



# WASHOE COUNTY

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## STAFF REPORT

**BOARD MEETING DATE:** June 16, 2026

**DATE:** June 8, 2026  
**TO:** Board of County Commissioners  
**FROM:** David Solaro, Assistant County Manager  
**SUBJECT:** Public Hearing: Complaint alleging a public nuisance case under Nevada Revised Statutes (NRS) 244.360 and Washoe County Code Chapters 50 and 125 on private property on Slope Drive, APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54, in Sun Valley, Nevada. The alleged nuisance generally consists of the accumulation and/or dumping of junk vehicles and other debris on the property. If a public nuisance is determined to exist on the property options may include: pursuing administrative enforcement to include abatement, directing the commencement of a civil action for abatement in the courts, or ordering a non-judicial abatement of a nuisance. (Commission District 3).

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### SUMMARY

This staff report requests that the Board of County Commissioners (Board) conduct a public hearing pursuant to NRS 244.360 and Washoe County Code (WCC) Chapters 50 and 125 to determine whether a public nuisance exists on private property located on Slope Drive (APN 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54) in Sun Valley, Nevada owned by various owners.

APN 085-090-19 – William W. Eccles

APN 085-090-51, 085-090-52 – Joseph L. Bengoechea Family Trust

APN 085-090-53, 085-090-54 – Jack & Eda Bernard Family Trust

The Code Enforcement Division has documented ongoing and escalating conditions at the properties, which generally consists of the accumulation and/or dumping of junk vehicles and other debris on the property — conditions that constitute violations of WCC Chapter 50 (Public Peace, Safety and Morals) and WCC Chapter 125 (Enforcement; Remedies; Penalties). These conditions are subject to abatement proceedings under WCC 125.195(2)(a) and NRS 244.360(1)–(5). The properties have documented enforcement history, and despite repeated notices of violation and penalty assessments, conditions have not been abated.

### BACKGROUND

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

APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54 are roadway parcels that are portions of Slope Drive between First Avenue and Second Avenue. APN 085-090-19 is owned by William Eccles; however, Mr. Eccles passed away in 2021. APN 085-090-51 and APN 085-090-52 are owned by the Joseph L. Bengoechea Family Trust. APN 085-090-53 and 085-090-54 are owned by the Jack & Eda Bernard Family Trust. (Exhibit 8).

On May 12, 2026, the Board acknowledged receipt of a public nuisance complaint received by Code Enforcement and set a public hearing for June 16, 2026. Notice of the hearing was published in the Reno-Gazette Journal on May 17, 2026 and May 24, 2026. Service of the public hearing notice was sent to last known address of the owners of the property via certified mail and regular mail.

## **LEGAL AUTHORITY**

### **Nevada Revised Statutes**

- **NRS 244.360(1):** Whenever a written complaint is filed with the County Clerk alleging the existence of a nuisance as defined in NRS 40.140, the County Clerk shall notify the Board of County Commissioners, who shall fix a date to hear the proof of the complainant and of the owner or occupant of the real property not less than 30 nor more than 40 days subsequent to the filing of the complaint.
- **NRS 244.360(2):** At the time of fixing the hearing, the Board shall order and cause notice of the hearing to be published at least once a week for 2 weeks next preceding the date fixed for the hearing in a newspaper of general circulation published in the county.
- **NRS 244.360(3):** At the hearing, the Board shall receive proofs offered to establish or controvert the facts set forth in the complaint, and on the final hearing shall by resolution determine whether or not a nuisance exists and, if one does exist, order the person or persons responsible to abate the same. If the order is not obeyed within 5 days after service, the Board shall cause the abatement of the nuisance and make the cost of abatement a special assessment against the property.

### **Washoe County Code**

- **WCC §50.302 (Purpose and Scope):** The Nuisance Code is intended to protect the health, safety and welfare of the citizens of unincorporated Washoe County and applies to all property within unincorporated Washoe County. All property owners and occupants are required to maintain such property in accordance with state law and the Code.
- **WCC §50.308 (Public Nuisances):** The following conditions documented at the Slope Drive properties constitute public nuisances under the Code:
  - Maintenance of property in a state of disrepair or deterioration that could cause harm to persons or damage to property.
  - The existence of debris-refuse-rubbish or garbage that could cause harm to persons, be materially detrimental to property, or become a harborage for rodents or other vermin, an attractive nuisance, a fire hazard, or in any other way detrimental to public health, safety, or welfare.
  - Outdoor storage of building materials, appliances, debris-refuse-rubbish, junk vehicles, or garbage in public view.

- **WCC §50.306 (Unlawful Acts and Enforcement):** It shall be unlawful to maintain, or permit to be maintained, the nuisances described in the Nuisance Code within the unincorporated area of Washoe County.
- **WCC §125.195 (Abatement):** To protect the health, safety and welfare of the residents of the county, an enforcement official may issue and serve an abatement notice ordering an owner to clear debris, rubbish, refuse, litter, garbage, abandoned or junk vehicles, or junk appliances.
- **WCC §125.310 (Abatement — Cost Recovery):** The County may abate the public nuisance on the property and may recover the costs of abatement if the owner has failed to request or has exhausted all appeal rights and has not abated the public nuisance. The abatement notice must be served by certified mail upon the owner.
- **WCC §125.215 (Chronic Nuisance):** A chronic nuisance exists when three or more instances of public nuisance activities exist or have occurred during any 90-day period on the property. The documented conditions at the Slope Drive properties — including junk vehicles, and debris accumulation — meet this threshold.

### **FINDINGS**

Staff finds that the conditions on APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54 constitute a public nuisance under WCC Chapter 50 and NRS 244.360 for the following reasons:

1. **Debris and Refuse:** Accumulation of debris, garbage, mattresses, tires, and contaminated soil has been documented by Code Enforcement over multiple inspections.
2. **Junk Vehicles:** Junk vehicles have been repeatedly documented on and in front of the property on the property, with an active enforcement case.
3. **Community Impact:** The conditions at APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54 are part of a broader pattern of nuisance activity on Slope Drive that has been the subject of community complaints and citizen petitions.

### **FISCAL IMPACT**

If the County is required to perform abatement, abatement costs may be recovered as a special assessment against the property pursuant to NRS 244.360(3) and WCC Chapter 125.310.

### **RECOMMENDATION**

It is recommended the Board adopt a Resolution declaring a nuisance under Nevada Revised Statutes 244.360 and Washoe County Code Chapters 50 and 125; declaring that a public nuisance exists on private property located at APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54, and ordering the person or persons responsible for the nuisance to abate the same.

### **POSSIBLE MOTION**

Move to adopt a Resolution declaring a nuisance under Nevada Revised Statutes 244.360 and Washoe County Code Chapters 50 and 125; declaring that a public nuisance exists on

private property located at APNs 085-090-19, 085-090-51, 085-090-52, 085-090-53, and 085-090-54; and ordering the person or persons responsible for the nuisance to abate the same.