

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE NEVADA STATE JOURNAL, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice BILL NO. 213

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the
... 24th day of June 19 68 and

.....
the full period of ... 1 ... days, the last publication thereof being in the issue dated the day of 19.....

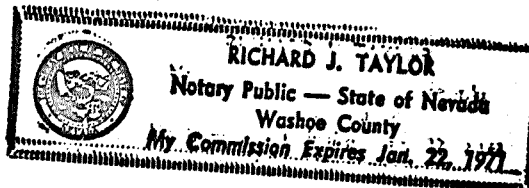
Signed *Dorothy Yocom*

Subscribed and sworn to before me this

... 24th day of June 19 68

... *Richard J. Taylor*

Notary Public.



NOTICE IS HEREBY GIVEN that Bill No. 213 was introduced before the Board of County Commissioners of Washoe County at a meeting held on the 5th day of June, 1968 and by the said Bill No. 213 it is proposed an ordinance be enacted entitled: "AN ORDINANCE TO IMPOSE ADDITIONAL RESTRICTIONS UPON THE MOVING OF CERTAIN STRUCTURES INTO OR WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY BY AMENDING SECTION 1 OF COUNTY ORDINANCE NO. 43 ENTITLED: 'AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE UNINCORPORATED AREA OF WASHOE COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND OTHER MATTERS PROPERLY RELATING THERETO." NOTICE IS HEREBY GIVEN that typewritten copies of the said proposed ordinance have been filed with the County Clerk of the County of Washoe, State of Nevada for use and examination by the public. NOTICE IS HEREBY GIVEN that copies of the amendments, changes and additions to the 1964 addition of the Uniform Building Code designated as Exhibit "B" have been filed with the County Clerk of Washoe County for the use and examination by the public. NOTICE IS HEREBY FURTHER GIVEN that Bill No. 213 will be presented for adoption for the last and final time at the regular meeting of the Washoe County Commissioners, Washoe County Courthouse, on the 5th day of July, 1968, at 10:00 o'clock A.M. H. K. BROWN, County Clerk and Clerk of Board of County Commissioners Washoe County, Nevada June 31 25-1968-Notice

68-597

SUMMARY: Imposes additional restrictions upon moving of certain structures into or within unincorporated area of Washoe County.

BILL NO. 213

ORDINANCE NO. 83

AN ORDINANCE TO IMPOSE ADDITIONAL RESTRICTIONS UPON THE MOVING OF CERTAIN STRUCTURES INTO OR WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY BY AMENDING SECTION 1 OF COUNTY ORDINANCE NO. 83 ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE UNINCORPORATED AREA OF WASHOE COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND OTHER MATTERS PROPERLY RELATING THERETO."

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

Section 1. Section 1 of County Ordinance No. 83 is hereby amended to read as follows:

Section 1. The 1964 Edition of the Uniform Building Code and appendices approved at the Forty-First Annual Business Meeting of the International Conference of Building Officials, September 30 - October 4, 1963, with such changes as are necessary to make the same applicable to conditions in the County of Washoe, and with such other changes as are desirable, all of which changes are marked "Exhibit A" and "Exhibit B" and placed on file in the office of the County Clerk of Washoe County, of Washoe County, Nevada, shall be and hereby are adopted by reference, incorporated herein and made a part hereof as if set forth in full.

Section 2. Each section and each provision or requirement of each section of this Ordinance shall be considered separable, and the invalidity of any portion thereof, shall not affect the validity or enforcibility of any other portion thereof.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to NRS 244.105.

Proposed on the 5th day of June, 1968.
 Proposed by Commissioner Streeter
 Passed on the 8th day of July, 1968.

Vote: AYES
NAYES
ABSENT
 ATTEST: [Signature]
 County Clerk

Commissioners McKissick, McKenzie, Sauer, Cunningham and Streeter
 Commissioners None
 Commissioners None

[Signature]
 Chairman of the Board

This Ordinance shall be in force and effect from and after the 8th day of July, 1968.

"EXHIBIT B" THE 1964 EDITION OF THE UNIFORM BUILDING CODE AND APPENDICES APPROVED AT THE 41ST ANNUAL BUSINESS MEETING OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, SEPTEMBER 30 - OCTOBER 4, 1963, WITH SUCH CHANGES AS ARE NECESSARY TO MAKE THE SAME APPLICABLE TO CONDITIONS IN THE COUNTY OF WASHOE

Revisions and additions as per
County Ordinance No. 83
Passed and adopted July 8, 1968

Chapter 3 - Permits and Inspections.

From Section 301 delete:

- (f) House Moving The Owner of a building which is proposed to be moved to a new location within the jurisdiction of this code must post with the Building Inspector a bond in an amount estimated by the Building Inspector to bring the structure into conformance with all applicable codes, but not to exceed \$3,500. in cash, by certified check or with a surety company and in a form approved by the Building Inspector. The bond is to guarantee performance by the owner to do all work necessary to complete the building to make it conform with the applicable building codes and State and County laws, ordinances and regulations. A permit will not be issued until the bond is posted. The work to make the structure conform to the building codes must be completed within one year. The work must be completed and the bond released before a certificate of occupancy will be granted. The house moving contractor is required to ascertain that a proper permit has been secured and a bond posted before the building is moved from its existing location. Failure by the house moving contractor to ascertain that a permit has been issued is a violation of this code.

Part 1 - Administrative

To Part 1 - Administrative add:

Chapter 3A - Moving of Buildings

Section 3A01. Consent to Move.

1. Except as otherwise provided, it shall be unlawful for any person to move any existing building or structure of any kind or description into or within the unincorporated area of Washoe County without a permit to move said building or structure as hereinafter provided in this chapter and Chapter 3 of the Uniform Building Code.

2. This chapter shall not apply to mobile homes, trailers or other structures permanently affixed on wheels or prefabricated structures as defined in Chapter 50 of the Uniform Building Code which prefabricated structures have not been previously occupied.

Section 3A02. Application - Public Hearing.

1. Except as otherwise provided, any person desiring or intending to move any building or structure into or within the unincorporated area of Washoe County shall first file an

application with the Washoe County Board of Adjustment. Such application shall include the following:

- (a) The existing location of the building or structure intended to be moved.
- (b) The size and character of said building or structure.
- (c) The proposed new location of said building or structure. The method of moving and the proposed route to be followed.
- (d) Statement of purpose for which the building or structure is to be used in its new location, specifying improvements and modifications to be made and such other information as that Department may reasonably require in order to carry out the purpose of this section.
- (e) A list of all owners of real property within 300 feet of the exterior limits of the property onto which the building or structure is to be moved, as indicated by the records of the County Assessor.

2. The Board of Adjustment except as otherwise provided shall hold a public hearing upon the application no later than 15 days from the date of filing of the application. Notice by certified mail of the time, place and purpose of said hearing shall be given not less than 10 days prior to the date of the hearing to the following:

- (a) Applicant for permit to move the building or structure.
- (b) Owners of real property within 300 feet of the exterior limits of the property onto which the building or structure is to be moved. Notice by mail shall be effected when notice is directed by certified mail to the said owner's last address.
- (c) The Building Official, County Engineer and Health Department.

3. The Board of Adjustment may hear facts from any person appearing and may consider written communications relative to the application and shall deny a permit when:

- (a) Any unlawful, dangerous or defective condition of a building proposed to be moved is such that remedy or correction cannot effectively be made or which cannot be repaired or reconstructed to conform to the requirements of the Uniform Building Code, or
- (b) The use of the proposed site or the purpose intended is prohibited by zoning laws of this County, or
- (c) The structure is of a type prohibited at the proposed location by any other law or ordinance.

4. The Board of Adjustment shall, within 5 days from the date of hearing, rule upon the application unless good cause is shown for an extension thereof. The applicant, owners of real property within 300 feet of the exterior limits of the property involved, the Building Official, County Engineer, the Health Department and the Board of County Commissioners shall be notified of the decision of the Board of Adjustment not later than 3 days after the decision is rendered. If said application is denied said notice shall also contain the reason or reasons for denial.

5. If a building or structure to be moved is to be permanently affixed within the corporate limits of any city of or beyond the boundaries of Washoe County, any person intending to move said building or structure shall file an application with the Building Official, which application shall include the following:

- (a) The existing location of the building or structure intended to be moved.
- (b) The size and character of said building or structure.
- (c) The proposed new location of said building or structure, the method of moving and the proposed route to be followed.

6. Pursuant to subsection 5 of this section, the building official may issue a permit to move said building or structure only after the posting of the bonds as prescribed in Section 3A04 and Section 3A05 of this chapter.

Section 3A03. Appeals.

1. The decision of the Board of Adjustment granting or denying the application for a permit to move a building or structure may be appealed by the applicant, any person notified of the hearing or who appeared and presented oral or written testimony at said hearing by filing a written petition with the Board of County Commissioners within 10 days after the Board of Adjustment has notified the County Clerk of its decision pursuant to Section 3A02 of this chapter. Such petition shall state the reason or reasons the decision of the Board of Adjustment should be amended, modified or reversed. If no appeal from said decision is taken to the Board of County Commissioners within the time allowed, such decision shall be final.

2. The County Commissioners shall set a hearing on the appeal from the decision granting or denying the application for a permit pursuant to this chapter not later than 30 days from the date of receipt of the petition of appeal. Notice of the hearing shall be given by the County Clerk by certified mail to the appellant, the applicant for the permit and to all owners of property within 300 feet of the property onto which the building is to be moved at least 10 days before the date of the hearing in the same manner as set forth in Section 3A02 of this chapter. The Board of County Commissioners may consider all evidence relative to the application and may affirm, reverse or otherwise modify the decision of the Board of Adjustment by majority vote.

Section 3A04. Mover's Bond.

If the application for a permit to move a building or structure is granted pursuant to this chapter, the person intending to move the building or structure shall post a bond with the Building Official in the sum of not less than \$1,000. in cash, by certified check or with a company qualified to do business of surety in the State of Nevada in a form approved by the Building Official and the Office of the District Attorney. Said bond shall guarantee that said person intending to move the building or structure shall pay for all damages that may accrue to the streets, roads or other public rights-of-way of the County of Washoe or to any property of the County or to the property of any person in the moving of the building or structure, and that said person will pay all damages and costs and expenses necessary for the removal of, or the changing of any telephone, telegraph, electric light, or any other wires used for public convenience in the unincorporated area of the County, and all damages for the removal of any poles in the streets or sidewalks or alleys in the unincorporated area of the County. Said bond may be sued upon and collected upon by any person in any manner damaged by the moving of any building or structure into or within the unincorporated area of the County until the full amount of the bond has been exhausted.

Section 3A05. Owner's Bond.

The owner of a building or structure which is to be moved pursuant to this chapter shall post with the Building Official a bond in an amount estimated by the Building Official to assure compliance with all terms and conditions to which the permit therefor is subject, but not to exceed Five Thousand Dollars (\$5,000.00) per structure unit in cash, by certified check or with a company qualified to do business of surety in the State of Nevada, in a form approved by the Building Official and the Office of the District Attorney. Each bond posted pursuant to this section shall guarantee full compliance with all terms and conditions as specified upon the permit issued pursuant to this chapter and the requirements set forth in Section 3A06 of this chapter.

Section 3A06. Default in Performance of Conditions.

1. Whenever the Building Official shall find that a default has occurred in the performance of any term or condition of any permit issued pursuant to this chapter, written notice thereof shall be given to the principal and to the surety on the bond within 10 days from the determination of default. Such requirement for written notice shall be complied with if directed to the address given by the principal upon the application for the permit. Such notice shall specify the work to be done, the estimated cost thereof, and the period of time deemed by the Building Official to be reasonably necessary for the completion of such work.

2. After receipt of such notice, the surety must, within the time therein specified, either cause the required work to be performed, or failing therein, must pay to the Building Official the estimated cost of doing the work as set forth in the notice. Upon receipt of such moneys, the Building Official shall proceed by such mode as he deems convenient to cause the required work to be performed and completed, but no liability shall be incurred therein other than for the expenditure of the said sum.

3. If a cash bond has been posted, notice of default as provided above shall be given to the principal, and if the compliance is not obtained within the time specified, the Building Official may proceed without further notice to use the cash deposit or any portion of such deposit to cause to be done, by contract or otherwise, the work necessary to meet the terms and conditions imposed by the permit. The balance, if any, of such cash deposit shall upon the completion of the work be returned to the depositor or to his successors or assigns.

4. When any default has occurred on the part of the principal under the preceding provisions, the surety shall have the option, in lieu of completing the work required, of demolishing the building or structure and clearing, cleaning and restoring the site. If the surety defaults, then the Building Official shall have the same option.

5. The term of such bond posted pursuant to Section 3A05 shall begin upon the date of the posting thereof and shall end upon the performance of all the terms and conditions of the permit. Such completion shall be evidenced by a statement thereof signed by the Building Official, a copy of which shall be sent to the surety or principal upon request. When a cash bond has been posted, the cash shall be returned to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as provided elsewhere in this section.

6. The Building Official, the surety, and the duly authorized representatives of either, shall have access to the premises described in the permit, for the purpose of inspecting the progress of the work.

7. In the event of any default in the performance of any term or condition of the permit, the surety, or any person employed or engaged in its behalf, or the Building Official, or any person employed or engaged in his behalf, shall have the right to go upon the premises to complete the required work or to remove or demolish the building or structure.

8. It shall be unlawful for the owner or his representatives, successors or assigns, or any other persons, to interfere with or obstruct the ingress or egress to or from any such premises of any authorized representative or agent, of any surety, or of the County, engaged in the work of completing, demolishing or removing any building or structure for which a permit has been issued after default has occurred in the performance of the terms or conditions thereof.

Section 3A07. Permit.

1. The County Engineer shall designate on the permit to be issued pursuant to this chapter the route over which the building or structure shall pass and the time within which the same shall be moved.

2. Except as provided in Section 3A02 of this chapter, the Building Official may issue a permit only after the owner of the building or structure to be moved posts a bond with the Building Official pursuant to Section 3A05 of this chapter and the applicant for said permit secures the approval of the Board of Adjustment or the Board of County Commissioners, and posts a bond with the Building Official pursuant to Section 3A04 of this chapter.

Section 3A08. Notice to Public Utilities.

Upon receiving a permit to move a building into or within the unincorporated area of the County, the person receiving such permit shall serve a copy thereof by registered mail upon the superintendent or local manager of any company or person owning or controlling telegraph, telephone, electric light or other wires running under, over, through or across the roads, streets and other public rights-of-way within the unincorporated area of Washoe County where it will be necessary to raise, cut or interfere with the wires in the moving of the structure, together with a notice as to the time when it will be necessary to interfere with the wires, or with the poles holding the wires. The Company owning or controlling the wires may then raise or cut or remove the wires to permit the moving of the building or structure, and the expense therefor shall be paid by the person moving the building or structure and if not so paid action may be taken upon the bond prescribed by Section 3A04 of this chapter. In the event the route designated by the County Engineer follows across a federal-aid-highway or highways controlled by the State of Nevada, the State Highway Engineer shall be served by the person receiving such permit with a copy thereof by registered mail. Further, if the route designated by the County Engineer crosses the right-of-way of any railroad, the local agent of said railroad shall be served with a copy of said permit by registered mail. No building or structure in process of removal shall be allowed to stop at any time on any street, road or public right-of-way within the unincorporated area of Washoe County without the written approval of the County Engineer.