

CHAPTER 125

REMEDIES; PENALTIES

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Civil Actions To Enjoin, Abate or Restrain Nuisances

125.010 Findings of county commissioners. In view of the numerous uniform codes and rules and regulations incorporated therein that have been adopted by the board of county commissioners, the board of county commissioners finds that it is desirable to authorize the district attorney, in accordance with the powers conferred on the board by NRS, to bring any necessary civil actions in courts of law to enforce such uniform codes, rules and regulations.

[§1, Ord. No. 210]

125.015 Violations of adopted construction codes designated nuisances.

1. The violation of any provision of a code or standard for construction, including any amendment or modification to a uniform code for construction, is declared to be, and is designated as, a nuisance and may be enjoined, abated or restrained in the manner provided in section 125.020.

2. For purposes of this section "code or standard for construction" means and includes, without limitation, the most recent version of the following codes or standards, as incorporated, amended and modified in the Washoe County Code:

- (a) Uniform Building Code.
- (b) Uniform Plumbing Code.
- (c) National Electrical Code.
- (d) Uniform Fire Code.
- (e) Uniform Mechanical Code.
- (f) Uniform Sign Code.
- (g) Uniform Swimming Pool, Spa, Hot Tub Code.
- (h) Uniform Solar Energy Code.
- (i) Energy Conservation Standards for New Building Construction.

[§1, Ord. No. 732]

125.020 District attorney authorized to bring civil actions to enjoin, abate or restrain continued violations designated as or constituting nuisances. Pursuant to the authority granted the board of county commissioners in subsection 6 of NRS 244.360, the district attorney is authorized, in his discretion, to bring all necessary civil actions in any court of competent jurisdiction on behalf of the county to enjoin, abate or restrain the continued violation of any duly enacted or adopted ordinance, rule or regulation of the county having the force and effect of law, including any rule or regulation contained within any specialized or uniform code and changes thereto adopted by ordinance, such as, but not limited to, the various volumes and editions of the Uniform Building Code, the Uniform Plumbing Code, the National Electrical Code, the Uniform Fire Code, the Uniform Mechanical Code and the Uniform Sign Code, if the violation is designated as or otherwise constitutes a nuisance.

[§2, Ord. No. 210; A Ord. No. 732]

125.030 Actions brought in name of county; signature by district attorney, deputy. All civil actions filed by the district attorney pursuant to sections 125.010 to 125.040, inclusive, shall be brought in the name of the county, and all pleadings and other necessary documents shall be signed by the district attorney or his deputy as attorney for the county.

[§3, Ord. No. 210]

125.040 Control of prosecution, defense by county commissioners. Pursuant to NRS 244.165, the board of county commissioners has the power and jurisdiction to control the prosecution or defense of all civil actions filed pursuant to

sections 125.010 to 125.030, inclusive.

[§4, Ord. No. 210]

### General Penalty; Disposition of Fines and Forfeitures

#### 125.050 General penalty.

1. Whenever in this code or in any ordinance of the county any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor, when no specific penalty is provided therefor, the violation of any such provision of this code or any ordinance shall be punished by a fine not exceeding \$1,000 or imprisonment in the county jail for a term not exceeding 6 months, or by any combination of such fine and imprisonment.

2. In lieu of all or a part of the punishment which may be imposed pursuant to subsection 1, if the convicted person agrees, he may be sentenced to perform a fixed period of work for the benefit of the community under the conditions prescribed in NRS 176.087.

3. Each person is guilty of a separate offense for each day during any portion of which any violation of the provisions of this code or any ordinance is committed, continued or permitted by any such person, and he shall be punished accordingly.

[Ord. No. 534]

125.060 Fines, forfeitures deposited in general fund of county. All fines and forfeitures for violations of the Washoe County Code shall be deposited in the general fund of the county.

### Credits for County Jail Inmates

#### 125.070 Good-time, work-time credits for county jail inmates.

1. The sheriff may, upon finding that an inmate of the county jail has been obedient, orderly and faithful, order that a credit of up to 5 days per month be deducted from the sentence of such inmate.

2. In addition to the credit provided in subsection 1, the sheriff may, upon finding that an inmate has worked diligently as a trustee of the county jail, order that a credit of up to 5 days per month be deducted from the sentence of such inmate.

[\$1, Ord. No. 234] + [\$2, Ord. No. 234]

#### 125.080 Fees for electronic supervision.

1. An application fee, not to exceed \$50, is hereby established. The application fee will be paid by each inmate in the county jail who seeks to meet the standards set by the sheriff for being placed on electronic supervision in accordance with NRS 211.250 to NRS 211.300, inclusive.

2. Daily fees for inmates approved for electronic supervision are hereby established and will not exceed \$20 per day.

Subject to the amount provided herein, the actual fee charged an inmate will be determined by the sheriff based upon the risk of flight of the individual as determined by the sheriff.

3. In accordance with NRS 211.280, payment of the above fees shall be paid by inmates according to their ability to pay. The finance division shall establish criteria to determine an inmate's ability to pay.

[§2, Ord. No. 843]

125.090 Administrative fee for inmates serving intermittent sentence.

1. When a court of competent jurisdiction has granted an application to an inmate in the county jail to serve out the inmate's sentence on an intermittent basis in accordance with NRS 211.350(2), the inmate shall pay to the county \$25 per day for each day so served.

2. An inmate serving an intermittent sentence in accordance with section 1 hereof, shall pay the \$25 a day fee to the county in accordance with the court's direction.

3. An inmate serving an intermittent sentence as provided for herein, shall pay toward the \$25 per day fee according to his ability to pay.

4. The finance division shall establish criteria to determine an inmate's ability to pay.

5. The fees collected pursuant to the provisions of this section and to NRS 211.350 shall be deposited in the general fund.

[§2, Ord. No. 842]

125.100 Authority for enactment. Under the authority of NRS 211.130(2), the sheriff of Washoe County is hereby authorized to establish a program pursuant to NRS 211.171 to 211.200, inclusive, for the voluntary exchange by an inmate sentenced to confinement in the detention facility of 10 hours of labor on public works for 1 day of physical confinement, unless the sentencing court has otherwise ordered in a particular case or has restricted the inmate's eligibility.

[§2, Ord. No. 871]

125.110 Administrative fee for participating inmates.

1. An administrative fee, consisting of an application fee not to exceed \$50 and a daily fee not to exceed \$10, is hereby established, which fee is deemed to be reasonably sufficient in the aggregate to cover the cost of administering the program. This administrative fee will be paid by each inmate in the detention facility who participates in the program established by the sheriff for voluntarily exchanging labor for confinement in accordance with NRS 211.171 to NRS 211.200, inclusive.

2. An inmate may be required to pay toward the above fee only to the extent of his ability to pay. The sheriff shall establish criteria to determine an inmate's ability to pay.

[§3, Ord. No. 871]