

SUMMARY: An ordinance revising the definition of transient lodging.

BILL NO. 1707

ORDINANCE NO. 1526

AN ORDINANCE AMENDING CHAPTER 25 OF THE WASHOE COUNTY CODE (BUSINESS LICENSES, PERMITS AND REGULATIONS) BY AMENDING THE DEFINITION OF TRANSIENT LODGING TO APPLY TO THE RENTAL OF ONE OR MORE UNITS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

SECTION 1. Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations) is hereby amended by amending section 25.1501 which shall read as follows:

25.1501 "Transient lodging" defined. "Transient lodging" means any facility, structure, or portion thereof occupied or intended or designed for occupancy by transient guests who pay rent or other consideration for dwelling, lodging, or sleeping purposes, and includes, without limitation, any hotel, resort hotel, motel, motor court, motor lodge, bed and breakfast, lodging house, rooming house, resident hotel and motel, guest house, tourist camp, resort and "dude" ranch, cabin, condominium, timeshare properties, vacation home, apartment house, recreational vehicle park/campground, guest ranch, or other similar structure or facility, or portion thereof. The term "transient lodging" does not include any of the following: any hospital, sanitarium, medical clinic, convalescent home, nursing home, home for aged people, foster home, or other similar facility operated for the care or treatment of human beings; any asylum, jail, prison, orphanage or other facility in which human beings are being detained and housed under legal restraint; and housing owned or controlled by an educational institution and used exclusively to house students, faculty or other employees, and any fraternity or sorority house or similar facility occupied exclusively by students and employees of such educational institution, and officially recognized by it; any housing operated or used exclusively for religious, charitable or educational purposes by any organization having qualifications for exemption from property taxes under the laws of the state; any housing owned by a governmental agency and used to house its employees for governmental purposes; any room within a private dwelling house or other single-family dwelling unit if the permanent or principal owner also resides in and occupies the dwelling; any unit within a time-share project occupied by an owner, or the nonpaying guests of an owner, of a time-share in the time-share project, or in the timeshare plan of which the time-share project is a part, who has the right to use or occupy a unit, pursuant to (a) a time-share instrument or (b) a timeshare exchange program. The burden of establishing that the housing or facility is not transient lodging as defined herein shall be on the owner thereof, who shall file with the tax administrator such information as the tax administrator may require to establish and maintain

such status.

SECTION 2.

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 3. 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 4. 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 25th day of March, 2014.
Proposed by Commissioner Berkbigler.
Passed on the 8th day of April, 2014.

Vote:

Ayes: Humke, Weber, Hartung, Sung, & Berkbigler

Nays: none

Absent: none



David Humke, Chairman
Washoe County Commission


ATTEST


County Clerk

This ordinance shall be in force and effect from and after the 18th day of April, 2014.

WASHOE COUNTY
COMPTROLLER

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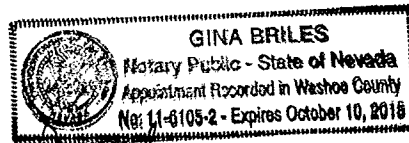
STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper 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: **4/11/2014 - 4/18/2014**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____

[Handwritten Signature]
APR 22 2014



[Handwritten Signature]

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1526 BILL NO. 1707
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 in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on March 25, 2014 by Commissioner Berkbigler and was passed and adopted without amendment at a regular meeting held on April 08, 2014 by the following vote of the Board of County Commissioners: An Ordinance amending Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations) by amending the definition of transient lodging to apply to the rental of one or more units; and providing for other matters properly relating thereto. (Bill No. 1707) Those Voting Aye: David Humke, Marsha Berkbigler, Vaughn Hartung Bonnie Weber, and Kitty Jung Those Absent: None This Ordinance shall be in full force and effect from and after April 18, 2014. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED April 09, 2014 Nancy Parent, Washoe County Clerk and Clerk of the Board of County Commissioners No. 30545 April 11, 18, 2014

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**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1526
BILL NO. 1707**

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 in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on March 25, 2014 by Commissioner Berkbigler and was passed and adopted without amendment at a regular meeting held on April 08, 2014 by the following vote of the Board of County Commissioners:

An Ordinance amending Chapter 23 of the Washoe County Code (Business Licenses, Permits and Regulations) by amending the definition of "restaurant" to apply to the rental of one or more units; and providing for other matters properly relating thereto. (Bill No. 1707)

Those Voting Aye:
David Manilla, Muraho, Berbigler, Vaughn, Darling,
Bonnie Yeater, and Kelly Jung

Those Absent:
None

This Ordinance shall be in full force and effect from and after April 16, 2014.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by this date.

DATED: April 09, 2014

Nancy Farent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No. 30545 April 11 18, 2014

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