept. 18, 25 1995

Signed

Subscribed and sworn to before me on 09/25/95

Notary Public

NOTICE OF COUNTY ORDINANCE NO. 935  
NOTICE IS HEREBY GIVEN that Ordinance No. 935, Bill No. 1110 entitled, AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE PROVIDING FOR THE ESTABLISHMENT OF A WATER PLANNING COMMISSION; DEFINING THE REGION FOR THE PURPOSES OF WATER MANAGEMENT; IMPOSING A FEE OF 1.5 PERCENT ON BILLINGS TO CUSTOMERS OF WATER SUPPLIERS WITHIN THE REGION; PROVIDING DEFINITIONS; PROVIDING FOR BOTH VOTING AND NON-VOTING MEMBERSHIP ON THE WATER PLANNING COMMISSION; VOTING REQUIREMENTS; REVIEW OF WATER PLAN BY BOARD AND REGIONAL PLANNING COMMISSION; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO, was adopted on SEPTEMBER 12, 1995, by Commissioners Joanne Bond, Steve Bradhurst, Mike Mouliot, Jim Shaw and Grant Sims, and will become effective on SEPTEMBER 29, 1995. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk at the County Courthouse, Virginia and Court Streets, Reno, Nevada. Judi Bailey, County Clerk No. 3756 Sept 18, 25, 1995



P.O. BOX 22000. RENO, NEVADA 89520  
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935 ✓

SUMMARY: Amends Washoe County Code by providing for the establishment of a water planning commission; defining the region for the purposes of water management; imposing a fee of 1.5 percent on billings to customers of water suppliers within the region; providing for both voting and non-voting membership on the water planning commission; providing definitions; voting requirements; review by board and regional planning commission; and providing other matters properly relating thereto.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

BILL NO. 1110

ORDINANCE NO. 935

AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE PROVIDING FOR THE ESTABLISHMENT OF A WATER PLANNING COMMISSION; DEFINING THE REGION FOR THE PURPOSES OF WATER MANAGEMENT; IMPOSING A FEE OF 1.5 PERCENT ON BILLINGS TO CUSTOMERS OF WATER SUPPLIERS WITHIN THE REGION; PROVIDING DEFINITIONS; PROVIDING FOR BOTH VOTING AND NON-VOTING MEMBERSHIP ON THE WATER PLANNING COMMISSION; VOTING REQUIREMENTS; REVIEW OF WATER PLAN BY BOARD AND REGIONAL PLANNING COMMISSION; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

SECTION 1. Chapter 40 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as sections 2 through 8 of this ordinance.

SECTION 2.

40.500 Purpose and authority.

1. The 1995 Nevada Legislature enacted Senate Bill 489, certain provisions of which were effective July 1, 1995, which bill provides for comprehensive planning and management of water in certain counties (hereinafter "Act"). The Act authorizes Washoe County to engage in water planning activities and to impose by ordinance a surcharge of up to 1.5 percent on customer water bills within the region as herein defined for planning.

2. The County of Washoe desires to implement the provisions of the Act to assure that a water plan is completed, or substantial progress made thereon, and approved in whole or in part prior to March 31, 1997 for presentation to the Nevada Legislature.

SECTION 3.

40.510 Creation. The Washoe County Water Planning

Commission is hereby created, pursuant to the provisions of Senate Bill 489 of the Sixty-Eighth Session of the Nevada Legislature, to perform all the duties and functions delegated to the Water Planning Commission by the terms of the Act.

SECTION 4.

40.520 Definitions.

1. "Board" means the board of county commissioners.
2. "Commission" means the water planning commission.
3. "Region" means the territory to be included within and under the planning and management jurisdiction of the water planning commission, to wit: all of Washoe County except the Tahoe Basin and reservation lands.
4. "Regional planning commission" means the commission established pursuant to NRS 278.0262.
5. "Water supplier or provider" means any mutual water company, investor owned utility, public service commission regulated utility, governmental utility or homeowner association utility that supplies water to the region as defined herein.

SECTION 5.

40.530 Commission; Membership; Terms; Qualifications; Alternates

1. The commission shall be composed of nine voting members, as follows:
  - (a) One member appointed by the Reno City Council;
  - (b) One member appointed by the Sparks City Council;
  - (c) One member appointed by the board;
  - (d) One member appointed by the board to represent the interests of owners of domestic wells;
  - (e) One member appointed by the Trustees of the Sun Valley General Improvement District;
  - (f) One member appointed by Sierra Pacific, or its successor;
  - (g) One member appointed by the governing body of the Pyramid Lake Paiute Tribe of Indians;
  - (h) One member appointed by agreement of the Reno City Council and Sparks City Council to represent environmental, biological, conservation or public concerns;
  - (i) One member appointed by the governing board of the Washoe County Water Conservation District.
2. The commission shall also be composed of at least eight non-voting members, as follows:
  - (a) One member appointed by the public service commission of Nevada;
  - (b) One member appointed by the Nevada advocate for customers of public utilities;
  - (c) One member appointed by the administrator of the division of environmental protection of the state

- department of conservation and natural resources;  
 (d) One member appointed by the state engineer;  
 (e) One member appointed by the administrator of the division of water planning of the state department of conservation and natural resources;  
 (f) One member appointed by the board of directors of the Carson-Truckee Water Conservancy District;  
 (g) One member appointed by the Washoe County Board of Health;  
 (h) One member appointed by a majority of the voting members of the commission to represent the public at large.

Additional non-voting members may be appointed by the commission as needed upon a majority vote of the voting members.

3. The term of a voting member is three years, except for the initial term which shall be in accordance with the provisions of the Act. A member may be appointed to additional terms as desired by the respective appointing authority.

4. The members, both voting and non-voting, must not hold any elective office and must be qualified as to at least one of the following categories:

- (a) A registered professional engineer with experience related to comprehensive planning, natural resources or environmental protection;
- (b) A specialist in hydrology;
- (c) Experienced in law, management or planning related to water;
- (d) Experienced in municipal finance;
- (e) Experienced in construction, planning or operation of facilities or systems for supplying or treating water, for collecting or treating sewage, for drainage of storm water, or for control of floods;
- (f) Knowledgeable in the areas of water conservation, biology, natural systems, water quality and water management.

5. The body appointing either a voting or non-voting member of the commission shall designate an alternate to serve in the absence of the member for the same term. The appointees may be removed for cause by the appointing body in accordance with procedures established by the appointing body.

## SECTION 6.

### 40.540 Chairman; Meetings; Quorum

1. The chairmanship of the commission shall be rotated on July 1 of each year among the members appointed pursuant to Section 5 (1) (a), (b) and (c).

2. Meetings of the commission shall be held at least monthly and anytime upon the call of the chairman or three voting commission members. Notices of meetings shall be sent to all commission members, both voting and non-voting, and

as otherwise provided in NRS Chapter 241.

3. A quorum consists of a majority of the voting members and, except as otherwise provided in Section 8 (3), action may be taken upon an affirmative vote of a majority of voting members.

#### SECTION 7.

##### 40.550 Funding; Water fee surcharge; Duties of Water suppliers; Sunset

1. There is hereby imposed a fee of 1.5 percent on billings of customers of water suppliers or providers within or to the region as defined in Section 4 herein.

2. The fee shall not be imposed upon any late penalties, handling fees, turn-ons, turn-offs, or other similar fees.

3. All water suppliers and providers shall state and identify the fee imposed herein separately on its billings or charges to customers effective with the first full billing cycle commencing on or after October 1, 1995.

4. All fees collected by a water supplier or provider pursuant to this section shall be deposited into a special account in the county water management fund and all monies, including any interest accruing to said account, shall be expended solely for purposes of water planning.

5. The fees shall be imposed and collected by the water suppliers and providers commencing with the first full billing cycle after September 30, 1995. The fee shall be imposed and collected to and through June 30, 1997, at which time the fee surcharge shall cease unless authorized for extension by the 1997 Legislature and extended by the board by ordinance.

6. A water fee collected pursuant to this section is to be collected at the retail sale level upon the gross water sale unless the fee has already been paid upon the water through a prior purchase from a supplier.

7. Upon application by a water supplier, provider or on the board's own motion, the board may waive the collection of fees if accounting and collection costs are not offset or only minimally offset by collections or if minimal benefit will be derived from water planning activities on a temporary or permanent basis.

8. 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 fee by water suppliers and providers to County.

#### SECTION 8.

##### 40.560 Rules; Records; Commission action on water plan and amendments; Conditions precedent to adoption of plan or amendments.

1. The commission shall adopt rules for the

transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record.

2. Complete records of official actions of the commission shall be kept on file in the department of comprehensive planning.

3. At least six votes are necessary to recommend a plan, or amendments thereto, to the board.

4. The commission action on a plan or amendment thereto must be by resolution, which resolution must identify the text, maps and descriptive or other matter constituting the plan.

5. A plan, or amendment to the plan, must be adopted by the board by a two thirds vote of the total board membership and receive a determination of conformance by the regional planning commission prior to it becoming effective.

6. The initial plan, once adopted, must be reviewed within five years and every three years thereafter. After each review, the commission must submit any proposed amendment to the board or report there are none.

7. The procedures for notice and public hearings on the initial plan and any amendments shall be those established in the Act.

Proposed on the 15th day of August, 1995.

Proposed by Commissioner Bradhurst.

Passed on the 12th day of September, 1995.

Vote:

Ayes: Commissioners Joanne Bond, Steve Bradhurst, Mike Mouliot, Jim Shaw, Grant Sims.

Nays: No nays.

Absent: No one absent.

James M. Shaw  
Chairman  
Washoe County Commission

ATTEST:

Judi Basle  
County Clerk

This ordinance shall be in force and effect from and after the 29th day of September, 1995.