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STATE OF NEVADA
COUNTY OF WASHOE

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 referenced below has published in each regular and entire issue of said newspaper between the dates: **06/30/2006 - 07/07/2006**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *Julia Ketcha*

JUL 7 2006


TANA CICCOTTI
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 02-75259-2 - Expires May 16, 2010
Tana Ciccotti

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1307 NOTICE IS HEREBY GIVEN THAT: Bill No. 1486, Ordinance No. 1307 entitled: AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE, CHAPTER 110, ARTICLE 706, IMPACT FEES, BY PERMITTING AN ANNUAL INCREASE IN THE REGIONAL ROAD IMPACT FEE BY A PERCENTAGE EQUAL TO THE AVERAGE ANNUAL PERCENTAGE OF INCREASE IN THE CONSUMER PRICE INDEX FOR WEST URBAN CONSUMERS FOR THE PRECEDING 5 CALENDAR YEARS; OR BY 4.5 PERCENT, WHICHEVER IS LESS WITH THE FOLLOWING EXCEPTIONS: NO INCREASE SHALL OCCUR WITHIN A TWELVE MONTH PERIOD FOLLOWING ACTION BY THE COUNTY TO ADOPT ANY REVISIONS TO THE REGIONAL ROAD IMPACT FEE LAND USE ASSUMPTIONS IN ACCORDANCE WITH NRS 278B.290; OR THE ADOPTION OF ANY ORDINANCE THAT AMENDS THE REGIONAL ROAD IMPACT FEE SYSTEM CAPITAL IMPROVEMENT PLAN; OR ANY ACTION THAT OTHERWISE INCREASES THE IMPACT FEE, AND OTHER MATTERS PROPERLY RELATING THERETO. was adopted on June 27, 2006 by Commissioners Galloway, Humke, Larkin, Sferrazza, and Weber. This ordinance shall be in full force and effect from and after July

7, 2006. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street Reno, Nevada, and can be found on the County Clerk's website, www.washoecounty.us/clerks AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 274043 June 30; July 7, 2006

SUMMARY: Amends Washoe County Code by permitting the Regional Transportation Commission of Washoe County to annually adjust the Regional Road Impact Fee by the appropriate regional consumers price index, and other matters properly relating thereto.

BILL NO. 1486

ORDINANCE NO. 1307

AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 706, IMPACT FEES, BY PERMITTING AN ANNUAL INCREASE IN THE REGIONAL ROAD IMPACT FEE BY A PERCENTAGE EQUAL TO THE AVERAGE ANNUAL PERCENTAGE OF INCREASE IN THE CONSUMER PRICE INDEX FOR WEST URBAN CONSUMERS FOR THE PRECEDING 5 CALENDAR YEARS; OR BY 4.5 PERCENT, WHICHEVER IS LESS WITH THE FOLLOWING EXCEPTIONS: NO INCREASE SHALL OCCUR WITHIN A TWELVE MONTH PERIOD FOLLOWING ACTION BY THE COUNTY TO ADOPT ANY REVISIONS TO THE REGIONAL ROAD IMPACT FEE LAND USE ASSUMPTIONS IN ACCORDANCE WITH NRS 278B.290; OR THE ADOPTION OF ANY ORDINANCE THAT AMENDS THE REGIONAL ROAD IMPACT FEE SYSTEM CAPITAL IMPROVEMENT PLAN; OR ANY ACTION THAT OTHERWISE INCREASES THE IMPACT FEE, AND OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1.

Article 706, "Impact Fees" of Chapter 110 of the Washoe County Code is hereby amended as set forth in Exhibit A which is attached and incorporated by reference.

Proposed on the 13th day of June, 2006.

Proposed by Commissioner HUMKE.

Passed on the 27th day of JUNE, 2006.

Vote:

Ayes: LARKIN, WEBER, Humke, GALLOWAY, Sferrazza

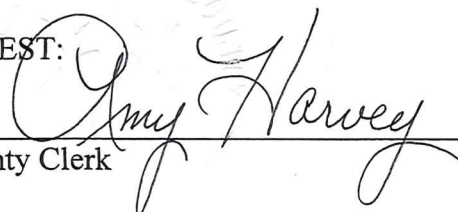
Nays: none

Absent: none



Robert M. Larkin, Chairman
Washoe County Commission

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the 7th day of JULY, 2006

[EXCERPT ARTICLE 706, IMPACT FEES; SECTION 110.706.05, Regional Road Impact Fee]

contributes its proportionate share of the cost of providing, and benefits from the provision of, the road capital improvements identified as needed to be built in the RRIF CIP which has been adopted as Washoe County's Local CIP, and the Local CIP of the other two (2) Participating Local Governments.

(c) Liberal Construction, Severability and Penalty Provisions.

(1) Liberal Construction. The provisions of this section shall be literally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

(2) Severability. If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

~~(d)~~ (e) Adoption and Amendment of the Regional Road Impact Fee System General Administrative Manual. The Regional Road Impact Fee System General Administrative Manual (hereinafter "RRIF Manual") as amended and approved by the Regional Transportation Commission of Washoe County on April 18, 2003 and attached as Exhibit "1" and incorporated by reference, is hereby adopted. The RRIF Manual shall contain appropriate definitions, an independent fee calculation study, exemptions, credits, appeals and review sections for the effective administration of the program. It may subsequently be amended by a resolution approved by the Regional Transportation Commission Board and the Governing Bodies of each Participating Local Government.

Fees identified in Exhibit "1" shall be adjusted pursuant to the procedures enumerated below:

(1) That except as provided in subsection (2), below, the columns designated "\$/VMT" and "Fees" in Exhibit "D" of the Regional Road Impact Fee System General Administrative Manual shall be increased automatically every twelve months by the RTC RRIF Administrator:

(i) By a percentage equal to the average annual percentage of increase in the Consumer Price Index for West Urban Consumers for the preceding 5 calendar years; or

(ii) By 4.5 percent, whichever is less.

(2). No increase authorized by subsection (1), above, shall occur within a twelve month period following action by the County to:

(i) Adopt any revisions to the Regional Road Impact Fee land use assumptions in accordance with NRS 278B.290; or

(ii) Adopt any ordinance that amends the Regional Road Impact Fee System Capital Improvement Plan; or

(iii) Otherwise increase the impact fee.

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