

SUMMARY: An ordinance establishing a new fee for the filing of civil actions in district court and upon the filing of answers.

BILL NO. 1600

ORDINANCE NO. 1421

AN ORDINANCE AMENDING CHAPTER 21 (MISCELLANEOUS AND ADDITIONAL TAXES) ESTABLISHING A FEE ON THE COMMENCEMENT OF ANY CIVIL ACTION OR PROCEEDING IN THE DISTRICT COURT FOR WHICH A FILING FEE IS REQUIRED AND ON THE FILING OF ANY ANSWER OR APPEARANCE IN ANY SUCH ACTION OR PROCEEDING FOR WHICH A FILING FEE IS REQUIRED; AND PROVIDING FOR THE COLLECTION, ACCOUNTING AND USE OF SUCH FEES FOR COURT SECURITY OR CERTAIN CAPITAL COSTS; AND OTHER MATTERS PROPERLY RELATED THERETO.

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

SECTION 1. Pursuant to the legislative authority of Chapter 443, Statutes of Nevada 2009 (AB 65 of The 75th Session of the Nevada Legislature) the Board of County Commissioners of the County of Washoe adopts an ordinance establishing a fee on the commencement of any civil action or proceeding in the district court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required.

SECTION 2. Chapter 21 of the Washoe County Code (Miscellaneous and Additional Taxes) is hereby amended by adding thereto the provisions set forth in section 3 of this ordinance.

SECTION 3.

21.1760 District court filing fees

1. The clerk of the district court shall charge and collect a fee of \$20 on the commencement of any civil action or proceeding in the district court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required. As provided for by NRS 19.034 the fee imposed by this section shall not apply to the filing of a petition to adopt a child with special needs if an agency which provides child welfare services, or a child-placing agency licensed by the Division of Child and Family Services of the Department of Health consents to the adoption of such a child.

2. On or before the fifth day of each month, the clerk of the

court shall account for and pay over to the county treasurer any such fees collected by the clerk during the preceding month for credit to an account for programs for court security in the county general fund. The money in that account must be administered by the county and:

(a) May be used only for programs for court security or to reimburse the county for any capital costs incurred for maintaining any judicial departments that are added by the 75th Session of the Nevada Legislature;

(b) Must not be used to supplant existing budgets for bailiffs or deputy marshals who are assigned to work in a courtroom; and

(c) If any balance remains, may be carried forward to the next fiscal year.

(d) As used in this section, "programs for court security" includes, without limitation:

(1) Funding for additional positions for bailiffs, marshals, security guards or similar personnel;

(2) Supplementing existing funding used to pay bailiffs, marshals, security guards and similar personnel;

(3) Acquiring necessary capital goods for court security;

(4) Providing security training and education to personnel;

(5) Conducting security audits; and

(6) Acquiring or using appropriate technology relating to court security.

SECTION 4. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 5. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Washoe County Code in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be published by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Washoe County, Nevada, at least once a week for a period of two (2) weeks, and shall be in force and effect thereafter.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

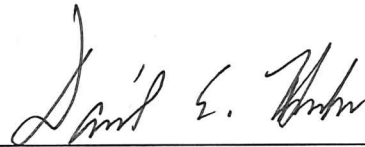
Proposed on the 8th day of September, 2009.
Proposed by Commissioner Humke.
Passed on the 22nd day of September, 2009.

Vote:

Ayes: Humke, Weber, Larkin, Jung, Boeternitz

Nays: none

Absent: NONE



David E. Humke, Chairman
Washoe County Commission



Amy Harvey
County Clerk

This ordinance shall be in force and effect from and after the 2nd day of October, 2009.

RENO NEWSPAPERS INC

Publishers of

Reno Gazette-Journal

955 Kuenzli St • P.O. Box 22,000 • Reno, NV 89520 • 775.788.6200

Legal Advertising Office 775.788.6394

WASHOE CO
PO BOX 11130
RENO NV 89520-0027

Customer Acct# 349008
PO# ADOPT 1421
Ad# 1000664165
Legal Ad Cost \$189.74

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 of general circulation 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: **09/26/2009 - 10/02/2009**, for exact publication dates please see last line of Proof of Publication below.

Signed: _____

Linda Anderson

OCT 02 2009

Subscribed and sworn to before me



Linda Anderson

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1421 BILL NO. 1600 An Ordinance amending Chapter 21 (miscellaneous and additional taxes) establishing a fee on the commencement of any civil action or proceeding in the District Court for which a filing fee is required and on the filing of any answer or appearance in any such action or proceeding for which a filing fee is required; and providing for the collection, accounting and use of such fees for court security or certain capital costs; and other matters properly related thereto. (Bill No. 1600) PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Chairman Humke on September 8, 2009, and following a public hearing, was passed and adopted without amendment at a regular meeting held not more than thirty-five (35) days after the close of the hearing, i.e., at the regular meeting on September 22, 2009, by the following vote of the Board of County Commissioners: Those Voting Aye: David Humke, Bonnie Weber, Bob Larkin, John Breternitz, Kitty Jung Those Voting Nay: None Those Absent: None This Ordinance shall be in full force and effect from and after October 2, 2009, i.e., the date of the second publication of

✓
1421

such Ordinance by its title only. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED: September 24, 2009. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 664165 - Sept. 26, Oct. 2, 2009