

SUMMARY: An ordinance amending the Washoe County Code by changing the name of the Washoe County Department of Parks and Recreation to the Washoe County Department of Regional Parks and Open Space.

BILL NO. 1431

ORDINANCE NO. 1257

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE NAME OF THE WASHOE COUNTY DEPARTMENT OF PARKS AND RECREATION TO THE WASHOE COUNTY DEPARTMENT OF REGIONAL PARKS AND OPEN SPACE AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. Section 15.380 of the Washoe County Code is hereby amended to read as follows:

15.380 General policy; materials, labor charges and services; exceptions.

1. It is the policy of the board of county commissioners to recover all costs incurred in providing services to others not required by statute or ordinance, except to the extent that services are provided free of charge to other governmental entities. Such charges are to be reviewed in accordance with section 15.390 to insure that the county is recovering the appropriate number of dollars in a businesslike manner.

2. Charges established by the department of regional parks and open space for various activities will be reviewed by the county park commission.

3. Charges not otherwise provided for in federal and state statutes, other county ordinances and agreements will be structured as follows:

(a) Materials. All materials ultimately to be billed to others shall be charged at cost.

(b) Labor charges. All charges for labor shall be billed based on actual pay rates or, alternatively, the standard pay rate for the job classification required as well as the employee benefits incurred based on the rates used.

(c) Overhead. A surcharge for overhead associated with providing the service will be billed at the most current indirect cost allocation rate of direct labor costs.

(d) Mileage. Mileage shall be charged at the rate currently in effect to reimburse county employees for their travel.

4. Other rates may be adopted by the board of county commissioners for providing recurring services if, in light of

all the circumstances, it appears to be in the best interests of the county to approve rates that do not conform to the general policies.

[§3, Ord. No. 359; Rev. Supp. No. 3; A Ord. Nos. 1072, 1077, 1177]

SECTION 2. Section 20.456 of the Washoe County Code is hereby amended to read as follows:

20.456 Development of recreation plan.

1. The department of regional parks and open space shall develop and submit a recreation plan to the board of county commissioners for their approval. The recreation plan must provide for the establishment of parks and facilities necessary to serve the recreational and outdoor needs of the various neighborhoods throughout the county.

2. The recreation plan must provide a comprehensive system of recreation areas including natural reservations, regional parks, parkways, beaches, playgrounds, neighborhood parks and other recreation areas. It must also discuss and outline the proposed method of carrying out the acquisition, development, operation and maintenance of the facilities included in the plan.

3. The recreation plan must provide for anticipated future growth and new developments and must be revised periodically as the actual development occurs.

4. The recreation plan must be coordinated with, and may be incorporated in, the master plan.

5. The acquisition, improvement and expansion of parks and park facilities must, if practicable and feasible, conform in size and location to those designated in the master plan and recreation plan. Substantial deviations from the master plan constitute an amendment to the master plan and may be made only in accordance with the provisions of NRS 278.210 and 278.220.

[§6, Ord. No. 726]

SECTION 3. Section 20.459 of the Washoe County Code is hereby amended to read as follows:

20.459 Park and recreation districts: Creation; boundary changes; duties, recommendations of department of regional parks and open space.

1. There are hereby created within the unincorporated areas of Washoe County four park and recreation districts which are designated by numbers one through four and the boundaries of which are designated on the maps of Washoe County included in subsection 5 of this section, a legal description of which will be kept on file with the department of regional parks and open space.

2. Within each district there are hereby created subdistricts reflecting the neighborhoods located therein. The subdistricts will be reflected on a copy of the district maps included in subsection 5 of this section.

3. The department of regional parks and open space is directed to conduct a continuing study of population trends and concentrations and neighborhood development throughout the unincorporated areas of Washoe County and shall, periodically, submit recommendations to the board of county commissioners, based on such study, suggesting any changes either in number or boundary locations of districts and subdistricts which may be necessary to insure that moneys collected from the residential construction tax are expended for the benefit of the neighborhoods from which they were collected.

4. The board of county commissioners shall consider the recommendations of the department of regional parks and open space and make appropriate amendments to subsection 1. Changes in subdistricts may be made by resolution of the board.

5. The following maps of Washoe County reflect the park and recreation districts:

[§4, Ord. No. 216; A Ord. Nos. 726, 810

SECTION 4. Section 20.461 of the Washoe County Code is hereby amended to read as follows:

20.461 Park, playground and recreation fund: Creation; accounts; interest; expenditures.

1. There is established in the office of the county treasurer a special fund known as the residential construction tax fund.

2. The fund must be divided into separate accounts for each park and recreation district.

3. All taxes collected pursuant to section 20.457 must be placed in the fund for credit to the account within the fund for the district from which the tax was collected.

4. All interest derived from money in the fund accrues to the fund and must be credited to the account from which the interest was derived.

5. The director of the department of regional parks and open space shall establish a record-keeping system for each account which will reflect the taxes collected for each subdivision or development within each district or, in cases where there is no subdivision or development, the neighborhood from which the money was collected.

6. Money within the fund must be used only for the purposes authorized in the enabling state statutes in effect at the time the money was collected. Whenever park and recreation district boundaries are changed pursuant to section 20.459 and a subdivision, development or area is relocated to a different district, unspent money collected from that subdivision, development or area must be transferred to the account for the district in which it is presently located.

7. If, in the opinion of the director, it is in the best interest of the public to purchase land from the subdivider or developer within the subdivision or development for development of a park, such land may be purchased at or below fair market value with moneys collected from the subdivider or developer. Payment may be made, at the option of the county, in the form of credits against future construction tax payments which become due for the subdivision or development.

8. At the option of the county, construction of facilities may be performed by the department, the developer or independent contractors. If the developer performs the work under contract with the county, land and construction payments may be made in the form of credits in an amount not to exceed the value of work performed and the value of the property purchased.

9. Title to the property and improvements shall be conveyed to the county free of any liens, taxes or other encumbrances which will be the responsibility of the developer until such time as the park or facility is completed and accepted by the county in a lien-free condition.

[§5, Ord. No. 216; A Ord. Nos. 726, 810]

SECTION 5. Section 20.463 of the Washoe County Code is hereby amended to read as follows:

20.463 Cooperation with incorporated areas within county. The department of regional parks and open space, when planning the expenditure of funds for the acquisition, improvement and expansion of public parks and facilities for parks shall cooperate with the appropriate park and recreation departments of the incorporated cities in Washoe County to coordinate development plans for the purpose of maximizing the benefits to be derived by the public.

[§6, Ord. No. 216; A Ord. No. 726]

SECTION 6. Section 95.105 of the Washoe County Code is hereby amended to read as follows:

Department of Regional Parks and Open Space

95.105 Department of regional parks and open space: Creation; director of department of regional parks and open space; position created; appointments; term; staff.

1. There is hereby created, pursuant to the provisions of NRS 244.195, the Washoe County department of regional parks and open space.

2. The position of director of the department of regional parks and open space is hereby created. The director shall be appointed by the board of county commissioners upon the recommendation of the county manager and serves at the pleasure of the board of county commissioners.

3. The director shall appoint, pursuant to any applicable provisions of law regulating county personnel, such technical, clerical and operating staff as the execution of the duties of the director and operation of the department may require.

[§6, Ord. No. 650]

SECTION 7. Section 95.110 of the Washoe County Code is hereby amended to read as follows:

95.110 Definitions. As used in sections 95.110 to 95.500, inclusive, unless the context otherwise requires:

1. "Camping" means to erect a tent or shelter or use any motor vehicle for the purpose of, or in such a way as will result in, overnight occupancy thereof in any county park.

2. "County park" includes any area designated by the board of county commissioners as a public park, playground or recreational facility.

3. "Department" means the department of regional parks and open space.

4. "Director" means the director of the department or his designated representative.

5. "Facility" means any part of a county park.

[§1, Ord. No. 229; A Ord. Nos. 437, 713]

[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 21st day of SEPTEMBER, 2004.
Proposed by Commissioner HANKE.

Passed on the 12th day of OCTOBER, 2004.

Vote:

Ayes: GALLOWAY
SFERRAZZA
SHAW
WEBER
Nays: (NONE)

Absent: HUMKE

James M. Shaw
Chairman
Washoe County Commission

ATTEST:
Amy Harvey
County Clerk

This ordinance shall be in force and effect from and after the 22nd day of OCTOBER, 2004.

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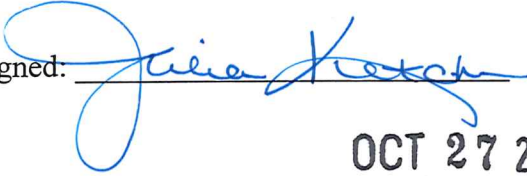
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STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

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 referenced below has published in each regular and entire issue of said newspaper between the dates: **10/15/04 - 10/22/04**, for exact publication dates please see last line of Proof of Publication below.

Signed: 

OCT 27 2004

Subscribed and sworn to before me





Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1251 NOTICE IS HEREBY GIVEN THAT: Bill No. 1431, Ordinance No. 1251 entitled AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE NAME OF THE WASHOE COUNTY DEPARTMENT OF PARKS AND RECREATION TO THE WASHOE COUNTY DEPARTMENT OF REGIONAL PARKS AND OPEN SPACE AND OTHER MATTERS RELATING THERETO. was adopted on October 12, 2004 by Commissioners Galloway, Sferrazza, Shaw and Weber. Commissioner Humke was temporarily absent. This ordinance shall be in full force and effect from and after October 22, 2004. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 350 South Center Street, Suite 100, Reno, Nevada. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No.539849 Oct 15, 22, 2004