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PROOF OF PUBLICATION

STATE OF NEVADA
COUNTY OF WASHOE

ss Tana Ciccotti

Being first duly sworn, deposes and says:
That as the legal clerk of the RENO
GAZETTE-JOURNAL, a daily newspaper
published in Reno, Washoe County,
State of Nevada, that the notice:

Ordinance 1153

has published in each regular and entire
issue of said newspaper on the following
dates to wit:
March 15, 22, 2002

Signed Tana Ciccotti

Subscribed and sworn to before me this
MAR 27 2002

Susan V. Dummar

Notary Public



SUSAN V. DUMMAR
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 98-4006-2 - Expires August 17, 2002

NOTICE OF ADOPTION
WASHOE COUNTY
ORDINANCE NO. 1153
NOTICE IS HEREBY GIVEN
THAT: Bill No.1329, Ordinance
No. 1153 entitled
AN ORDINANCE AMENDING
THE WASHOE COUNTY CODE
BY FURTHER DEFINING THE
ABATEMENT PROCESS IN
CHAPTER 60.
was adopted on Tuesday,
March 12, 2002 by Commis-
sioners Pete Sferrazza, Joanne
Bond, Jim Galloway, Jim Shaw
and Ted Short. This ordinance
shall be in full force and effect
from and after Friday, March
22, 2002.
Typewritten copies of the ordi-
nance are available for inspec-
tion by all interested persons
at the office of the County
Clerk, 75 Court Street, Reno,
Nevada.
AMY HARVEY,
Washoe County Clerk
No.992 Mar.15,22, 2002

MAR 29 2002

SUMMARY: An ordinance amending Washoe County Code by further defining the abatement process in Chapter 60.

BILL NO. 1329

ORDINANCE NO. 1153

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY FURTHER DEFINING THE ABATEMENT PROCESS IN CHAPTER 60.

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

SECTION 1. Section 60.070 of the Washoe County Code is hereby amended to read as follows:

60.070 Abatement process.

Purpose. The Board of Fire Commissioners finds that it is necessary to establish appropriate procedures for the administrative and summary abatement of Fire Code violations. These sections govern the abatement procedures established in all chapters of the Uniform Fire Code unless other procedures are specifically stated to apply.

Authority. Any condition caused, maintained or permitted to exist in violation of any provisions of the Uniform Fire Code may be abated by the fire department pursuant to the procedures set forth herein.

Imminent hazard. Condition of real property that places a person's life, health, or property in high risk of peril when such condition is immediate, impending, or on the point of happening and menacing.

Notice to abate; general procedures. Whenever the enforcement official determines that public or private property or any portion of public or private property is in violation of any section the Uniform Fire Code, a notice to abate may be issued to the responsible person to abate the violation. If the notice pertains to events occurring on or to the status or condition of the property, the notice shall also be served on all property owners of record. The notice to abate shall include the following information:

- (1) A description of the property in general terms reasonably sufficient to identify the location of the property. It shall refer to specific sections of the Uniform Fire Code violated;
- (2) A description of the action required to abate the violation which may include, but is not limited to: corrections, repairs, demolition, removal, obtaining the necessary permits, vacation of tenants or occupants or other appropriate action and shall establish time frames by which each action must occur;
- (3) A description of consequences should the responsible person fail to comply with the terms of the notice; and

(4) A statement that the responsible person may request an administrative hearing on the notice to abate in accordance with section 103.1.4 of the Uniform Fire Code.

Service of notice to abate. A notice to abate shall be served on the responsible person by certified mail, return receipt requested. The failure of the responsible person to accept the certified mailing does not affect the validity of any proceedings taken under this Uniform Fire Code.

Abatement by the fire department.

(a) Once the enforcement official follows the procedures set forth above and in section 103.1.4 of the Uniform Fire Code and the time for compliance has lapsed without abatement being fully completed by the responsible person, the conditions may be abated by fire department personnel or by a private contractor hired by the fire department for that purpose.

(b) Fire department personnel or a private contractor can enter upon private property in a reasonable manner to abate the conditions as specified in the notice to abate or administrative order.

(c) When the abatement is completed, a report describing the work performed and an itemized accounting of the total abatement costs shall be prepared by the enforcement official. The report shall contain the names and addresses of the responsible person, the name and address of the property owner if different from the responsible person, the assessor's parcel number and a legal description of the property if the responsible person is an owner.

(d) The enforcement official shall schedule a confirmation of costs hearing before a hearing officer pursuant to the procedures set forth in section 103.1.4 of the Uniform Fire Code, unless waived in writing by all responsible persons.

(e) All administrative fees and actual costs incurred by the fire department in abating the violations may be assessed and recovered against the responsible person pursuant to the provisions set forth in this chapter.

Summary abatement. Whenever the enforcement official determines that an imminent hazard, as defined above, exists that requires immediate correction or elimination, the enforcement official may exercise the following powers to summarily abate the hazard without prior notice to the responsible person:

(1) Order the immediate vacation of any tenants and prohibit occupancy until all repairs are completed; or

(2) Post the premises as unsafe, substandard or dangerous; or

(3) Board, fence or secure the building or site; or

(4) Raze and grade that portion of the building or site to prevent further collapse and remove any hazard to the general public; or

(5) Make any minimal emergency repairs as necessary to eliminate any imminent health and safety hazard; or

(6) Take any other reasonable action deemed by the enforcement official as appropriate under the circumstances.

Summary abatement; procedures.

(a) The enforcement official shall pursue only the minimum level of correction or abatement as necessary to eliminate the imminent hazard. Costs incurred by the fire department during the summary abatement process shall be assessed, collected and recovered against the responsible person through the procedures outlined above and in section 103.1.4 of the Uniform Fire Code.

(b) The enforcement official may also pursue any other criminal, administrative or judicial remedy to abate any remaining violations.

[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.]

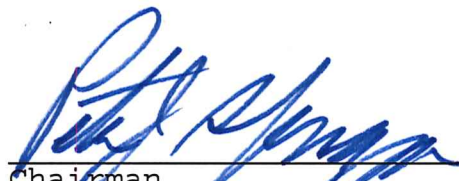
Proposed on the 19th day of February, 2002.
Proposed by Commissioner Bond.
Passed on the 12th day of March, 2002.

Vote:

Ayes: Commissioners Sferrazza, Shaw, Galloway, Bond & Short

Nays:

Absent:



Chairman
Washoe County Commission

ATTEST:



County Clerk

This ordinance shall be in force and effect from and after the 22nd day of March, 2002.