

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: Amends the Development Code by updating the standards within Section 110.310.35(g), Temporary Occupancy for the Care of the Infirm, to allow more flexibility within the standards governing where the caregiver or infirm person may live.

BILL NO. 1789

ORDINANCE NO. 1607

Title:

An ordinance amending the Washoe County Code at Chapter 110 (Development Code), within Article 310, *Temporary Uses and Structures*, to update the standards within Section 110.310.35(g), *Temporary Occupancy for the Care of the Infirm*; and other matters necessarily connected therewith and pertaining thereto. The Code currently allows for temporary occupancy of a recreational vehicle (RV) or travel trailer by a person who provides care to an infirm resident of a single-family dwelling. The proposed update eliminates the requirement that it be the caregiver who temporarily occupies the RV or travel trailer and instead allows either the caregiver or the infirm person to occupy the RV or travel trailer.

WHEREAS:

- A. This Commission desires to amend Article 310 of the Washoe County Code Chapter 110 (Development Code) in order to update the standards within Section 110.310.35(g), *Temporary Occupancy for the Care of the Infirm* and,
- B. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code) by Resolution Number 17-08 on September 5, 2017; and,
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA17-0004 on September 5, 2017, and adopted Resolution Number 17-08 recommending adoption of this ordinance; and,

- D. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and,
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Section 110.310.35(g) of the Washoe County Code is hereby amended to read as follows:

- (g) Temporary Occupancy for the Care of the Infirm. One self-contained travel trailer or recreational vehicle may be temporarily occupied as a legal use when it is necessary for the care of an infirm resident on-site. This use is reserved for properties containing a permanent single-family dwelling occupied by either the infirm person or the person responsible for the care of the infirm person. The self-contained travel trailer or recreational vehicle may be occupied by either the infirm person or the person responsible for the care of the infirm person. Prior to the establishment of this use, the requirements of Article 808, Administrative Permits, must be satisfied. The administrative permit application shall include a signed affidavit from a Nevada licensed physician identifying the need for such on-premise care. The administrative permit must be renewed on an annual basis to ensure that the need for such on-premise care still exists. The travel trailer or recreational vehicle shall be located on the parcel to provide as much screening as practical from being viewed from the street. No discharge of any litter, sewage, effluent or other matter shall occur except into sanitary facilities designed to dispose of the material. Any temporary utility connections shall be to the satisfaction of the Washoe County Health District and the Building Program of the Planning and Building Division.

SECTION 2. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chairman of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to

revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date

Proposed on November (month) 14 (day), 2017.

Proposed by Commissioner Hartung.

Passed on December (month) 12 (day), 2017.

Vote:

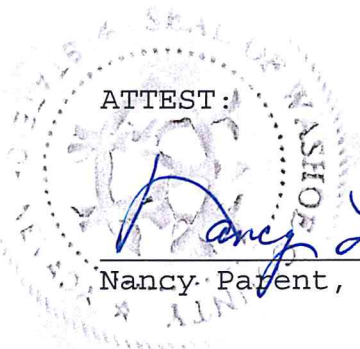
Ayes: Bob Lucey, Marsha Berkbigler, Kitty Jung, Vaughn Hartung and Jeanne Herman.

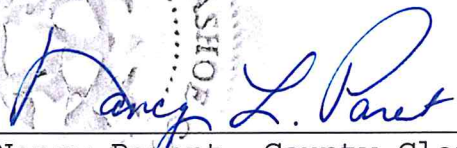
Nays: none.

Absent: none.



Bob Lucey, Chair
Washee County Commission



ATTEST:


Nancy Parent, County Clerk

This ordinance shall be in force and effect from and after the 22nd day of the month of December of the year 2017.

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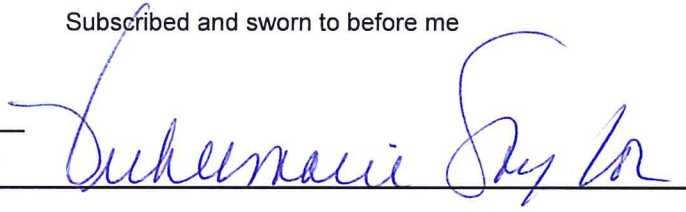
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STATE OF NEVADA
COUNTY OF WASHOE

Signed: 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 date: 12/14/2017 - 12/22/2017, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

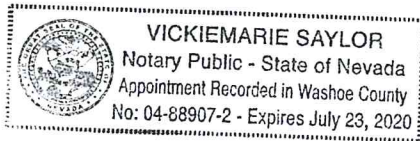
Signed: _____



**NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE
NO. 1607 BILL NO. 1789 NOTICE IS HEREBY GIVEN
that typewritten copies of the above-numbered and
entitled ordinance a**

Publish Dates:
12/15/17, 12/22/17

Signed: _____



NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1607
BILL NO. 1789

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 November 14, 2017 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on December 12, 2017 by the following vote of the Board of County Commissioners:

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110 (DEVELOPMENT CODE), WITHIN ARTICLE 310, TEMPORARY USES AND STRUCTURES, TO UPDATE THE STANDARDS WITHIN SECTION 110.310.35(G), TEMPORARY OCCUPANCY FOR THE CARE OF THE INFIRM; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO. THE CODE CURRENTLY ALLOWS FOR TEMPORARY OCCUPANCY OF A RECREATIONAL VEHICLE (RV) OR TRAVEL TRAILER BY A PERSON WHO PROVIDES CARE TO AN INFIRM RESIDENT OF A SINGLE-FAMILY DWELLING. THE PROPOSED UPDATE ELIMINATES THE REQUIREMENT THAT IT BE THE CAREGIVER WHO TEMPORARILY OCCUPIES THE RV OR TRAVEL TRAILER AND INSTEAD ALLOWS EITHER THE CAREGIVER OR THE INFIRM PERSON TO OCCUPY THE RV OR TRAVEL TRAILER. (BILL NO.1789)

Those Voting Aye: Bob Lucey, Marsha Berkbigler, Kitty Jung, Vaughn Hartung and Jeanne Herman.

Those Absent: None

This Ordinance shall be in full force and effect from and after December 22, 2017.
IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: December 12, 2017.
Nancy Parent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No 0002602007

Dec. 15, 22, 2017

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