



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: December 11, 2018

DATE: November 28, 2018

TO: Board of County Commissioners

FROM: Dave Solaro, Arch., P.E., Assistant County Manager
Community Services Department, 328-3600, dsolaro@washoecounty.us

THROUGH: John Slaughter, County Manager

SUBJECT: Recommendation to adopt a Resolution declaring a nuisance under Nevada Revised Statutes 244.360 and Washoe County Code Chapters 50 and 125 to declare that a public nuisance exists on private property located on Quartz Lane, Sun Valley, Nevada, at APNs 085-330-19, 085-330-23, and 085-330-20, and to order the person or persons responsible for the nuisance to abate the same. (Commission District 5.)

SUMMARY

The Washoe County Board of County Commissioners (Board) acknowledged receipt of a complaint alleging a nuisance under NRS 244.360 and Washoe County Code chapters 50 and 125 on private property located in Sun Valley on an unpaved portion of Quartz Avenue between Jocelyn Lane and Sidehill Drive at their meeting on November 13, 2018. At that meeting the Board set a hearing date of November 27, 2018 to hear proof of the complainant and the property owner with proper publication of notice of the hearing in the Reno Gazette Journal as required under Nevada law.

Under Nevada law, on November 27, 2018, the Board heard the complaint and there were no opponents. At the hearing, the Board received the proofs offered to establish of the facts set forth in the complaint, and on the final hearing of the complaint, the Board shall by resolution entered on its minutes, determine whether or not a nuisance exists and, if one does exist, order the person or persons responsible for such nuisance to abate the same.

In this specific case, Washoe County Code Compliance staff has been unsuccessful in personally noticing the owner of the property or any heirs that may be in the area. Hence, notice was handled via publication in the Reno Gazette Journal newspaper. Current enforcement actions are stalled without cooperation of a property owner. With no owner, and this property gathering junk vehicles, staff is recommending the Board order a non-judicial abatement of the potential nuisance, so staff has the mechanism to abate.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

AGENDA ITEM # _____

PREVIOUS ACTION

On November 13, 2018 - The Board set a hearing date to hear proof of the complainant and the property owner with proper publication of notice of the hearing in the Reno Gazette Journal as required under Nevada law.

On November 27, 2018 – The Board, after review of the information presented by the complainant and reasoned review of other evidence provided, declared that a public nuisance exists on private property at Quartz Lane (APN 085-330-19, 085-330-23, and 085-330-20) in Sun Valley, Nevada, and ordered abatement of the nuisance by non-judicial abatement under Washoe County Code Chapter 125.205.

BACKGROUND

The properties along Quartz Lane are privately owned and not a part of the Washoe County owned and maintained roadway network. This causes difficulty in removing abandoned vehicles through existing county codes and policies.

FISCAL IMPACT

Should the Board order non-judicial abatement, Washoe County will hire a salvage company to remove and dispose of the abandoned vehicles. Cost Center 101112 – Refuse Special Projects is an appropriate budgeted source for funding. It is estimated that abatement will cost up to \$5,000 for this portion of private property.

RECOMMENDATION

It is recommended the Board of County Commissioners adopt a Resolution declaring a nuisance under Nevada Revised Statutes 244.360 and Washoe County Code Chapters 50 and 125 to declare that a public nuisance exists on private property located on Quartz Lane, Sun Valley, Nevada, at APNs 085-330-19, 085-330-23, and 085-330-20, and to order the person or persons responsible for the nuisance to abate the same.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to adopt a Resolution declaring a nuisance under Nevada Revised Statutes 244.360 and Washoe County Code Chapters 50 and 125 to declare that a public nuisance exists on private property located on Quartz Lane, Sun Valley, Nevada, at APNs 085-330-19, 085-330-23, and 085-330-20, and to order the person or persons responsible for the nuisance to abate the same."