

Affidavit of Publication

STATE OF NEVADA,
County of Washoe—SS.

..... Mary Hefling

being duly sworn, deposes and says that he is the

..... Record Clerk

of The SPARKS TRIBUNE, a weekly newspaper,
published in Sparks, Washoe County, Nevada; that
he has charge of and knows the advertising ap-
pearing in said newspaper, and the

..... Notice of County Ordinance

Bill No. 706

Ordinance No. 535

of which a copy is hereunto attached, was first
published in said newspaper in its issue dated

..... April 21, 19 82

and was published in each of the following issues

thereafter: April 28, 1982

the date of the last publication being in the issue

of April 28, 19 82

Mary Hefling

Subscribed and sworn to before me this, the

28th day of April, 19 82

Loretta Dickerson

Notary Public in and for the County of Washoe,

State of Nevada.

My Commission expires: October 25, 1984

NOTICE OF COUNTY ORDINANCE
 NOTICE IS HEREBY GIVEN that Bill No. 706, Ordinance No. 535, an Ordinance amending Ordinance No. 83, entitled, "An Ordinance regulating the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, maintenance, excavation and foundation of any building or structure in the unincorporated area of Washoe County; providing for the issuance of permits, collection and refund of fees, and administration of the Uniform Building Code incorporated herein; providing a method for the classification and abatement of any unsafe and dangerous building or structure within the unincorporated area of Washoe County; adopting requirements for insulation standards for all structural occupancies; providing the parameters of thermal design calculations to be made thereunder; providing penalties for the violation of any regulation adopted herein; and repealing all ordinances in conflict herewith; and other matters properly relating thereto" by authorizing the movement of structures without a move and alter permit under certain conditions was adopted on April 13, 1982, by Commissioners Farr, Ferrari, Brown, Underwood & Williams. Typewritten copies of the Ordinance are available for inspection by all interested person at the office of the County Clerk.
 Judi Bailey, County Clerk
 Pub: April 21, 28, 1982

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LORETTA DICKERSON
Notary Public - State of Nevada
Washoe County
My Appointment Expires Oct. 25, 1984

SUMMARY: Authorizes movement of structures without permit under certain conditions.

BILL NO. 706

ORDINANCE NO. 535

AN ORDINANCE AMENDING "AN ORDINANCE REGULATING THE DESIGN, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, MAINTENANCE, EXCAVATION AND FOUNDATION OF ANY BUILDING OR STRUCTURE IN THE UNINCORPORATED AREA OF WASHOE COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION AND REFUND OF FEES, AND ADMINISTRATION OF THE UNIFORM BUILDING CODE INCORPORATED HEREIN; PROVIDING A METHOD FOR THE CLASSIFICATION AND ABATEMENT OF ANY UNSAFE AND DANGEROUS BUILDING OR STRUCTURE WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY; ADOPTING REQUIREMENTS FOR INSULATION STANDARDS FOR ALL STRUCTURAL OCCUPANCIES; PROVIDING THE PARAMETERS OF THERMAL DESIGN CALCULATIONS TO BE MADE THEREUNDER; PROVIDING PENALTIES FOR THE VIOLATION OF ANY REGULATION ADOPTED HEREIN; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND OTHER MATTERS PROPERLY RELATING THERETO" BY AUTHORIZING THE MOVEMENT OF STRUCTURES WITHOUT A MOVE AND ALTER PERMIT UNDER CERTAIN CONDITIONS.

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

SECTION 1. Section 308 of Exhibit "A" of Washoe County Ordinance No. 83 is hereby amended to read as follows:

Section 308

(a) Consent to Move

1. Except as otherwise provided in this section, it is unlawful for any person to move any structure into or within the unincorporated area of the County before obtaining a valid Move and Alter permit.
2. This section does not apply to:
 - A. Structures with permanently affixed wheels;
 - B. Prefabricated structures, as defined in chapter 50 of the Uniform Building Code; and
 - C. Temporary movement and placement of other structures under the following conditions:
 - i. The structure may only be placed on property with M-1 zoning;
 - ii. Before the structure is moved, the Building and Safety Division must inspect and determine that the structure is in com-

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pliance, or can be brought into compliance, with all applicable codes; and

- iii. The owner of the structure must apply to the Board of Adjustment for approval to move the structure within 15 days after the date of approved inspection by the Division.

The structure must be removed from the property within 15 days after the date on which final action is taken on the application by the Board of Adjustment or Board of County Commissioners.

- (b) Application - Board of Adjustment. Any person desiring or intending to move any structure into or within the unincorporated area of Washoe County shall file an application with the Washoe County Board of Adjustment. The application must include the following:

1. The existing location of the structure intended to be moved.
2. The size and character of the structure.
3. The proposed new location of the structure, the method of moving the structure and the proposed route to be followed.
4. Statement of purpose for which the structure is to be used in its new location.
5. A report from the Washoe County Building Department specifying the improvements and modifications necessary to bring the structure into compliance with existing codes and the approximate cost of required improvements and modifications.
6. A list of all owners of real property within 300 feet of the exterior limits of the property onto which the structure is to be moved, as indicated by the records of the County Assessor.

- (c) Public Hearing.

1. The Board of Adjustment shall hold a public hearing upon the application no later than 45 days from the date of filing of the application. Notice by regular mail of the time, place and purpose of the hearing shall be given not less than 10 days prior to the date of the hearing to the:
 - A. Applicant.
 - B. Owners of real property within 300 feet of the exterior limits of the property onto which the

structure is to be moved. Notice by mail shall be effected when notice is directed by regular mail to the the owners' last address.

C. The building official, County Engineer and Health Department.

2. The Board of Adjustment may hear from any person concerning the application and may consider written communications.

(d) Determination

1. After the hearing, the Board of Adjustment may approve, approve with conditions, or deny the application. The Board shall deny the application for a permit when:

A. The use of the proposed site for the purpose intended is prohibited by zoning laws of this County; or

B. The structure is of a type prohibited at the proposed location by any other law or ordinance.

2. An application shall not be approved unless the applicant posts a bond or other suitable guarantee sufficient to correct any defective condition of the structure proposed to be moved or to repair or reconstruct the structure to conform to the requirements of existing codes.

3. 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, County Clerk 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 the application is denied, the notice shall also contain the reason or reasons for denial.

(e) Appeal of Decision of Board of Adjustment

1. Except as provided in Paragraph 2, the decision of the Board of Adjustment granting or denying the application for a permit to move a structure may be appealed by the applicant, any person notified of the hearing or any person who appeared and presented oral or written testimony at the hearing by

filing a notice of appeal with the Board of County Commissioners and paying a fee of \$50.00 within 10 days after the Board of Adjustment has notified the County Clerk of its decision pursuant to Section 308(d)3. The notice must state the reason or reasons the decision of the Board of Adjustment should be amended, modified or reversed. If no appeal from the decision is taken to the Board of County Commissioners within the time allowed, the decision is final.

2. If the decision of the Board of Adjustment is appealed by the building official, County Engineer, Health Department or any other agency of Washoe County, no fee is required.
3. The County Commissioners shall set a hearing on the appeal from the decision granting or denying the application for a permit no later than 30 days from date of receipt of the petition of appeal. Notice of the hearing shall be given by the County Clerk by 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 308(c) 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.
4. Any decision of the Board of County Commissioners is final and may only be reviewed by instituting proceedings in the Second Judicial District Court, Washoe County, Nevada.

(f) Permit; Guarantees

1. If the application for a permit to move a structure is granted by the Board of Adjustment and no notice of appeal is filed pursuant to Section 308(e), or the Board of County Commissioners hears the appeal and approves the application, the applicant may apply to the Building Official for a permit in accordance with Section 302.
2. The Building Official shall not issue a permit to move a structure until the applicant provides:
 - A. A bond or other guarantee acceptable to the building official, and in a form approved by the District Attorney, in a sum of not less than \$1,000.00. The guarantee shall be conditioned so that the person intending to move

the 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 structure, and that the 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 areas of the County.

- B. A bond or other guarantee acceptable to the Building Official and District Attorney, in a sum the Building Official deems necessary to bring the structure to be moved into full compliance with all terms and conditions imposed by the Board of Adjustment or Board of County Commissioners when the application to move the building or structure was approved.
3. The bond or other guarantee posted pursuant to this subsection shall remain in force until the recipient of the permit performs all terms and conditions of the permit in a manner acceptable to the Building Official. Upon completion, the Building Official shall provide written notice to the principal and surety, if any. If the guarantee is in the form of cash, it shall be returned to the depositor, his successors or assigns.
 4. Any portion of a guarantee not required to complete the conditions of a permit issued pursuant to this section shall be returned to the principal or surety.
 5. The County Engineer shall designate on the permit the route over which the structure shall pass and the time within which the structure must be moved.

(g) Default in Performance of Conditions

1. Whenever the Building Official finds that a default has occurred in the performance of any term or condition of the permit, written notice thereof shall be given to the principal and the surety, if any, on the guarantee within 10 days from the determination of default. The requirement for written notice shall be complied with if directed to the address given by the principal upon the application for the permit. The notice

shall specify the work to be done, the estimated costs thereof and the period of time deemed by the Building Official to be reasonably necessary for the completion of such work.

2. If, after receipt of the notice, the principal or surety fails to perform the required work within the time specified in the notice, the Building Official may take whatever action is appropriate to ensure that the required work is performed and completed. Costs incurred pursuant to this provision are payable from the bond or other guarantee posted pursuant to this section.
3. It is unlawful for the owner or his representatives, successors or assigns, or any other person, 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 structure for which a permit has been issued after default has occurred in the performance of the terms or conditions thereof.

- (h) Notice to Public Utilities. Upon receiving a permit, the person 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 any 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 structure, and the expense therefor shall be paid by the person moving the structure and if not so paid, action may be taken upon the bond prescribed in Section 308(f)2 of this Chapter. If 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 the railroad shall be served with a copy of the permit by registered mail. A structure may not be stopped 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.

SECTION 2. Section 4 of Washoe County Ordinance No. 83 is hereby repealed.

Proposed on the 16th day of March, 1982.

Proposed by Commissioners Farr, Ferrari, Brown, Underwood & Williams

Passed on the 13th day of April, 1982.

Vote:

Ayes: Commissioners: Farr, Ferrari, Brown, Underwood & Williams

Nays: Commissioners: None

Absent: Commissioners: None



Chairman of the Board

ATTEST:



County Clerk

This ordinance shall be in force and effect from and after the 28th day of April, 1982.