



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** November 13, 2018

**DATE:** Tuesday, November 06, 2018

**TO:** Board of County Commissioners

**FROM:** Nancy Parent, Washoe County Clerk  
784-7270, [nparent@washoecounty.us](mailto:nparent@washoecounty.us)

**SUBJECT:** Acknowledge receipt of notice from Washoe County Clerk of a complaint received October 8, 2018 alleging a nuisance under NRS 244.360 on private property located in Sun Valley on the unpaved portion of Quartz Avenue between Jocelyn Lane and Sidehill Drive on Assessor's Parcel Numbers 085-330-19, 085-330-23 and 085-330-20 on property owned by Robert W. and Norma C. Fink; **and approve the fixing** of a date for a hearing of the Board of County Commissioners to hear the proof of the complainant and the property owner and to order publication of notice of the hearing at least once a week for 2 weeks next preceding the date of the hearing in a newspaper of general circulation published in the county.

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### **SUMMARY**

Delivery of notice of a nuisance complaint and setting of date for public hearing on determination of nuisance and order of abatement.

**Washoe County Strategic Objective supported by this item:** Safe, Secure and Healthy Communities

### **PREVIOUS ACTION**

None.

### **BACKGROUND**

On October 8, 2018 a written complaint was received by Washoe County Clerk Nancy Parent concerning an alleged public nuisance on the unpaved portion of Quartz Avenue between Jocelyn Lane and Sidehill Drive on Assessor's Parcel Numbers 085-330-19, 085-330-23 and 085-330-20 on property owned by Robert W. and Norma C. Fink. The complaint was filed under NRS 244.360 by Charles Stockford. A copy of the complaint and supporting materials are attached.

**AGENDA ITEM #** \_\_\_\_\_

When an NRS 244.360 complaint is filed alleging the existence of a nuisance, as defined in NRS 40.140, County Clerk is required to notify the Board of County Commissioners. It is then the obligation of the Board to set a date to hear the proof of the complainant and of the owner or occupant of the real property upon which the alleged nuisance is claimed to exist. The time frame for the act of setting the hearing is not less than 30 nor more than 40 days subsequent to the filing of the complaint.

Later, on the date of the established hearing, the Board receives evidence and testimony concerning the facts set forth in the complaint. At the conclusion of that hearing on the complaint, the Board determines (by resolution) whether or not a nuisance exists. If the Board finds a nuisance under NRS 40.140 it orders the person or persons responsible for such nuisance to abate it. If the order is not obeyed within 5 days after service of a copy upon the person or persons responsible for the nuisance, the Board can cause the abatement of the nuisance and make the cost of abatement a special assessment against the real property.

### **FISCAL IMPACT**

No fiscal impact is expected for the setting of a hearing.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners acknowledge receipt of notice from Washoe County Clerk of a complaint received October 8, 2018 alleging a nuisance under NRS 244.360 on private property located in Sun Valley on the unpaved portion of Quartz Avenue between Jocelyn Lane and Sidehill Drive on Assessor's Parcel Numbers 085-330-19, 085-330-23 and 085-330-20 on property owned by Robert W. and Norma C. Fink; and approve the fixing of a date for a hearing of the Board of County Commissioners to hear the proof of the complainant and the property owner and to order publication of notice of the hearing at least once a week for 2 weeks next preceding the date of the hearing in a newspaper of general circulation published in the county.

### **POSSIBLE MOTION**

I move to that the Board of County Commissioners acknowledge receipt of notice from Washoe County Clerk of a complaint received October 8, 2018 alleging a nuisance under NRS 244.360 on private property located in Sun Valley on the unpaved portion of Quartz Avenue between Jocelyn Lane and Sidehill Drive on Assessor's Parcel Numbers 085-330-19, 085-330-23 and 085-330-20 on property owned by Robert W. and Norma C. Fink; and approve the fixing of a date for a hearing of the Board of County Commissioners to hear the proof of the complainant and the property owner and to order publication of notice of the hearing at least once a week for 2 weeks next preceding the date of the hearing in a newspaper of general circulation published in the county.