

## CHAPTER 244 - COUNTIES: GOVERNMENT

### GENERAL PROVISIONS

- [NRS 244.010](#) Minimum number of county commissioners.  
[NRS 244.011](#) Change in number of county commissioners in county whose population is less than 100,000.  
[NRS 244.014](#) Number and terms of county commissioners in county whose population is 100,000 or more but less than 700,000; commissioners' districts.
- [NRS 244.016](#) Number of county commissioners in county whose population is 700,000 or more; commissioners' districts.  
[NRS 244.018](#) Establishment of additional or changed commissioners' districts: Manner of electing county commissioners.  
[NRS 244.020](#) Qualifications of county commissioners.  
[NRS 244.025](#) Election of county commissioners in county whose population is less than 100,000.  
[NRS 244.027](#) Election of county commissioners in county whose population is less than 100,000 and which has not been divided into commissioners' districts.
- [NRS 244.030](#) Term of office of county commissioners.  
[NRS 244.035](#) County commissioners required to take oath of office; effect of failure to take oath.  
[NRS 244.040](#) Vacancy in office of county commissioner.  
[NRS 244.050](#) Commissioners' districts in counties whose population is less than 100,000: Creation; election; notice; abolishment; election at large of commissioners.
- [NRS 244.055](#) Seal of county commissioners.  
[NRS 244.060](#) Board of county commissioners: Quorum; tie vote.  
[NRS 244.065](#) Commissioners may administer oaths.  
[NRS 244.070](#) Election and terms of chair and vice chair of board of county commissioners; clerk of board.  
[NRS 244.075](#) Records of board: Duties of clerk; public inspection.  
[NRS 244.085](#) Regular and additional meetings of board; meetings held outside county seat; meetings with other governing bodies; attendance at conventions, conferences, seminars or hearings.
- [NRS 244.090](#) Special meetings of board: Call; notice; filling temporary appointments; canvass of election returns.

### ORDINANCES

- [NRS 244.095](#) Enactment by bill; summary and title.  
[NRS 244.100](#) Procedures for enactment; signatures; publication and effective date; publication of revised ordinance; hearing.  
[NRS 244.105](#) Procedure for enactment of specialized or uniform code.  
[NRS 244.110](#) Style.  
[NRS 244.115](#) Recording of ordinances; copy as prima facie evidence.

### COUNTY CODE

- [NRS 244.116](#) Revision and codification of general ordinances authorized; arrangement, publication and sale of code.  
[NRS 244.117](#) Adoption by ordinance; procedure; effective date.  
[NRS 244.118](#) Filing with Librarian of Supreme Court Law Library.  
[NRS 244.119](#) Amendment and extension; procedure.

### NEVADA ASSOCIATION OF COUNTY COMMISSIONERS

- [NRS 244.120](#) Membership authorized; budget; expenses.

### COUNTY MANAGERS

- [NRS 244.125](#) Appointment; compensation; removal.  
[NRS 244.130](#) Qualifications.  
[NRS 244.135](#) Duties; employees and assistants.

### GENERAL POWERS

#### MATTERS OF LOCAL CONCERN

- [NRS 244.137](#) Legislative findings and declarations.  
[NRS 244.139](#) Definitions.  
[NRS 244.141](#) "County government" defined.  
[NRS 244.143](#) "Matter of local concern" defined.  
[NRS 244.146](#) Powers of board of county commissioners; exercise of powers; prohibitions.

#### OTHER GENERAL POWERS

- [NRS 244.150](#) Levy of taxes.  
[NRS 244.1505](#) Expenditure of public money; grant of public money and donation of certain property to certain nonprofit organizations or governmental entities.  
[NRS 244.1507](#) Consolidation or division of powers and duties of county offices in counties whose population is less than 45,000: Mechanism; prerequisites; timing.  
[NRS 244.151](#) Department of public works: Creation; director and employees.  
[NRS 244.152](#) Public works: County's powers subordinate to powers of Nevada Tahoe Regional Planning Agency. [Effective upon the proclamation by the Governor of this State of the withdrawal by the State of California from the Tahoe Regional

Planning Compact or of a finding by the Governor of this State that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers.]

[NRS 244.153](#)  
[NRS 244.154](#)

Public works: County's powers subordinate to powers of regional planning agency.

Planning, subdivision regulation and zoning: County's powers subordinate to limits upon development established in certain geographical regions by certain state acts.

[NRS 244.155](#)

Roads and bridges.

[NRS 244.157](#)

Improvements: County's powers same as those of general improvement district.

[NRS 244.160](#)

Care of indigent sick persons.

[NRS 244.1605](#)

Provision of medical facilities and services in outlying areas.

[NRS 244.1607](#)

Establishment of neighborhood justice center; services to be provided; authorization to charge fee; financial support.

[NRS 244.161](#)

Promotion of civil and equal rights.

[NRS 244.1615](#)

Institution of program or sponsorship of activity to increase participation in public policy and government.

[NRS 244.162](#)

Rehabilitation of delinquent children.

[NRS 244.163](#)

County coroner: Creation of office by ordinance; appointment, qualifications and duties; punishment for offenses.

[NRS 244.164](#)

Registrar of voters: Creation of office; appointment, qualifications, powers and duties.

[NRS 244.165](#)

Prosecution and defense of suits.

[NRS 244.167](#)

Employment of security officers.

[NRS 244.170](#)

Rewards for apprehension or conviction of defaulting or absconding county or township officers.

[NRS 244.175](#)

Rewards for apprehension of murderers.

[NRS 244.180](#)

Indexing of records and proceedings.

[NRS 244.183](#)

Special census.

[NRS 244.186](#)

Sale of video service over video service network: Prohibitions; enforcement; remedy not exclusive.

[NRS 244.187](#)

Displacement or limitation of competition: Services.

[NRS 244.188](#)

Displacement or limitation of competition: Areas in which authorized; methods; limitation.

[NRS 244.189](#)

Development of affordable housing, control and protection of animals, and rehabilitation of certain residential property; taxes; civil penalty in lieu of criminal penalty.

[NRS 244.190](#)

Cooperative agreements for modification of weather; expenses.

[NRS 244.194](#)

Voting or counting devices: Rental, lease or other acquisition.

[NRS 244.1945](#)

Advisory boards: Establishment; travel expenses.

[NRS 244.19455](#)

Creation, maintenance or display of comprehensive model or map of physical location of facilities of public utility, public water system or video service provider prohibited.

[NRS 244.195](#)

Other powers.

## FINANCIAL POWERS

[NRS 244.200](#)

Examination and audit: Officers' accounts; money and property entrusted to and fees or compensation received by public administrators.

[NRS 244.205](#)

Examination and allowance of accounts.

[NRS 244.207](#)

Central receiving and disbursing systems for county money.

[NRS 244.210](#)

Demands: Cumulative voucher sheets; allowance.

[NRS 244.215](#)

Procedure when county auditor or county comptroller refuses demand.

[NRS 244.220](#)

Conditions precedent to approval of demand: Indebtedness deducted; compliance; exception.

[NRS 244.225](#)

Publication of financial statement.

[NRS 244.230](#)

Authorized debts and liabilities only to be created.

[NRS 244.235](#)

District attorney to attend board meetings when accounts and claims audited; restriction on presentation of claim by district attorney.

[NRS 244.240](#)

Resident taxpayer may file written objection to allowance of claim; action by board.

[NRS 244.245](#)

Recovery of costs in action against county.

[NRS 244.250](#)

Unaudited claims to be presented within 6 months.

[NRS 244.255](#)

Rejected claim not to be reconsidered.

## ORGANIZATIONS FOR ECONOMIC DEVELOPMENT

[NRS 244.264](#)

Confidentiality of records or other documents.

## COMPLETE STREETS PROGRAM

[NRS 244.2641](#)

"Regional transportation commission" defined.

[NRS 244.2643](#)

Adoption of program authorized in certain counties.

[NRS 244.2645](#)

Complete Streets Fund to be created in certain counties; creation of fund; deposits; administration.

## COUNTY PROPERTY

[NRS 244.265](#)

Care and preservation of property.

[NRS 244.270](#)

Control, management and gifts of property.

[NRS 244.273](#)

Use of county equipment on private road; conditions.

[NRS 244.2731](#)

Use of county equipment and county highway patrols in certain counties.

[NRS 244.275](#)

Purchase or lease of property for use of county; appraisal.

[NRS 244.276](#)

Purchase, sale or exchange of property with owners abutting road or flood control facility to adjust road or flood control facility; reversion of property acquired by dedication.

[NRS 244.277](#)

Acceptance of grant of right-of-way, permit, lease or patent over certain federal lands.

[NRS 244.278](#)

Maintenance and repair of dedicated streets or easements acquired by general improvement district.

[NRS 244.279](#)

Sale or lease of right-of-way or water rights to public utility.

[NRS 244.2795](#)

Sale or lease of certain real property: Appraisal required; qualifications and selection of appraisers; disclosure statements; interest of appraiser or related person in property or adjoining property prohibited; effect of sale or lease in violation of section.

[NRS 244.281](#)

Sale or lease of certain real property: Determination that sale or lease is in best interest of county; notice; appraisal; exceptions; second offering; effect of sale or lease in violation of section.

[NRS 244.2815](#)

Sale, lease or disposal of real property of county for redevelopment or economic development; requirements.

[NRS 244.282](#)

Sale of certain real property at auction: Resolution declaring intention to sell property; requirements; notice; procedure for conducting sale; deposit to cover certain costs; effect of sale or lease in violation of section.

[NRS 244.2825](#)

Transfer or sale of real property which was part of original mining townsite and which was acquired by county directly from Federal Government.

[NRS 244.283](#)

Lease of real property of county; notice; bids.

[NRS 244.2833](#)

Lease of building space or other real property that is less than 25,000 square feet.

[NRS 244.2835](#)  
[NRS 244.284](#)  
[NRS 244.286](#)  
  
[NRS 244.287](#)  
  
[NRS 244.288](#)  
[NRS 244.290](#)  
[NRS 244.292](#)  
[NRS 244.294](#)  
[NRS 244.296](#)

Lease of real property to certain nonprofit organizations.  
Lease or conveyance of real property of county to corporation for public benefit.  
Lease or lease-purchase agreement for construction or remodeling of building or facility; conveyance of property; applicability of certain provisions to agreement for construction or remodeling of building or facility.  
Conveyance of property to nonprofit organization for development of affordable housing; Application; public hearing; conditions; annual list of property conveyed; subordination of interest in property conveyed.  
Industrial development of real property by county; notice; hearing; option to purchase property.  
Reconveyance, sale or lease of land donated, dedicated or condemned for public purposes.  
Acquisition and maintenance of cemeteries; conveyance of property used as cemetery after public hearing.  
Construction and maintenance of parking facilities; fees; exclusive parking in designated spaces.  
Motor vehicles.

#### DISTRICT FOR COUNTY FIRE DEPARTMENT

[NRS 244.2961](#)  
  
[NRS 244.2962](#)  
  
[NRS 244.2963](#)  
[NRS 244.2965](#)  
[NRS 244.2967](#)

Creation and administration of district; regulation of explosive, combustible or inflammable material; duties of employees; certain counties to adopt ordinance pertaining to transportation of sick or injured persons to medical facilities.  
County commissioners in certain counties to submit reports to Legislature with certain information concerning transport of person to medical facility by each fire department and ambulance service in county.  
Assumption of certain rights, duties, liabilities and obligations.  
Boundaries of district.  
Levy of tax; accounting for proceeds of tax.

#### JUVENILE FORESTRY CAMPS

[NRS 244.2969](#)  
[NRS 244.297](#)  
[NRS 244.298](#)  
[NRS 244.299](#)

“Juvenile court” defined.  
Establishment; commitments by juvenile court.  
Provisions of ordinance creating camp.  
Labor, studies and activities of children committed to camp.

#### RECREATIONAL AND CULTURAL CENTERS

[NRS 244.300](#)  
[NRS 244.305](#)  
[NRS 244.306](#)  
[NRS 244.307](#)  
[NRS 244.30701](#)

Operation, maintenance and improvement of parks, golf courses and other centers to which county holds title.  
Acquisition of land for park, recreational, cultural and memorial purposes.  
Operation and maintenance of swimming pools and other centers acquired by gift.  
Expenditure of county money for construction, improvement or repair of facilities owned by city or school district.  
Sale of naming rights relating to county-owned shooting range in county whose population is 700,000 or more; Ordinance establishing procedures for sale; enterprise fund for proceeds of sale, fees or charges and other money received for range.

#### COUNTY PARK AND RECREATION COMMISSIONS

[NRS 244.3071](#)  
[NRS 244.3072](#)  
[NRS 244.3073](#)  
[NRS 244.3074](#)  
[NRS 244.3075](#)  
[NRS 244.3076](#)  
[NRS 244.3077](#)  
[NRS 244.3078](#)  
[NRS 244.3079](#)  
[NRS 244.30791](#)  
[NRS 244.30792](#)

Definitions.  
Power of county to create.  
Petition for creation of commission; study of feasibility; approval by appropriate state agency.  
Organizational ordinance: Contents.  
Supplementation of organizational ordinance.  
Number, qualifications and appointment of members.  
Commissioners: Terms; vacancies; compensation and expenses.  
Oath of office; no bond required.  
Election of officers; treasurer; seal.  
Meetings; records; quorum.  
Powers and duties.

#### COUNTY PARK COMMISSIONS

[NRS 244.308](#)  
[NRS 244.3081](#)  
[NRS 244.3082](#)  
[NRS 244.3083](#)  
[NRS 244.3084](#)  
[NRS 244.3085](#)  
[NRS 244.3086](#)  
[NRS 244.3087](#)  
[NRS 244.3088](#)  
[NRS 244.3089](#)  
[NRS 244.309](#)  
[NRS 244.3091](#)

Definitions.  
Recreational, cultural and park facilities: Powers of certain counties.  
Exercise of powers by commission; ordinance.  
Contents of ordinance organizing commission.  
Supplementation of organizational ordinance.  
Number and appointment of members.  
Terms of office; vacancies; compensation and expenses of commissioners.  
Oath of office; no bond required.  
Election of officers; treasurer; seal.  
Meetings; records; quorum.  
Powers and duties.  
County commissioners' exercise of power of eminent domain.

#### CONTRACTS

[NRS 244.320](#)  
[NRS 244.327](#)

Agreements and transactions extending beyond term of commissioners.  
Contracts with State Department of Agriculture; contributions.

#### COUNTY PRINTING

[NRS 244.330](#)

Public printing; Requirement that printing be placed with newspaper or commercial printing establishment; requirements for printing ballots; exceptions.

#### CERTIFICATION OF PROPERTY MANAGERS

[NRS 244.331](#)  
[NRS 244.3315](#)  
[NRS 244.332](#)  
[NRS 244.3325](#)  
[NRS 244.333](#)  
[NRS 244.3335](#)  
[NRS 244.334](#)

Definitions.  
"Apartment complex" defined.  
"Certificate" defined.  
"Property" defined.  
"Property management" defined.  
"Unit" defined.

Certification of persons who engage in property management in unincorporated area of county; application; fees; renewal; conditions; penalty; exceptions.  
Ordinance to require property in unincorporated area of county to be managed by person issued certificate; penalty; exceptions.

## REGULATION, TAXATION AND LICENSING OF BUSINESSES AND OCCUPATIONS

[NRS 244.335](#)  
[NRS 244.33501](#)  
[NRS 244.33503](#)  
[NRS 244.33505](#)  
  
[NRS 244.33506](#)  
  
  
[NRS 244.33507](#)  
  
  
[NRS 244.33508](#)  
  
  
[NRS 244.33509](#)  
  
[NRS 244.3351](#)  
[NRS 244.33512](#)  
[NRS 244.33514](#)  
  
[NRS 244.33516](#)  
[NRS 244.3352](#)

Powers of commissioners and county license boards; application for certain licenses; license tax as lien; confidential information.  
Multijurisdictional business license for certain contractors: Interlocal agreement; ordinance establishing system for issuance; eligibility.  
Continuation of license tax in county whose population is 100,000 or more; use of proceeds; pledge of proceeds.  
Business required to submit affidavit or attestation concerning industrial insurance upon application for license or post office box; provision by county of monthly report to Division of Industrial Relations; board of county commissioners to provide business with document or access to information setting forth rights and responsibilities of employers and employees for promotion of safety in workplace.  
Application for or renewal of license, permit or certificate: Statement regarding obligation of child support required; grounds for denial; duty of board of county commissioners. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]  
Application for issuance of license, permit or certificate: Social security number required. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]  
Mandatory suspension of license, certificate or permit for failure to pay child support or comply with certain subpoenas or warrants; reinstatement. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]  
Imposition of civil penalty in lieu of criminal penalty for violation of certain ordinances concerning licensing or regulation of businesses.  
Optional tax on revenues from rental of transient lodging: Imposition and administration.  
Optional tax on revenues from rental of transient lodging: Distribution and use of proceeds of tax imposed throughout county.  
Optional tax on revenues from rental of transient lodging: Use of proceeds of tax imposed within boundaries of transportation district.

[NRS 244.33514](#)  
  
[NRS 244.33516](#)  
[NRS 244.3352](#)  
  
[NRS 244.3354](#)  
[NRS 244.3356](#)  
[NRS 244.33561](#)  
  
[NRS 244.33565](#)  
[NRS 244.3357](#)  
[NRS 244.3358](#)

Optional tax on revenues from rental of transient lodging: Periodic reports to Legislature.  
Mandatory tax on revenues from rental of transient lodging: Imposition and collection; schedule for payment; penalty and interest for late payment.  
Mandatory tax on revenues from rental of transient lodging: Distribution of proceeds.  
Mandatory tax on revenues from rental of transient lodging: Prohibited uses of proceeds.  
Additional mandatory tax on revenues from rental of transient lodging in certain counties: Imposition and collection; limitation; schedule for payment; penalty and interest for late payment.  
Taxes on revenues from rental of transient lodging: Adoption of ordinance defining "transient lodging."  
Taxes on revenues from rental of transient lodging: Annual report to Department of Taxation.  
Taxes on revenues from rental of transient lodging: Assignment of certain proceeds by certain counties to general improvement district furnishing recreational facilities; use of proceeds assigned; pledge of proceeds prohibits revocation of assignment.

[NRS 244.3359](#)  
  
[NRS 244.336](#)  
[NRS 244.337](#)  
[NRS 244.338](#)  
[NRS 244.340](#)  
  
[NRS 244.345](#)

Taxes on rental of transient lodging: Limitations on imposition of new tax and on increase in rate of existing tax; legislative declaration; exceptions.  
Farmers' markets: Definitions.  
Farmers' markets: Licensing and regulation.  
Farmers' markets: Responsibilities of licensee; unlawful acts.  
Tent shows, circuses, theme parks and permanent exhibitions: Licensing by ordinance; license tax; exception to requirement of acquiring state license or certificate.

[NRS 244.345](#)  
  
[NRS 244.3475](#)  
[NRS 244.348](#)  
[NRS 244.3485](#)  
[NRS 244.349](#)  
[NRS 244.350](#)  
[NRS 244.3501](#)  
[NRS 244.351](#)  
[NRS 244.352](#)  
[NRS 244.3525](#)

Dancing halls, escort services, entertainment by referral services and gambling games or devices; limitation on licensing of houses of prostitution.  
Paging services in county whose population is 700,000 or more: Ordinance required regarding maintenance of certain records.  
Pawnbrokers: Additional license required to use motor vehicle as collateral for loan; fee for additional license.  
Secondhand dealers: Licensing; fines for certain violations.  
Grant of license required upon relocation of business under certain circumstances.  
Sale of intoxicating liquors: Licensing and regulation by county liquor board; exceptions.  
Sale of intoxicating liquors: Enactment, style and recording of liquor board's ordinances.  
Sale of intoxicating liquors: Sale by minors allowed in certain circumstances.  
License board and liquor board may be merged.  
Administration of oaths; payment of witnesses; appointment and qualifications of hearing officers; service of notice.

## REGULATION AND LICENSING OF OUTDOOR ASSEMBLIES

[NRS 244.354](#)  
[NRS 244.3541](#)  
[NRS 244.3542](#)  
[NRS 244.35425](#)  
[NRS 244.3543](#)  
[NRS 244.3544](#)  
[NRS 244.3545](#)  
[NRS 244.3546](#)  
[NRS 244.3547](#)  
[NRS 244.3548](#)

Ordinance required.  
"Assembly" defined.  
License required.  
Agreement for exemption: Entry into agreement; modification or termination; required provisions; duration.  
Application for license: Time; contents.  
Hearing: Notice; investigation; grant, denial or conditioning of license; issuance of license.  
Conditions which may be imposed.  
Denial of license: Grounds; notice.  
Revocation and reinstatement of license; notice.  
Unlawful acts.

## ORDINANCE CONCERNING CERTAIN FACILITIES, HOMES, HOUSES AND INSTITUTIONS

### HEALTH AND SAFETY

[NRS 244.355](#)  
[NRS 244.3555](#)  
[NRS 244.356](#)  
[NRS 244.357](#)  
[NRS 244.35705](#)

Animals running at large on highways may be prohibited by ordinance.  
Permits to solicit charitable contributions while standing on median strip of highway or sidewalk adjacent to highway.  
Ordinance regulating traffic on streets of residential and commercial areas in federal military installation authorized.  
Police, sanitary, loitering, prowling and traffic ordinances: Enactment and enforcement.  
Ordinance concerning criminal gang activity and certain buildings and places harboring such activity: Injunctions; damages, fees and costs; violation of injunction; immune entities.

[NRS 244.3571](#)  
[NRS 244.3572](#)  
[NRS 244.3573](#)  
[NRS 244.3575](#)  
[NRS 244.358](#)  
[NRS 244.359](#)

Ordinance to regulate operation of electric personal assistive mobility devices or certain vehicles operated by security guards.  
Ordinance to establish offense related to purchase, possession or use of tobacco products by children.  
Provision of public safety within certain areas of mobile home park.  
Ordinances regulating parking: Civil penalty in lieu of criminal sanction.  
Ordinance for control of rabies.

[NRS 244.360](#)  
[NRS 244.3601](#)

Ordinance concerning control of animals, license fee and designation of and requirement of liability insurance policy for inherently dangerous animals; applicability; civil liability in lieu of criminal penalty in certain circumstances.  
Abatement of nuisances: Complaint; notice; hearing; order; enforcement of order; costs; alternative procedures.  
Dangerous structure or condition posing imminent danger: Determination; notice; securing or summary abatement; costs as special assessment.

[NRS 244.3603](#)

Abatement of chronic nuisances: Adoption and contents of ordinance; closure of property by court order; civil penalties; special assessment against property to recover costs of abatement.

[NRS 244.3605](#)

Abatement of dangerous structures or conditions, rubbish, abandoned or junk vehicles, noxious plant growth and other public nuisances: Adoption and contents of ordinance; civil penalties; special assessment against property to recover costs of abatement.

[NRS 244.3607](#)  
[NRS 244.361](#)  
[NRS 244.363](#)  
[NRS 244.364](#)

Recovery by county of costs of relocating tenants resulting from nuisance or other condition: Notice; hearing; appeal.  
Regulation and control of smoke and pollution of air.  
Prevention of excessive noise.

[NRS 244.365](#)  
[NRS 244.3651](#)

State control over regulation of firearms, firearm accessories and ammunition; limited regulatory authority of county; conflicting ordinance or regulation void; records of ownership of firearms; civil action by person adversely affected by enforcement of conflicting ordinance or regulation.

[NRS 244.3653](#)

Prevention of pollution of streams by sawdust; tax levy.  
Program to provide financial assistance to persons to connect to public water or sewer system under certain circumstances in county whose population is 100,000 or more but less than 700,000.

[NRS 244.3655](#)

Program to provide financial assistance to owners of public or private property, to make such property resistant to flood damage, in county whose population is 100,000 or more but less than 700,000.  
Requiring users of certain water systems to connect into system provided by public utility or public entity; assessment of costs of connection.

[NRS 244.366](#)  
[NRS 244.36605](#)

Water and sewer facilities: Construction; acquisition; operation and maintenance; unlawful acts; penalty.  
Delinquent charges for financial assistance or for the provision of certain services related to water; election by county to collect delinquencies on tax roll.

[NRS 244.3661](#)  
[NRS 244.3663](#)

Imposition of excise tax on use of water; rate of tax; interest on late payment; facility for treatment of water.  
Package plant for sewage treatment: Remedies for unsatisfactory service or violation of conditions; assumption of control by county; assessment for operation and maintenance.

[NRS 244.3665](#)  
[NRS 244.367](#)

Prohibition of waste of water.  
Fireworks: Regulation and control.

[NRS 244.3673](#)  
[NRS 244.3675](#)

Investigation of fires and enforcement of regulations of State Fire Marshal by certain counties.  
Regulation of construction, maintenance and safety of buildings, structures and property; adoption of codes and establishment of fees.

[NRS 244.368](#)  
[NRS 244.3685](#)  
[NRS 244.369](#)

Areas within which city's building code supersedes less stringent provisions of county's building code.  
Prescription drugs or medicine at reduced prices.  
Food handlers: Ordinance requiring physical examinations; limitations.

### GRAFFITI

[NRS 244.3691](#)  
[NRS 244.36915](#)  
[NRS 244.3692](#)  
[NRS 244.3693](#)  
[NRS 244.36935](#)  
[NRS 244.3694](#)  
[NRS 244.3695](#)

Definitions.  
"Graffiti" defined.  
"Residential property" defined.  
Removal or covering of graffiti on real or personal property of county; civil penalty.  
Abatement of graffiti on residential property.  
Abatement of graffiti on nonresidential property.  
Graffiti reward and abatement fund: Creation; use; administrative assessments; payment of rewards.

### AGRICULTURE AND FAIRS

[NRS 244.370](#)  
[NRS 244.375](#)

Exhibits of county's products at exposition or fair; permanent exhibits.  
Tax for exhibits at expositions.

### MUSEUMS, ART CENTERS AND HISTORICAL SOCIETIES

[NRS 244.377](#)  
[NRS 244.378](#)

Tax levy; payment of proceeds to and use by nonprofit organization; exemption from limitation.  
Sale, trade or exchange of duplicate or unwanted items.

### ADVERTISING OF COUNTY'S RESOURCES AND ADVANTAGES

[NRS 244.380](#)

Tax levy; contracts for promotion of county.

### MEDICAL SCHOLARSHIPS

[NRS 244.382](#)  
[NRS 244.3821](#)  
[NRS 244.3822](#)

Legislative findings.  
Establishment of medical scholarship program; appropriation of money; acceptance of contributions.  
Prerequisites to grant of scholarship.

### WILDLIFE AND NATURAL RESOURCES

[NRS 244.386](#)

Preservation of endangered species or subspecies in county whose population is 700,000 or more: General powers; fee for construction or grading of land in unincorporated areas; creation of enterprise fund.

[NRS 244.387](#)

Removal of wild horses from private property.

[NRS 244.388](#)

Establishment, use and operation of wetlands mitigation bank.

### OFFICE OF COORDINATOR OF SERVICES FOR VETERANS

[NRS 244.401](#)

Creation of office by ordinance; appointment and duties of coordinator; creation of office by two or more counties.

[NRS 244.406](#)

Financial support of office.

### AIRCRAFT NOISE

[NRS 244.412](#)

“Committee” defined.

[NRS 244.414](#)

Advisory committee on aircraft noise: Establishment in county whose population is 700,000 or more; members; terms; vacancies; chair; compensation; meetings.

[NRS 244.416](#)

Advisory committee on aircraft noise: Powers.

[NRS 244.418](#)

Establishment of toll-free telephone number in county whose population is 700,000 or more to report alleged violations of rules or regulations pertaining to aircraft noise; maintenance of record of complaints.

### APPROVED YOUTH SHELTERS

[NRS 244.421](#)

Definitions.

[NRS 244.423](#)

“Necessary services” defined.

[NRS 244.424](#)

“Runaway or homeless youth” defined.

[NRS 244.426](#)

“Youth” defined.

[NRS 244.427](#)

“Youth shelter” defined.

[NRS 244.429](#)

Immunity from civil liability.

### GENERAL PROVISIONS

**NRS 244.010 Minimum number of county commissioners.** Except as provided in [NRS 244.011](#), [244.014](#) and [244.016](#), each board of county commissioners of the several counties shall consist of three members; and not more than three county commissioners shall be elected or appointed to such office in any county.

[1:70:1883; BH § 2389; C § 2134; RL § 1546; NCL § 1985] — (NRS A 1960, 92; [1973.342](#); [1975.721](#); [1977.221](#))

**NRS 244.011 Change in number of county commissioners in county whose population is less than 100,000.**

1. In each county whose population is less than 100,000, the board of county commissioners may, by ordinance, provide that the board of county commissioners consists of five members. Upon enactment of the ordinance, the board of county commissioners shall submit the ordinance to the registered voters of the county at the next primary or general election. The voters at the election shall vote on the question, “Shall the board of county commissioners be increased to five members.” If a majority of votes cast approve the question, the ordinance becomes effective upon certification of the vote by the county clerk, otherwise, the ordinance does not become effective.

2. If the ordinance becomes effective, the two additional members must be elected at the next general election. One member must be elected to an initial 2-year term and the other member must be elected to an initial 4-year term. The county clerk shall, on or before the first Monday in June of the year in which the election is to be held, designate which new position on the board will consist of a 2-year term and which will consist of a 4-year term. When the initial terms expire, subsequent terms for each new position are for 4 years.

3. A board of county commissioners increased to five members pursuant to this section may be decreased to three members in accordance with the provisions of subsection 4.

4. The board of county commissioners may, by ordinance, provide that the board of county commissioners consists of three members. Upon enactment of the ordinance, the board of county commissioners shall submit the ordinance to the registered voters of the county at the next primary or general election. The voters at the election shall vote on the question, “Shall the board of county commissioners be decreased to three members.” If a majority of votes cast approve the question, the ordinance becomes effective upon certification of the vote by the county clerk, otherwise, the ordinance does not become effective.

5. If the ordinance enacted pursuant to subsection 4 becomes effective, two seats on the board of county commissioners must be abolished as follows:

(a) If three seats are scheduled for election at the next general election, only one seat may come up for election.

(b) If two seats are scheduled for election at the next general election:

(1) Only one seat may come up for election; and

(2) One of the three seats elected at the preceding general election must be abolished effective at midnight of the day preceding the first Monday in January following the next general election.

È The board of county commissioners shall draw lots to determine which seats must be abolished pursuant to this subsection.

(Added to NRS by [1973.340](#); A [1979.508](#); [1991.1560](#))

**NRS 244.014 Number and terms of county commissioners in county whose population is 100,000 or more but less than 700,000; commissioners’ districts.** In each county whose population is 100,000 or more but less than 700,000:

1. At the general election in 1976, and every 4 years thereafter, two county commissioners must be elected respectively from two of the county commissioner election districts established pursuant to this chapter.

2. At the general election in 1978, and every 4 years thereafter, three county commissioners must be elected respectively from three of the county commissioner election districts established pursuant to this chapter.

3. The board of county commissioners shall establish five county commissioner election districts which must be as nearly equal in population as practicable. Each such district must be composed of entirely contiguous territory and be as compact as possible.

(Added to NRS by [1975.721](#); A [1977.221](#); [1979.509](#); [1981.1125](#); [1989.1898](#); [1991.1745](#); [2011.1101](#))

**NRS 244.016 Number of county commissioners in county whose population is 700,000 or more; commissioners’ districts.**

1. In each county whose population is 700,000 or more, the board of county commissioners consists of seven members. Each member must be a resident of, and elected by the registered voters of, a county commissioner election district established pursuant to this chapter.

2. The board of county commissioners shall establish seven county commissioner election districts which must be as nearly equal in population as practicable, and each of which must be composed entirely of contiguous territory and be as compact as possible.

(Added to NRS by [1977, 220](#); A [1983, 182](#); [1989, 1899](#); [2011, 1101](#))

**NRS 244.018 Establishment of additional or changed commissioners' districts: Manner of electing county commissioners.**

1. If new or changed county commissioner election districts must be established because of changes in population or applicable law, the board of county commissioners shall establish those districts by ordinance and provide for the election from specified districts of the proper numbers of county commissioners for 4-year and 2-year terms respectively so that the numbers of county commissioners to be elected at each general election thereafter will be as nearly equal as possible.

2. Except as otherwise provided in [NRS 244.011](#), if at the time a general election is to be conducted for the election of county commissioners from new districts there is incumbent any county commissioner, elected at large or from a validly established election district, whose term extends beyond the first Monday of January of the following year, such incumbent county commissioner is entitled to serve out that term and shall be deemed to represent the new district in which he or she resides.

(Added to NRS by [1977, 220](#); A [1979, 509](#); [1985, 1116](#); [1991, 1561](#))

**NRS 244.020 Qualifications of county commissioners.**

1. County commissioners must be qualified electors of their respective counties and have such other qualifications as are provided in this chapter.

2. No county or township officer is eligible to the office of county commissioner.

[Part 2:80:1865; A 1869, 92; B § 3071; BH § 1943; C § 2105; RL § 1502; NCL § 1936] — (NRS A 1960, 92; [1975, 722](#); [1987, 2306](#); [1989, 241](#))

**NRS 244.025 Election of county commissioners in county whose population is less than 100,000.**

1. County commissioners must be elected by the qualified electors of their respective counties.

2. At the general election held in 1968 and at the general election every 4 years thereafter, two persons must be elected to serve on the board of county commissioners for terms of 4 years.

3. At the general election held in 1970 and at the general election held every 4 years thereafter, one person must be elected to serve on the board of county commissioners for a term of 4 years.

4. This section does not apply to counties having a population of 100,000 or more.

[Part 1:80:1865; A 1869, 92; B § 3070; BH § 1942; C § 2104; RL § 1501; NCL § 1935] + [Part 9:108:1866; B § 2607; BH § 1644; C § 1790; RL § 2773; NCL § 4773] — (NRS A 1960, 92; [1967, 703](#); [1969, 26](#), [1531](#); [1979, 509](#); [1987, 2306](#); [1989, 242](#))

**NRS 244.027 Election of county commissioners in county whose population is less than 100,000 and which has not been divided into commissioners' districts.**

1. Whenever two or more members of a board of county commissioners are to be elected at the same election for the same term in any county in this state having less than 100,000 population, and the county has not been divided into commissioner districts in the manner provided by [NRS 244.050](#), the county clerk shall designate the offices to be filled alphabetically or numerically. Such designation shall be made on or before the first Monday in June of the year in which such election is held.

2. For purposes of election the offices shall be considered separate offices and no declaration of candidacy or acceptance of candidacy shall be accepted unless such declaration or acceptance indicates the particular office for which the declaration or acceptance is filed.

(Added to NRS by [1971, 75](#))

**NRS 244.030 Term of office of county commissioners.** County commissioners shall enter upon their duties on the first Monday of January succeeding their election, and, except for 2-year terms established pursuant to [NRS 244.018](#), shall hold their offices for 4 years as provided in this chapter; and the term of office shall expire at 12 p.m. of the day preceding the first Monday in January following a general election.

[Part 2:80:1865; A 1869, 92; B § 3071; BH § 1943; C § 2105; RL § 1502; NCL § 1936] — (NRS A [1967, 703](#); [1977, 221](#))

**NRS 244.035 County commissioners required to take oath of office; effect of failure to take oath.**

1. On entering upon the discharge of the duties of the office of county commissioner, each county commissioner, whether elected or appointed, shall take and subscribe to the oath of office as prescribed by law.

2. If a county commissioner shall neglect or refuse, during the period of 15 days from and after the first Monday of January succeeding his or her election, to take the oath of office as herein directed, his or her office shall be deemed vacant, and such vacancy shall be filled by appointment.

[Part 2:80:1865; A 1869, 92; B § 3071; BH § 1943; C § 2105; RL § 1502; NCL § 1936]

**NRS 244.040 Vacancy in office of county commissioner.**

1. Any vacancy occurring in any board of county commissioners must be filled by appointment of the Governor. Except in Carson City, the Governor shall appoint a suitable person who is a member of the same political party as the most recent holder of the vacant office.

2. The term of office of a person appointed to the office of county commissioner does not, by virtue of the appointment, extend beyond 12 p.m. of the day preceding the first Monday of January next following the next general election.

[Part 1:80:1865; A 1869, 92; B § 3070; BH § 1942; C § 2104; RL § 1501; NCL § 1935] + [Part 2:80:1865; A 1869, 92; B § 3071; BH § 1943; C § 2105; RL § 1502; NCL § 1936] — (NRS A [1983, 6](#); [1987, 2306](#); [1989, 242](#))

**NRS 244.050 Commissioners' districts in counties whose population is less than 100,000: Creation; election; notice; abolishment; election at large of commissioners.**

1. Whenever a number of registered voters equal to 25 percent or more of the number of persons registered to vote at the last preceding general election in any county whose population is less than 100,000 petitions the board of county commissioners of their county to divide the county into three commissioner districts, or if the board has five members, into five commissioner districts, the question must be submitted to the qualified electors of the county for approval or disapproval at the next succeeding general election. The board of county commissioners may, on its own motion, submit the question to the voters. The question must be submitted in such a manner that the voters are also given a choice as to whether to elect the commissioners from districts or at large, if the division is approved. If a majority of the voters voting on the question approve the division, the board of county commissioners shall divide the county into three commissioner districts, or five commissioner districts, as the case may be, on or before the first Monday in July preceding each general election. The division must be made to conform to the established boundaries of election precincts or wards, and each election precinct or ward must be wholly within one of the commissioner districts provided for in this section. Each commissioner district must embrace, as near as may be, one-third or one-fifth, as the case may be, of the population of the county, and must consist of adjoining precincts.

2. The board of county commissioners shall provide by resolution for the dates of election of commissioners from newly created districts, in such manner as to secure the earliest representation of each district as the terms of incumbent commissioners expire.

3. The board of county commissioners shall cause to be published in some newspaper in the county, if there is one, and if not, then by posting at the door of the courthouse and one or more conspicuous places in each of the commissioner districts, a notice specifying the election precincts or wards embraced in each of the commissioner districts so established. The notice must be posted or published for a period of not less than 20 days before each general election.

4. Except as otherwise provided in subsection 1, county commissioners must be elected at large by the qualified electors of the county.

5. The commissioner districts, regardless of when created, may be abolished in the same manner as provided for their creation in subsection 1.

6. Upon the abolition of commissioner districts the incumbent county commissioners are entitled to serve the remainder of the terms for which they were elected or appointed, and thereafter county commissioners must be elected at large from within the county.

[1:36:1893; C § 1759; RL § 1531; NCL § 1964] + [2:36:1893; C § 1760; RL § 1532; NCL § 1965] + [3:36:1893; C § 1761; RL § 1533; NCL § 1966] + [4:36:1893; A 1895, 39; C § 1762; RL § 1534; NCL § 1967] — (NRS A 1959, 867; 1960, 92; 1961, 405; [1969, 27, 1532, 1979, 510, 1981, 1008, 1985, 1116, 1987, 1377, 1991, 1137](#))

**NRS 244.055 Seal of county commissioners.** The seal of the county shall be the seal of the board of county commissioners.  
[28:80:1865; B § 3096; BH § 1968; C § 2130; RL § 1527; NCL § 1960]

**NRS 244.060 Board of county commissioners: Quorum; tie vote.**

1. Except as otherwise provided in [NRS 241.0355](#), a majority of the board constitutes a quorum for the transaction of business.

2. When a majority only of the members is present at a meeting of the board, in case of a tie vote on any question, the vote must be postponed to a subsequent meeting.

[Part 5:80:1865; A 1909, 140; RL § 1505; NCL § 1939] + [30:80:1865; B § 3098; BH § 1970; C § 2132; RL § 1529; NCL § 1962] — (NRS A [2001, 1124](#))

**NRS 244.065 Commissioners may administer oaths.** County commissioners are authorized and empowered to administer all oaths or affirmations necessary in discharging the duties of their office.

[29:80:1865; B § 3097; BH § 1969; C § 2131; RL § 1528; NCL § 1961]

**NRS 244.070 Election and terms of chair and vice chair of board of county commissioners; clerk of board.**

1. The county commissioners shall:

(a) Elect one of their number as chair of the board and another of their number as vice chair of the board; and

(b) Fix the terms of office of the chair and vice chair of the board.

2. The county clerk shall be clerk of the board.

[Part 5:80:1865; A 1909, 140; RL § 1505; NCL § 1939] — (NRS A [1981, 237, 2001, 477](#))

**NRS 244.075 Records of board: Duties of clerk; public inspection.**

1. The clerk shall keep a full and complete record of all the proceedings of the board, together with a full and complete alphabetical index and page citation of and for the record and proceedings, and all such proceedings shall be entered upon the record.

2. The record of each day's proceedings of the board shall be signed by the chair and the clerk. In case the chair shall be absent at any meeting of the board, all documents, records or papers requiring the signature of the board shall be signed by the members present.

3. The books, records and accounts of the board shall be kept at the office of the clerk of the board, and shall, during business hours, be kept open to public inspection free of charge.

[Part 5:80:1865; A 1909, 140; RL § 1505; NCL § 1939] + [7:80:1865; B § 3076; BH § 1948; C § 2110; RL § 1507; NCL § 1941]

**NRS 244.085 Regular and additional meetings of board; meetings held outside county seat; meetings with other governing bodies; attendance at conventions, conferences, seminars or hearings.**

1. Except as otherwise provided in this section, the meetings of the boards of county commissioners must be held at the county seats of their respective counties, or at a place not more than 10 miles from the county seat within the boundaries of the county, at least once in each calendar month, on a day or days to be fixed by ordinance.

2. If the day fixed by ordinance falls on a Saturday or on a nonjudicial day, the meeting must be held on the next judicial day.

3. The first meeting of the board in odd-numbered years must be held on the first Monday in January, but if the first Monday in January is a nonjudicial day, the meeting must be held on the next judicial day.

4. The meeting day and place as fixed by ordinance must remain unchanged, unless notice of a proposed change is published once a week for 2 consecutive weeks in a newspaper of general circulation in the county.

5. Additional meetings of the board of county commissioners may be held at any place within the boundaries of the county. If the board meets outside the county seat, notice of the meeting must be given by publication once a week for 2 consecutive weeks in a newspaper of general circulation published in the county or by publication for 1 week in two or more newspapers of general circulation published in the county.

6. At a meeting held outside the county seat, the board of county commissioners may, in accordance with [NRS 241.020](#), take final action on any matter except zoning or planning matters which relate to a different geographical area than the geographical area in which the meeting is held.

7. The board may meet with the governing body of another governmental unit at any location, including, without limitation, a location outside the county, but the meeting may not be held at a place which is more than 10 miles from the county seat unless the board, in addition to complying with all other requirements for notice of a meeting of the board, provides notice by publication in a newspaper of general circulation within the county, for at least 3 working days before the meeting, of the date, time and place of the meeting. In no case may the board take any official action at such a meeting.

8. Members of the board may attend conventions, conferences, seminars, congressional hearings or other federal hearings to gather specific information or conduct the official business of the association or sponsoring organization at any location if no action is taken by the board in the course of such activity.

[Part 3:80:1865; A 1897, 90; 1909, 217; 1913, 22; 1915, 74; 1917, 1; 1921, 94; NCL § 1937] — (NRS A [1971, 7, 1979, 370, 1989, 58, 1294, 1991, 1138, 1999, 175, 2003, 344](#))

**NRS 244.090 Special meetings of board: Call; notice; filling temporary appointments; canvass of election returns.**

1. Except as provided in subsections 4 and 5, special meetings may be called by the chair or, in the chair's absence, by the vice chair whenever there is sufficient business to come before the board, or upon the written request of a majority of the board.

2. The clerk of the board shall give written notice of each special meeting to each member of the board by personal delivery of the notice of the special meeting to each member at least 1 day before the meeting or by mailing the notice to each member's place of residence in the county or by deposit in the United States mails, postage prepaid, at least 4 days before the meeting.

3. The notice must specify the time, place and purpose of the meeting. If all of the members of the board are present at a special meeting, lack of notice does not invalidate the proceedings.

4. When there is in any county, township or precinct office no officer authorized to execute the duties of that office, and it is necessary that a temporary appointment be made to fill the office, as otherwise provided by law, the board of county commissioners shall forthwith hold a special meeting for that purpose. The meeting may be held by unanimous consent of the board, or, if for any cause



unanimous consent cannot be obtained, then the chair or any other member of the board having knowledge of the necessity shall forthwith call the special meeting and notify the other members of the meeting. The meeting must be held as soon as practicable, but not less than 3 days, except by unanimous consent, after actual notice to all members of the board, whereupon a majority of the board shall proceed to act upon the appointment as provided by law.

5. The board shall also meet after each general election to canvass election returns in the manner provided by law.

[Part 3:80:1865; A 1897, 90; 1909, 217; 1913, 22; 1915, 74; 1917, 1; 1921, 94; NCL § 1937] — (NRS A 1959, 289; 1960, 284; [1965, 1276](#); [1981, 237](#))

### ORDINANCES

#### **NRS 244.095 Enactment by bill; summary and title.**

1. No ordinance shall be passed except by bill. When any ordinance is amended, the section or sections thereof shall be reenacted as amended, and no ordinance shall be revised or amended by reference only to its title.

2. Every ordinance shall:

(a) Bear a summary, which shall appear before the title and which shall state in brief the subject matter of the ordinance.

(b) Except one revising the county ordinances, embrace but one subject and matters necessarily connected therewith and pertaining thereto. The subject shall be clearly indicated in the title. In all cases where the subject of the ordinance is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

[1:296:1955]

#### **NRS 244.100 Procedures for enactment; signatures; publication and effective date; publication of revised ordinance; hearing.**

1. All proposed ordinances, when first proposed, must be read by title to the board, immediately after which at least one copy of the proposed ordinance must be filed with the county clerk for public examination. Notice of the filing, together with the title and an adequate summary of the ordinance and the date on which a public hearing will be held, must be published once in a newspaper published in the county or, if no newspaper is published in the county, in a newspaper having a general circulation in the county, at least 10 days before the date set for the hearing. The board shall adopt or reject the ordinance, or the ordinance as amended, within 35 days after the date of the close of the final public hearing, except that in cases of emergency, by unanimous consent of the whole board, final action may be taken immediately or at a special meeting called for that purpose.

2. After adoption, all ordinances must be:

(a) Signed by the chair of the board.

(b) Attested by the county clerk.

(c) Published by title only, together with the names of the county commissioners voting for or against their passage, in a newspaper published in and having a general circulation in the county, at least once a week for a period of 2 weeks before it goes into effect. Publication by title must also contain a statement to the effect that typewritten copies of the ordinance are available for inspection at the office of the county clerk by all interested persons.

3. Whenever a revision is made and the revised ordinances are published in book or pamphlet form by authority of the board of county commissioners, no further publication is necessary.

4. Except in an emergency, before acting upon a new or amendatory ordinance the board must hold a hearing at which interested persons may present their views. The public hearing may be held in conjunction with the meeting provided for in subsection 1.

[Part 2:296:1955] — (NRS A [1977, 408](#); [1979, 637](#); [1981, 473](#); [1983, 362](#))

#### **NRS 244.105 Procedure for enactment of specialized or uniform code.**

1. An ordinance which adopts:

(a) A specialized or uniform building, plumbing or electrical code printed in the form of a book or pamphlet;

(b) Any other specialized or uniform code; or

(c) Any portion of such a code,

È may adopt it by reference with such changes as may be necessary to make it applicable to conditions in the county, and with such other changes as may be desirable.

2. The code upon adoption need not be published as required by [NRS 244.100](#) if an adequate number of copies of the code, either typewritten or printed, with the changes, if any, have been filed for use and examination by the public in the office of the county clerk. Notice of the filing must be given by one publication in a newspaper having a general circulation in the county, and the copies must be filed, at least 10 days before the passage of the ordinance.

[2.1:296:1955] — (NRS A [1983, 363](#))

#### **NRS 244.110 Style.** The style of ordinances shall be as follows:

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

(Body of ordinance)

(Last section of ordinance)

Proposed on ..... (month) ..... (day) ..... (year)

Proposed by Commissioner.....

Passed ..... (month) ..... (day) ..... (year)

Vote:

Ayes: Commissioners.....

Nays: Commissioners.....

Absent: Commissioners.....

Attest:

.....  
County Clerk

.....  
Chair of the Board

This ordinance shall be in force and effect from and after the ..... day of the month of ..... of the year .....

[Part 2:296:1955] — (NRS A [2001, 45](#))

**NRS 244.115 Recording of ordinances; copy as prima facie evidence.** The county clerk shall record all ordinances in a book kept for that purpose, together with the affidavits of publication by the publisher. The book, or a certified copy of an ordinance therein recorded and under the seal of the county, shall be received as prima facie evidence in all courts and places without further proof. If published in book or pamphlet form by authority of the board of county commissioners, the book or pamphlet shall be received as prima facie evidence without further proof.

[Part 2:296:1955]

## COUNTY CODE

### **NRS 244.116 Revision and codification of general ordinances authorized; arrangement, publication and sale of code.**

1. Each board of county commissioners may provide for the revision and codification, including such restatements and substantive changes as are necessary for clarity and consistency, of all general ordinances of the county, and may provide for the indexing and publication of such ordinances in the form of a county code.

2. The ordinances in each county code shall be arranged in appropriate chapters and sections, excluding the titles, enacting clauses, signatures, attestations and other formal parts.

3. Copies of the county code and any supplements thereto may be reproduced in printed or typewritten book, pamphlet or loose-leaf form, or such other form as the board of county commissioners may determine, and may be sold at a price fixed by resolution of such board. All proceeds from such sales shall be deposited in the general fund of the county.

4. The board of county commissioners may employ or contract for the services of professional personnel in preparation of the county code.

(Added to NRS by 1961, 150)

### **NRS 244.117 Adoption by ordinance; procedure; effective date.**

1. The county code must be adopted by an ordinance. The only title necessary for the ordinance is "An Ordinance enacting a revision and codification of the general ordinances of ..... County."

2. The proposed county code may be adopted by reference and need not be read aloud to the board of county commissioners if the board:

(a) Files three or more copies of the proposed code with the county clerk at least 1 week before final adoption of the ordinance.

(b) Publishes a notice of the filing in a newspaper having general circulation in the county at least 1 week before final adoption of the ordinance stating that copies of the proposed code may be examined by the general public at the office of the county clerk.

3. The ordinance adopting the county code must be published by title only once a week for a period of 2 weeks in a newspaper having general circulation in the county, and must state that copies of the code may be examined by the general public at the office of the county clerk.

4. The ordinance adopting the county code takes effect after:

(a) At least 25 copies of the code have been reproduced;

(b) At least three copies of the code have been filed with the county clerk; and

(c) The newspaper publication required by subsection 3 has been completed.

(Added to NRS by 1961, 150; A [1983, 187](#))

**NRS 244.118 Filing with Librarian of Supreme Court Law Library.** Two copies of the county code shall be filed with the Librarian of the Supreme Court Law Library after such code becomes effective.

(Added to NRS by 1961, 151; A [1971, 804](#); [1973, 424](#))

**NRS 244.119 Amendment and extension; procedure.** The county code may, by ordinance regularly passed, adopted and published, be amended or extended. All general ordinances passed after the adoption of a county code shall be amendments or extensions thereof. No section of the code shall be amended by reference only, but the section, as amended, shall be reenacted and published at length. Three copies of any amendment or extension shall be filed with the county clerk and two copies of any amendment or extension shall be filed with the Librarian of the Supreme Court Law Library.

(Added to NRS by 1961, 151; A [1973, 424](#))

## NEVADA ASSOCIATION OF COUNTY COMMISSIONERS

### **NRS 244.120 Membership authorized; budget; expenses.**

1. The Board of Supervisors of Carson City and the boards of county commissioners of the several counties are authorized and empowered, in their discretion, to become members of the Nevada Association of County Commissioners, heretofore organized, which organization is hereby confirmed, and, for the purpose of paying their respective membership dues and expenses of attending the annual meeting of the Association, the supervisors or county commissioners may include in the annual budget of their respective governments the amount of money estimated to be necessary to pay such expenses.

2. The amount set forth in the budget shall be included in the annual tax levy for the county or Carson City under the provisions of law regulating the fiscal management of counties, cities, towns, school districts and other governmental agencies found in [chapter 354](#) of NRS.

3. Claims for such expenses shall be presented and allowed as now provided by law for other claims against the county or Carson City; but per diem and travel expenses shall be allowed as provided in [NRS 245.060](#).

[1:54:1947; 1943 NCL § 2046.01] + [2:54:1947; 1943 NCL § 2046.02] + [3:54:1947; 1943 NCL § 2046.03] — (NRS A [1969, 321](#))

## COUNTY MANAGERS

### **NRS 244.125 Appointment; compensation; removal.**

1. The county commissioners of any county are authorized to appoint a county manager and to fix the compensation for such county manager.

2. The county manager shall hold office at the pleasure of the board of county commissioners, and may be removed from office by the board at any time.

[Part 1:221:1951] — (NRS A 1957, 279; 1963, 518, 1296)

### **NRS 244.130 Qualifications.**

1. The county manager shall possess such qualifications as the board of county commissioners may from time to time establish.

2. No person who is or has been an elected officer of the county shall be appointed county manager unless the person has been out of office for at least 1 year prior to the date of appointment.

[Part 1:221:1951] — (NRS A 1957, 279)

### **NRS 244.135 Duties; employees and assistants.**

1. The county manager shall perform such administrative functions of the county government as may be required by the board of county commissioners.

2. The county manager may, with the approval of the board of county commissioners, appoint such assistants and other employees as are necessary to the proper functioning of his or her office. The salaries of such assistants and employees and other expenses of conducting the office of the county manager shall be fixed and determined by the county manager with the consent and approval of the board of county commissioners.

[2:221:1951] — (NRS A 1957, 279)

## GENERAL POWERS

## Matters of Local Concern

**NRS 244.137 Legislative findings and declarations.** The Legislature hereby finds and declares that:

1. Historically under Nevada law, the exercise of powers by a board of county commissioners has been governed by a common-law rule on local governmental power known as Dillon's Rule, which is named after former Chief Justice John F. Dillon of the Iowa Supreme Court who in a case from 1868 and in later treatises on the law governing local governments set forth the common-law rule defining and limiting the powers of local governments.

2. In Nevada's jurisprudence, the Nevada Supreme Court has adopted and applied Dillon's Rule to county, city and other local governments.

3. As applied to county government, Dillon's Rule provides that a board of county commissioners possesses and may exercise only the following powers and no others:

(a) Those powers granted in express terms by the Nevada Constitution or statute;

(b) Those powers necessarily or fairly implied in or incident to the powers expressly granted; and

(c) Those powers essential to the accomplishment of the declared objects and purposes of the county and not merely convenient but indispensable.

4. Dillon's Rule also provides that if there is any fair or reasonable doubt concerning the existence of a power, that doubt is resolved against the board of county commissioners and the power is denied.

5. As a general rule on local governmental power, Dillon's Rule serves an important function in defining the powers of county government and remains a vital component of Nevada law. However, with regard to matters of local concern, a strict interpretation and application of Dillon's Rule unnecessarily restricts a board of county commissioners from taking appropriate actions that are necessary or proper to address matters of local concern for the effective operation of county government and thereby impedes the board from responding to and serving the needs of local citizens diligently, decisively and effectively.

6. To provide a board of county commissioners with the appropriate authority to address matters of local concern for the effective operation of county government, the provisions of [NRS 244.137](#) to [244.146](#), inclusive:

(a) Expressly grant and delegate to the board of county commissioners all powers necessary or proper to address matters of local concern so that the board may adopt county ordinances and implement and carry out county programs and functions for the effective operation of county government; and

(b) Modify Dillon's Rule as applied to the board of county commissioners so that if there is any fair or reasonable doubt concerning the existence of a power of the board to address a matter of local concern, it must be presumed that the board has the power unless the presumption is rebutted by evidence of a contrary intent by the Legislature.

7. The provisions of [NRS 244.137](#) to [244.146](#), inclusive, must not be interpreted to modify Dillon's Rule with regard to:

(a) Any local governing body other than a board of county commissioners; or

(b) Any powers other than those powers necessary or proper to address matters of local concern for the effective operation of county government.

(Added to NRS by [2015, 2416](#))

**NRS 244.139 Definitions.** As used in [NRS 244.137](#) to [244.146](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 244.141](#) and [244.143](#) have the meanings ascribed to them in those sections.

(Added to NRS by [2015, 2417](#))

**NRS 244.141 "County government" defined.** "County government" means any public body, agency, bureau, board, commission, department, division, office or other unit of county government, or any officer or employee thereof, within the jurisdiction of the board of county commissioners.

(Added to NRS by [2015, 2418](#))

**NRS 244.143 "Matter of local concern" defined.**

1. "Matter of local concern" means any matter that:

(a) Primarily affects or impacts areas located in the county, or persons who reside, work, visit or are otherwise present in areas located in the county, and does not have a significant effect or impact on areas located in other counties;

(b) Is not within the exclusive jurisdiction of another governmental entity; and

(c) Does not concern:

(1) A state interest that requires statewide uniformity of regulation;

(2) The regulation of business activities that are subject to substantial regulation by a federal or state agency; or

(3) Any other federal or state interest that is committed by the Constitution, statutes or regulations of the United States or this State to federal or state regulation that preempts local regulation.

2. The term includes, without limitation, any of the following matters of local concern:

(a) Public health, safety and welfare in the county.

(b) Planning, zoning, development and redevelopment in the county.

(c) Nuisances and graffiti in the county.

(d) Outdoor assemblies in the county.

(e) Contracts and purchasing by county government.

(f) Operation, management and control of county jails and prisoners by county government.

(g) Any public property, buildings, lands, utilities and other public works owned, leased, operated, managed or controlled by county government, including, without limitation:

(1) Roads, highways and bridges.

(2) Parks, recreational centers, cultural centers, libraries and museums.

3. The provisions of subsection 2:

(a) Are intended to be illustrative;

(b) Are not intended to be exhaustive or exclusive; and

(c) Must not be interpreted as either limiting or expanding the meaning of the term "matter of local concern" as provided in subsection 1.

(Added to NRS by [2015, 2418](#))

**NRS 244.146 Powers of board of county commissioners; exercise of powers; prohibitions.**

1. Except as prohibited, limited or preempted by the Constitution, statutes or regulations of the United States or this State and except as otherwise provided in this section, a board of county commissioners has:

(a) All powers expressly granted to the board;

(b) All powers necessarily or fairly implied in or incident to the powers expressly granted to the board; and

(c) All other powers necessary or proper to address matters of local concern for the effective operation of county government, whether or not the powers are expressly granted to the board. If there is any fair or reasonable doubt concerning the existence of a power of the board to address a matter of local concern pursuant to this paragraph, it must be presumed that the board has the power unless the presumption is rebutted by evidence of a contrary intent by the Legislature.

2. If there is a constitutional or statutory provision requiring a board of county commissioners to exercise a power set forth in subsection 1 in a specific manner, the board may exercise the power only in that specific manner, but if there is no constitutional or

statutory provision requiring the board to exercise the power in a specific manner, the board may adopt an ordinance prescribing a specific manner for exercising the power.

3. Except as expressly authorized by statute, a board of county commissioners shall not:

- (a) Condition or limit its civil liability unless such condition or limitation is part of a legally executed contract or agreement between the county and another governmental entity or a private person or entity.
- (b) Prescribe the law governing civil actions between private persons or entities.
- (c) Impose duties on another governmental entity unless the performance of the duties is part of a legally executed agreement between the county and another governmental entity.
- (d) Impose a tax.
- (e) Order or conduct an election.

4. Except as expressly authorized by statute or necessarily or fairly implied in or incident to powers expressly authorized by statute, a board of county commissioners shall not:

- (a) Impose a service charge or user fee; or
- (b) Regulate business activities that are subject to substantial regulation by a federal or state agency.

(Added to NRS by [2015, 2418](#))

### Other General Powers

**NRS 244.150 Levy of taxes.** The boards of county commissioners shall have power and jurisdiction in their respective counties to levy, for the purposes prescribed by law, such amount of taxes on the assessed value of real and personal property in the county as may be authorized by law.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.1505 Expenditure of public money; grant of public money and donation of certain property to certain nonprofit organizations or governmental entities.**

1. A board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county. Except as otherwise provided in subsection 4, the board may grant all or part of the money to a nonprofit organization created for religious, charitable or educational purposes to be expended for the selected purpose.

2. A board of county commissioners or its authorized representative may donate:

- (a) Commodities, supplies, materials and equipment that the board determines to have reached the end of their useful lives; and
- (b) Stolen or embezzled property for which the county treasurer has obtained an order authorizing the county treasurer to donate the property pursuant to subsection 6 of [NRS 179.165](#),  
E to a nonprofit organization created for religious, charitable or educational purposes or to another governmental entity, to be used for any purpose which will provide a substantial benefit to the inhabitants of the county.

3. A grant or donation to a nonprofit organization created for religious, charitable or educational purposes and a donation to a governmental entity pursuant to this section must be made by resolution. The resolution must specify:

- (a) The purpose of the grant or donation;
- (b) If applicable, the maximum amount to be expended from the grant; and
- (c) Any conditions or other limitations upon the expenditure of the grant or the use of the donated property.

4. The provisions of this section do not limit the ability of a board of county commissioners or its authorized representative to disburse money pursuant to [NRS 321.5956](#) or any other specific statutory authority.

5. As used in this section:

- (a) "Authorized representative" has the meaning ascribed to it in [NRS 332.025](#).
- (b) "Nonprofit organization created for religious, charitable or educational purposes" means an organization that meets the requirements set forth in [NRS 372.3261](#).

(Added to NRS by [1981, 478](#); A [1987, 2306](#); [1989, 242](#); [1999, 1644](#), [3535](#); [2001, 368](#))

**NRS 244.1507 Consolidation or division of powers and duties of county offices in counties whose population is less than 45,000: Mechanism; prerequisites; timing.**

1. Except as otherwise provided in subsection 2, the board of county commissioners of a county whose population is less than 45,000 may by ordinance direct that:

- (a) The powers and duties of two or more county offices be combined into one county office.
- (b) The powers and duties of one county office be allocated between two or more county offices.

2. A board of county commissioners shall not take the action described in subsection 1 unless:

- (a) The board determines that the combining or separating of the applicable county offices will benefit the public;
- (b) The board determines that the combining or separating of the applicable county offices will not create:
  - (1) An ethical, legal or practical conflict of interest; or
  - (2) A situation in which the powers and duties assigned to a county office are incompatible with the proper performance of that office in the public interest;
- (c) The board submits to the residents of the county, in the form of an advisory ballot question pursuant to [NRS 295.230](#), a proposal to combine or separate the applicable county offices; and
- (d) A majority of the voters voting on the advisory ballot question approves the proposal.

3. If the combining or separating of county offices pursuant to this section will result in the elimination of one or more county offices, the combining or separating of offices must not become effective until the earlier of the date on which:

- (a) The normal term of office of the person whose office will be eliminated expires; or
- (b) The person whose office will be eliminated resigns.

4. If the combining or separating of county offices pursuant to this section results in the powers and duties of one county office being transferred to another county office, the county office to which the powers and duties are transferred shall be deemed to be the county office from which the powers and duties were transferred for the purposes of any applicable provision of law authorizing or requiring the performance or exercise of those powers and duties, as appropriate.

(Added to NRS by [2009, 591](#); A [2011, 1102](#))

**NRS 244.151 Department of public works: Creation; director and employees.**

1. The boards of county commissioners of each of the counties of the State may create a department of public works devoted primarily to buildings and grounds facilities, engineering, buildings and safety, waterworks, sewers, sewage, garbage and refuse disposal facilities, public sanitary facilities, works for the treatment and purification of water, recreational facilities and streets and access roads.

2. The county commissioners may appoint a director of public works and may provide for the appointment of such other employees as are necessary to carry out the functions of the department.

(Added to NRS by [1969, 676](#))

**NRS 244.152 Public works: County's powers subordinate to powers of Nevada Tahoe Regional Planning Agency.** [Effective upon the proclamation by the Governor of this State of the withdrawal by the State of California from the Tahoe Regional Planning Compact or of a finding by the Governor of this State that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers.] In the region of this State for which there has been created by [NRS 278.780](#) to [278.828](#), inclusive, a

regional planning agency, the powers of a county for the location and construction of all public works are subordinate to the powers of that regional planning agency.

(Added to NRS by [1969.51](#); A [1979.1133](#), effective upon the proclamation by the Governor of this State of the withdrawal by the State of California from the Tahoe Regional Planning Compact or of a finding by the Governor of this State that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers; A [2011.3739](#); [2013.2367](#))

**NRS 244.153 Public works: County's powers subordinate to powers of regional planning agency.** In any region of this State for which there has been created by interstate compact a regional planning agency, the powers of a county for the location and construction of all public works are subordinate to the powers of such regional planning agency.

(Added to NRS by [1968.13](#); R [2011.3740](#); A [2013.2366](#), [2367](#), [3838](#))

**NRS 244.154 Planning, subdivision regulation and zoning: County's powers subordinate to limits upon development established in certain geographical regions by certain state acts.** In the region of this State for which the Spring Mountains National Recreation Area Act and the Red Rock Canyon Conservation Area and Adjacent Lands Act establish limits upon development, the powers conferred by this chapter which relate to planning, subdivision regulation and zoning are subordinate to those limits.

(Added to NRS by [2003.596](#); A [2009.735](#))

**NRS 244.155 Roads and bridges.** The boards of county commissioners shall have power and jurisdiction in their respective counties to lay out, control and manage public roads, turnpikes, ferries and bridges within the county, in all cases where the law does not prohibit such jurisdiction, and to make such orders as may be necessary and requisite to carry its control and management into effect.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.157 Improvements: County's powers same as those of general improvement district.**

1. Subject to the conditions imposed in subsection 2, the board of county commissioners of any county of this state may exercise any of the powers in any unincorporated area within its county that a board of trustees of any general improvement district, if organized, would be permitted to exercise pursuant to the provisions of [chapter 318](#) of NRS.

2. A board of county commissioners may exercise the powers authorized under subsection 1 only upon compliance with the same procedures that a board of trustees of a general improvement district would be required to follow for the same class of improvements within an improvement district. This subsection does not apply if the exercise of powers authorized under subsection 1 is required by a federal law or a regulation issued thereunder.

(Added to NRS by [1975.467](#); A [1977.536](#))

**NRS 244.160 Care of indigent sick persons.** The boards of county commissioners shall have power and jurisdiction in their respective counties to take care of and provide for the indigent sick of the county in such a manner only as is or may be provided by law.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.1605 Provision of medical facilities and services in outlying areas.** The boards of county commissioners may:

1. Establish, equip and maintain limited medical facilities in the outlying areas of their respective counties to provide outpatient care and emergency treatment to the residents of and those falling sick or being injured or maimed in those areas.

2. Provide a full-time or part-time staff for the facilities which may include a physician, a physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, a registered nurse or a licensed practical nurse, a certified emergency medical technician, advanced emergency medical technician or paramedic, and such other personnel as the board deems necessary or appropriate to ensure adequate staffing commensurate with the needs of the area in which the facility is located.

3. Fix the charges for the medical and nursing care and medicine furnished by the facility to those who are able to pay for them, and to provide that care and medicine free of charge to those persons who qualify as medical indigents under the county's criteria of eligibility for medical care.

4. Purchase, equip and maintain, either in connection with a limited medical facility as authorized in this section or independent therefrom, ambulances and ambulance services for the benefit of the residents of and those falling sick or being injured or maimed in the outlying areas.

(Added to NRS by [1973.1062](#); A [1987.2219](#); [1997.689](#); [2001.778](#); [2007.1852](#); [2013.956](#))

**NRS 244.1607 Establishment of neighborhood justice center; services to be provided; authorization to charge fee; financial support.**

1. The board of county commissioners:

(a) In a county whose population is 100,000 or more shall establish a neighborhood justice center.

(b) In a county whose population is less than 100,000 may establish a neighborhood justice center.

È A neighborhood justice center must be closely modeled after the program established by the American Bar Association for multi-door courthouses for the resolution of disputes.

2. Except as otherwise provided in subsection 3, a neighborhood justice center must provide, at no charge:

(a) A forum for the impartial mediation of minor disputes including, but not limited to, disputes between landlord and tenant, neighbors, family members, local businesses and their customers, hospitals and their patients, and governmental agencies and their clients, except where prohibited by federal law.

(b) A system of providing information concerning the resolution of disputes and the services available in the community.

(c) An efficient and effective referral system which assists in the resolution of disputes and otherwise guides the client to the appropriate public or private agency to assist in the resolution of the particular dispute, including referrals to the justices of the peace, municipal courts, lawyer referral systems, legal aid services, district attorney, city attorneys, district courts, mental health services, other alternative methods of resolving disputes and other governmental and private services.

3. A board of county commissioners that has established a neighborhood justice center may authorize the center to charge a fee for:

(a) Services which are provided relating to the resolution of complex cases; and

(b) Training provided by the center.

4. A neighborhood justice center must be supported from the money in the account for dispute resolution in the county general fund and any gifts or grants received by the county for the support of the center.

(Added to NRS by [1991.920](#); A [1993.1212](#), [1213](#); [1997.2363](#); [2013.1618](#))

**NRS 244.161 Promotion of civil and equal rights.** In addition to powers elsewhere conferred upon counties, any county may institute a program of discussion and conciliation for the realization of civil and equal rights of residents of the county.

(Added to NRS by [1969.772](#))

**NRS 244.1615 Institution of program or sponsorship of activity to increase participation in public policy and government.** A board of county commissioners may institute a program or sponsor an activity, event or any other action designed to increase the extent and quality of participation of the residents of the county in the development of public policy and the improvement of the operation of government at all levels. The board may submit a report of any action taken pursuant to this section to the Division of State Library, Archives and Public Records of the Department of Administration.

(Added to NRS by [1997.3276](#); A [2013.58](#))

**NRS 244.162 Rehabilitation of delinquent children.** The board of county commissioners may establish, in any county where funds are expended under the provisions of [NRS 62G.400](#) to [62G.470](#), inclusive, special supervision programs for the rehabilitation of delinquent children in accordance with the provisions of [NRS 62G.400](#) to [62G.470](#), inclusive.

(Added to NRS by [1971.379](#); A [2003.1130](#))

**NRS 244.163 County coroner: Creation of office by ordinance; appointment, qualifications and duties; punishment for offenses.**

1. The boards of county commissioners in their respective counties may create by ordinance the office of the county coroner, prescribe the qualifications and duties of the county coroner and make appointments to the office.

2. Any coroner so appointed is governed by the ordinances pertaining to such office which may be enacted by the board of county commissioners, and the provisions of [NRS 259.025](#) and [259.150](#) to [259.180](#), inclusive.

3. The boards of county commissioners shall require that the county coroner notify a decedent's next of kin without unreasonable delay.

4. For any offense relating to the violation or willful disregard of such duties or trusts of office as may be specified by the respective boards of county commissioners, all coroners holding office by appointment pursuant to this section are subject to such fines and criminal penalties, including misdemeanor penalties and removal from office by indictment, accusation or otherwise, as the ordinance prescribes. This subsection applies to all deputies, agents, employees and other persons employed by or exercising the powers and functions of the coroner.

(Added to NRS by 1963, 197; A [1965.1274](#); [1969.665](#); [1973.899](#); [1979.1371](#); [2005.1062](#))

**NRS 244.164 Registrar of voters: Creation of office; appointment, qualifications, powers and duties.**

1. In each county having a population of 100,000 or more, the board of county commissioners may create the office of registrar of voters, prescribe the qualifications, duties and compensation of that office and make appointments to that office.

2. The registrar of voters, upon appointment as provided in subsection 1, shall assume all of the powers and duties vested in and imposed upon the county clerk of the county with respect to elections, except the duties imposed by virtue of [NRS 293.393](#) to make out and deliver certificates of election.

(Added to NRS by [1965.669](#); A [1969.1533](#); [1973.1079](#); [1979.510](#))

**NRS 244.165 Prosecution and defense of suits.** The boards of county commissioners shall have power and jurisdiction in their respective counties to control the prosecution or defense of all suits to which the county is a party.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.167 Employment of security officers.** A board of county commissioners may employ security officers.

(Added to NRS by [1985.257](#); A [1993.2529](#))

**NRS 244.170 Rewards for apprehension or conviction of defaulting or absconding county or township officers.** The boards of county commissioners shall have power and jurisdiction in their respective counties to offer and allow rewards for the apprehension or conviction of defaulting or absconding county or township officers.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.175 Rewards for apprehension of murderers.**

1. When it shall come to the personal knowledge of the county commissioners, or a majority thereof, of any of the counties in this state, that the crime of murder has been committed in the county, or whenever one or more of the residents of the county shall state in writing and under oath that such crime has been committed in the county, and that to the best of their knowledge and belief the person or persons, whether known or unknown, committing the crime have not, at the time of making such statement, been apprehended or taken into custody, and the board, from such statement or other evidence, believes that a murder has been committed, and that the offering of a reward would tend to cause the arrest of the perpetrator or perpetrators of the crime, the board of county commissioners, or a majority thereof, is authorized to offer a reward for the arrest and safe delivery of such criminal or criminals to the proper officers.

2. In no case shall a reward be offered, as provided in this section, for more than \$500 in each case, and such offer shall expire so soon as the board of county commissioners offering the reward shall make an order to that effect, which it is authorized and empowered to do at any general session or at a special session convened without notice, and shall cause the same to be entered in the minutes of proceedings.

3. No reward shall be offered as herein authorized until after an order shall have been made by the board and entered in the minutes of proceedings, reciting the name of the person or persons murdered, and the amount of the reward offered, and the order shall have been approved by the board and attested in the usual manner of attesting the minutes of the proceedings in other cases.

4. All claims for rewards, as provided for in this section, shall be allowed and paid as other claims against the county, under the direction of the county commissioners, as provided for by law.

[1:65:1869; B § 3106; BH § 2022; C § 2172; RL § 3906; NCL § 6721] + [2:65:1869; B § 3107; BH § 2023; C § 2173; RL § 3907; NCL § 6722]

**NRS 244.180 Indexing of records and proceedings.**

1. The board of county commissioners of the several counties may, in their discretion, cause to be compiled a full and complete alphabetical index and page citation of and for all of its records and proceedings, where the same do not now exist, and are not now, or may not hereafter be, otherwise enjoined by law to be compiled and kept.

2. Should the cost for compiling the index and page citation in any case amount to the sum of \$500, such compilation shall be let and done by contract by the lowest and best bidder therefor, as is now provided for by law. Otherwise, the same may be done by such responsible person or persons as the board may employ for that purpose. The compilation when completed shall be subject to the approval of the board, and payment therefor shall be a valid and subsisting claim against the county, and shall be allowed, approved and paid in such manner as is now provided by law.

[1:122:1909; RL § 1560; NCL § 2035] + [2:122:1909; RL § 1561; NCL § 2036]

**NRS 244.183 Special census.**

1. If any board of county commissioners determines that it is advisable to have a special census taken, it may contract with the Bureau of the Census of the United States Department of Commerce to have a special census conducted under federal supervision.

2. The necessary expenses of the special census shall be paid by the county, and upon obtaining an estimate of the cost of such special census the board of county commissioners shall budget such cost in the same manner as other items of the budget.

(Added to NRS by 1963, 1302)

**NRS 244.186 Sale of video service over video service network: Prohibitions; enforcement; remedy not exclusive.**

1. If the governing body of a county is authorized pursuant to [NRS 711.175](#) to sell video service to the general public over a video service network, the governing body, and any entity or agency that is directly or indirectly controlled by the county, shall not do any of the following:

(a) Sell such video service at a price that is less than the actual cost of the video service or sell a bundle of services containing such video service at a price that is less than the actual cost of the bundle of services.

(b) Use any money from the county general fund for the provision of such video service over its video service network.

(c) Use its rights-of-way, its property or any special power it may possess by virtue of its status as a government or a government-owned utility to:

(1) Create a preference or advantage for its video service network; or

(2) Impose any discriminatory burden on any privately held video service provider.

2. The provisions of this section must be enforced in the manner set forth in paragraph (c) of subsection 4 of [NRS 354.624](#) and paragraph (c) of subsection 5 of [NRS 354.624](#).

3. The provisions of this section do not create an exclusive remedy and do not abrogate or limit any other action or remedy that is available to the governing body or a privately held video service provider pursuant to any other statute or the common law.

4. As used in this section:

(a) "Video service" has the meaning ascribed to it in [NRS 711.141](#).

(b) "Video service network" has the meaning ascribed to it in [NRS 711.145](#).

(c) "Video service provider" has the meaning ascribed to it in [NRS 711.151](#).

(Added to NRS by [2003, 1230](#); A [2007, 1377](#))

**NRS 244.187 Displacement or limitation of competition: Services.** A board of county commissioners may, to provide adequate, economical and efficient services to the inhabitants of the county and to promote the general welfare of those inhabitants, displace or limit competition in any of the following areas:

1. Ambulance service.

2. Taxicabs and other public transportation, unless regulated in that county by an agency of the State.

3. Collection and disposal of garbage and other waste.

4. Operations at an airport, including, but not limited to, the leasing of motor vehicles and the licensing of concession stands, but excluding police protection and fire protection.

5. Water and sewage treatment, unless regulated in that county by an agency of the State.

6. Concessions on, over or under property owned or leased by the county.

7. Operation of landfills.

8. Except as otherwise provided in [NRS 277A.330](#), construction and maintenance of benches and shelters for passengers of public mass transportation.

(Added to NRS by 1960, 433; A [1971, 1372](#); [1975, 569](#); [1985, 1240](#); [1989, 994](#); [2005, 2319](#); [2009, 850](#))

**NRS 244.188 Displacement or limitation of competition: Areas in which authorized; methods; limitation.**

1. Except as otherwise provided in subsection 3 and [NRS 269.128](#) and [269.129](#), a board of county commissioners may, outside the boundaries of incorporated cities and general improvement districts:

(a) Provide those services set forth in [NRS 244.187](#) on an exclusive basis or, by ordinance, adopt a regulatory scheme for controlling the provision of those services or controlling development in those areas on an exclusive basis; or

(b) Grant an exclusive franchise to any person to provide those services.

2. If services for the collection and disposal of garbage are provided pursuant to subsection 1, the board of county commissioners may, except as otherwise provided in subsection 3, require owners of real property outside the boundaries of incorporated cities and general improvement districts to receive and pay for those services.

3. The board of county commissioners may exercise the authority provided in subsections 1 and 2 within the boundaries of a general improvement district if that district:

(a) Is not authorized to provide those services; and

(b) Includes any real property within 7 miles from the boundary of an incorporated city.

4. If an exclusive franchise is granted or a regulatory scheme is adopted for the mandatory collection and disposal of garbage and other waste, the initial boundaries of the collection area must be the same as the boundaries of an existing collection area under an exclusive franchise or regulatory scheme.

5. The board of county commissioners may expand the boundaries of a collection area established pursuant to subsection 4 after the board has:

(a) Conducted preliminary studies and determined that the proposed collection area is economically sound and feasible and promotes the health, safety and general welfare of the inhabitants of the county; and

(b) Held a public hearing on the proposed collection area after giving notice of the time and the place of the hearing in a newspaper of general circulation in that county. The notice must include the purpose of the hearing and describe the boundaries of the proposed collection area.

(Added to NRS by [1985, 1241](#); A [1987, 127](#); [1991, 900](#); [2001, 846](#))

**NRS 244.189 Development of affordable housing, control and protection of animals, and rehabilitation of certain residential property; taxes; civil penalty in lieu of criminal penalty.**

1. Except as otherwise provided in subsection 2 and in addition to any other powers authorized by specific statute, a board of county commissioners may exercise such powers and enact such ordinances, not in conflict with the provisions of NRS or other laws or regulations of this State, as the board determines are necessary and proper for:

(a) The development of affordable housing;

(b) The control and protection of animals;

(c) The rehabilitation of rental property in residential neighborhoods; and

(d) The rehabilitation of abandoned residential property.

2. The board of county commissioners shall not impose or increase a tax unless the tax or increase is otherwise authorized by specific statute.

3. The board of county commissioners may, in lieu of a criminal penalty, provide a civil penalty for a violation of an ordinance enacted pursuant to this section unless state law provides a criminal penalty for the same act or omission.

(Added to NRS by [2001, 966](#))

**NRS 244.190 Cooperative agreements for modification of weather; expenses.**

1. The boards of county commissioners of the various counties are empowered to enter into cooperative agreements with the State of Nevada, other counties of this state, or any private or public organization, and with private concerns engaged in weather modification (cloud seeding) operations.

2. The expenses incident and necessary for the participation of counties in such cooperative program, as provided in subsection 1, shall be paid out of the general funds of such counties, and the board of county commissioners of any county acting under the terms of this section shall annually, at the time of making its budget, make an estimate of the expenses necessary to carry out its agreement, under the provisions of this section, and budget the same, in all respects, as other items of the budget may be made.

3. All agreements for cooperation between the State of Nevada and the counties, and with any private organization as set forth in subsection 1, shall be evidenced by written agreements made and entered into by the boards of county commissioners interested, and the same shall be spread upon the minutes of each of the boards at the time of the adoption thereof.

4. All action taken and all proceedings adopted prior to March 2, 1955, by the boards of county commissioners of Pershing, Lander, Eureka, Humboldt, Elko and White Pine counties, relating to weather modification (cloud seeding), are ratified, approved and confirmed. [1:26:1955] + [2:26:1955] + [3:26:1955] + [4:26:1955]

**NRS 244.194 Voting or counting devices: Rental, lease or other acquisition.** Boards of county commissioners may rent, lease or otherwise acquire voting or counting devices in whatever manner will best serve local interests. (Added to NRS by [1965, 615](#); A [1975, 570](#); [1977, 240](#))

**NRS 244.1945 Advisory boards: Establishment; travel expenses.**

1. The board of county commissioners of any county may establish by ordinance advisory boards for any purpose relating to the county about which the board desires study or advice.

2. Members of such an advisory board are entitled to receive such travel expenses as are authorized in the ordinance that established the advisory board.

(Added to NRS by [1979, 351](#); A [2001, 477](#))

**NRS 244.19455 Creation, maintenance or display of comprehensive model or map of physical location of facilities of public utility, public water system or video service provider prohibited.**

1. A county, including, without limitation, any board or planning agency of the county, shall not create, maintain or display a comprehensive model or map of the physical location of all or a substantial portion of the facilities of a public utility, public water system or video service provider.

2. The provisions of subsection 1 do not limit the authority of a county, including, without limitation, any board or planning agency of the county, to require a public utility, public water system or video service provider to provide information about the physical location of the facilities of the public utility, public water system or video service provider for the purpose of facilitating a public work.

3. As used in this section:

(a) "Public utility" has the meaning ascribed to it in [NRS 704.020](#).

(b) "Public water system" has the meaning ascribed to it in [NRS 445A.235](#), except the term does not include a water system that is owned or operated by the county.

(c) "Public work" has the meaning ascribed to it in [NRS 338.010](#).

(d) "Video service provider" has the meaning ascribed to it in [NRS 711.151](#).

(Added to NRS by [2015, 3662](#))

**NRS 244.195 Other powers.** Except as otherwise provided in [NRS 244.137](#) to [244.146](#), inclusive, the boards of county commissioners shall have power and jurisdiction in their respective counties to do and perform all such other acts and things as may be lawful and necessary to the full discharge of the powers and jurisdiction conferred on the board.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681] — (NRS A [2015, 2419](#))

## FINANCIAL POWERS

**NRS 244.200 Examination and audit: Officers' accounts; money and property entrusted to and fees or compensation received by public administrators.** The boards of county commissioners shall have power and jurisdiction in their respective counties to examine and audit:

1. The accounts of all officers having the care, management, collection or disbursement of any money belonging to the county or appropriated by law, or otherwise, for its use and benefit; and

2. The money and property entrusted to the care of, and the fees or compensation received by the public administrators of the respective counties in their several official capacities.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681] — (NRS A [1977, 459](#); [2003, 2650](#))

**NRS 244.205 Examination and allowance of accounts.** The boards of county commissioners shall have power and jurisdiction in their respective counties to examine, settle and allow all accounts legally chargeable against the county, in the manner provided in this chapter.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.207 Central receiving and disbursing systems for county money.**

1. Notwithstanding any other provision of law, the boards of county commissioners in their respective counties may establish by ordinance central receiving and disbursing systems for the handling of county money and money held in trust by the county or by any of its elected or appointed officers. Such systems may include, but are not limited to, the following:

(a) The commingling of all the money from any source if the accounting system employed supplies full information concerning the sources of the money.

(b) The elimination of departmental accounts in an insured bank, credit union or savings and loan association by commingling the money in an account or accounts maintained by the county treasurer.

(c) The elimination of trust accounts in a bank or credit union, created for any reason as long as adequate records are maintained to identify fully all trust money. The money previously held in such trust accounts may be commingled with other money held in accounts maintained in a bank or credit union by the county treasurer.

(d) The centralization of all disbursing of all money, including trust money, if the accounting system employed supplies full information concerning the disposition of the money.

(e) The centralization of part or all of billing and collection aspects of business licenses, personal property and any other activity of any of the offices of the county that involves billing for services, taxes or fees imposed by statute or ordinance, or the collection of money in payment of such billings.

(f) In a county whose population is 100,000 or more, the centralization of part or all of the billing and collection aspects of any fine, fee, bail or forfeiture imposed by a court and any payment ordered by a court pursuant to [NRS 178.3975](#).

2. Investment income from the commingled money must be credited to the general fund of the county if other provisions of law or contract do not require other allocation of the investment income.

3. This section does not:

(a) Eliminate the reporting requirements of various elected and appointed officials relating to the receipt and disposition of money.

(b) Limit the right of a local government as defined in [NRS 354.474](#), but not including a county, whose money is held in trust by the county to direct the receipt, disbursement and investment of its money independently of the system provided for in this section, where the independent direction is otherwise authorized by law.

(Added to NRS by [1973, 1676](#); A [1975, 278](#), [1796](#); [1979, 1882](#); [1991, 449](#); [1999, 1463](#))

**NRS 244.210 Demands: Cumulative voucher sheets; allowance.**

1. In any county in which a county comptroller has not been appointed, every demand against the county, except the salaries of the elective officers of the county whose salaries are fixed by law, must be acted upon by the county commissioners. The demands must be listed on cumulative voucher sheets and a copy presented to each of the members of the board of county commissioners present at their



meeting, and mailed to any absent member. When the demands have been approved by a majority of the board of county commissioners, and the cumulative voucher sheets have been signed by the chair and secretary of the board, the demands are valid vouchers upon which the county auditor may issue warrants on the county treasurer to be paid out of money belonging to the county.

2. The county auditor shall satisfy himself or herself whether the money is legally due and remains unpaid, and whether its payment from the treasury is authorized by law, and out of what fund.

3. If the county auditor allows a demand, the county auditor shall endorse upon it the word "allowed," with the name of the fund out of which it is payable, with the date of the allowance, and sign his or her name to it, and draw his or her warrant on the county treasury for the amount allowed.

4. No demand may be approved or allowed unless each item, date and value composing it is endorsed by the order of the board of county commissioners, together with a reference to the law, order, contract or authority by title, date and section authorizing the demand.

5. In any county in which a county comptroller has been appointed:

(a) Every demand against the county, except the salaries of the elective officers of the county whose salaries are fixed by law, contested claims, and requests for refunds payable out of budgeted appropriations, must be listed on cumulative voucher sheets and audited by the county comptroller. The county comptroller shall satisfy himself or herself whether the money demanded is legally due and remains unpaid, and whether its payment is authorized by law. If the demands qualify for payment, warrants must be drawn on the county treasurer in accordance with the listing of the demands on the voucher sheets. The warrants and voucher sheets must be signed by the county comptroller and the county treasurer. A signed copy of the cumulative voucher sheets must be forwarded by the county treasurer to the board of county commissioners.

(b) Demands against the county based on contested claims or requests for refunds payable out of budgeted appropriations must be acted on in accordance with the procedure prescribed in this section for counties in which no comptroller has been appointed.

6. In any county in which a metropolitan police department has been created, demands against that department must be acted on pursuant to [NRS 280.250](#).

[9:80:1865; A 1935, 385; R 1945, 340; A 1951, 131] — (NRS A 1959, 421; [1979, 372](#); [1981, 216](#))

#### **NRS 244.215 Procedure when county auditor or county comptroller refuses demand.**

1. In any county in which a county comptroller has not been appointed, the county auditor shall sign no warrant authorizing the payment of money by the county treasurer, except for the salary of the county auditor, until a copy of the order of the board of county commissioners, allowing the amount and ordering its payment, together with the account, have been submitted to him or her, and his or her allowance endorsed on the order, unless the county auditor refuses to audit and allow the demand, in which case the order must be presented to the board of county commissioners, with a copy of the refusal of the county auditor endorsed, and the county auditor's reasons for the refusal.

2. In any county in which a county comptroller has been appointed, if the county comptroller refuses a demand either entirely or in part as not being a proper claim against the county, the county comptroller shall present the demand to the board of county commissioners with an endorsed copy of the refusal and the county comptroller's reason for the refusal.

3. Should the board order the issuance of the warrant by a unanimous vote of its members, the county auditor shall immediately issue the warrants upon service upon him or her of a copy of the order of the board, certified to by the clerk of the board, that all the members voted for its passage; otherwise, the account must be declared rejected, and no warrant may be issued for payment of the demand.

4. If the county auditor allows the account in part, a warrant shall only issue for that part, unless the board, by a similar unanimous vote, allows a greater sum.

5. No warrant may be drawn by the county auditor on the county treasurer on any fund, unless there is sufficient money in the fund at the time to pay the warrant; and any warrant drawn contrary to the provisions of this section is void for all purposes.

[10:80:1865; B § 3079; BH § 1951; C § 2113; RL § 1510; NCL § 1944] — (NRS A [1979, 373](#))

#### **NRS 244.220 Conditions precedent to approval of demand: Indebtedness deducted; compliance; exception.**

1. Except as provided in subsection 2, no demand upon the treasury shall be approved by the board of county commissioners or allowed by the county auditor:

(a) In favor of any person or officer in any manner indebted to the county, without first deducting the amount of such indebtedness.

(b) To any person or officer having the collection, custody or disbursement of public funds, unless his or her account has been duly presented, passed, approved and allowed as required by law.

(c) To any officer who shall have neglected or refused to comply with any of the provisions of this chapter or any other law regulating the duties of such officer, on being required, in writing, to comply therewith by any member of the board of county commissioners.

2. Nothing contained in subsection 1 shall be construed to prohibit the making of cash grants to poor persons authorized by [NRS 428.030](#) prior to approval by the board of county commissioners or allowance by the county auditor.

[12:80:1865; B § 3081; BH § 1953; C § 2115; RL § 1512; NCL § 1946] — (NRS A [1973, 1107](#))

#### **NRS 244.225 Publication of financial statement.**

1. The board of county commissioners shall publish quarterly a statement of the total amounts of receipts and expenditures of the 3 months next preceding, and the total amounts of accounts allowed. Publications shall be made by making one insertion of the statement in a newspaper published in the county, but if no newspaper is published in the county, then such publication shall be made by posting a copy of the statement at the courthouse door and at two other public places in the county. The statement must:

(a) Inform the public of the provisions of subsection 3;

(b) If the county maintains an official Internet website, inform the public of where the financial statement is posted on the Internet website pursuant to subsection 2;

(c) Provide a telephone number the public may call for further instructions on how to obtain the detailed financial documents;

(d) Provide the address of the county office or offices where the public may view the detailed financial documents; and

(e) Be published for a period of at least 5 consecutive days.

2. If a county maintains an official Internet website, the board of county commissioners shall maintain and update quarterly on the Internet website of the county a statement of the receipts and expenditures of the 3 months next preceding and the accounts allowed. The statement must:

(a) Inform the public of the provisions of subsection 3;

(b) Provide a telephone number the public may call for further instructions on how to obtain the detailed financial documents; and

(c) Provide the address of the county office or offices where the public may view the detailed financial documents.

3. The original and any duplicate or copy of each receipt, bill, invoice, check, warrant, voucher or other similar document that supports a transaction, the amount of which is shown in the statement published pursuant to this section, is a public record that is available for inspection and copying by any person pursuant to the provisions of [chapter 239](#) of NRS.

[Part 15:80:1865; B § 3084; BH § 1956; C § 2118; RL § 1515; NCL § 1948] — (NRS A [2011, 3578](#))

**NRS 244.230 Authorized debts and liabilities only to be created.** The board of county commissioners shall not for any purpose contract debts or liabilities, except those expressly authorized by law. Whenever debts or liabilities have been created, which, added to the salaries of county officers and other estimated liabilities, fixed by law for the remainder of the year, shall equal the money on hand in the treasury at the time applicable to the payment of such salaries and other fixed liabilities, no allowance shall be made of any account, nor shall any expense be incurred other than salaries and fees and fixed liabilities, expressly authorized by law, during the remainder of the year.

[16:80:1865; A 1893, 120; C § 2119; RL § 1516; NCL § 1949]

**NRS 244.235 District attorney to attend board meetings when accounts and claims audited; restriction on presentation of claim by district attorney.**

1. As provided in [NRS 252.170](#), the district attorney shall attend the meetings of the board of county commissioners relating to the auditing of accounts and claims brought against the county, and shall oppose such accounts and claims as the district attorney deems appropriate.

2. As provided in [NRS 252.180](#), the district attorney shall not be allowed to present any claim, account or demand for allowance against the county, or in any way to advocate the relief asked on the claim or demand made by another.

[Part 20:80:1865; B § 3088; BH § 1960; C § 2122; RL § 1519; NCL § 1952] + [Part 21:80:1865; B § 3089; BH § 1961; C § 2123; RL § 1520; NCL § 1953] — (NRS A [2011.351](#))

**NRS 244.240 Resident taxpayer may file written objection to allowance of claim; action by board.**

1. Any person being a resident and taxpayer of the county may appear before and file with the board of county commissioners of the county wherein the person resides written objections to the allowance of any claim or claims, demand or demands against the county.

2. Such objections in writing shall properly describe the claims or demands to which objections are made. The board of county commissioners shall file the same and embody such objections in the record of their proceedings, and lay such claims or demands on the table for a definite period of time, not less than 10 days, at the expiration of which time the board may proceed to consider the claims or demands objected to, together with the objections, unless proceedings have been instituted in a court of competent jurisdiction to determine the validity of such claims or demands.

[22:80:1865; A 1893, 120; C § 2124; RL § 1521; NCL § 1954]

**NRS 244.245 Recovery of costs in action against county.** If a party suing a county recovers in the action more than the board of county commissioners allowed, or offered to allow, the board and the county auditor shall allow the amount of the judgment and costs as a just claim against the county. If the party suing does not recover more than the board and the county auditor offered to allow the party, then costs must be recovered against the party by the county, and may be deducted from the demand.

[24:80:1865; B § 3092; BH § 1964; C § 2126; RL § 1523; NCL § 1956] — (NRS A [1981.1887](#))

**NRS 244.250 Unaudited claims to be presented within 6 months.**

1. All unaudited claims or accounts against any county shall be presented to the board of county commissioners within 6 months from the time such claims or accounts become due or payable.

2. No claim or account against any county shall be audited, allowed or paid by the board of county commissioners, or any other officer of the county, unless the provisions of subsection 1 are strictly complied with.

[25:80:1865; A 1945, 21; 1943 NCL § 1957] + [26:80:1865; B § 3094; BH § 1966; C § 2128; RL § 1525; NCL § 1958] — (NRS A [1971.865](#))

**NRS 244.255 Rejected claim not to be reconsidered.** No claim which has once been presented and rejected shall ever again be considered or allowed by the same, or any subsequently elected or appointed, board of county commissioners of the same county.

[27:80:1865; B § 3095; BH § 1967; C § 2129; RL § 1526; NCL § 1959]

## ORGANIZATIONS FOR ECONOMIC DEVELOPMENT

**NRS 244.264 Confidentiality of records or other documents.**

1. An organization for economic development formed by one or more counties shall, at the request of a client, keep confidential any record or other document in its possession concerning the initial contact with and research and planning for that client. If such a request is made, the executive head of the organization shall attach to the file containing the record or document a certificate signed by the executive head stating that a request for confidentiality was made by the client and showing the date of the request.

2. Records and documents that are confidential pursuant to subsection 1 remain confidential until the client:

(a) Initiates any process regarding the location of the client's business in a county that formed the organization for economic development which is within the jurisdiction of a governmental entity other than the organization for economic development; or

(b) Decides to locate the client's business in a county that formed the organization for economic development.

(Added to NRS by [1995.2197](#))

## COMPLETE STREETS PROGRAM

**NRS 244.2641 "Regional transportation commission" defined.** As used in this section and [NRS 244.2643](#) and [244.2645](#), "regional transportation commission" has the meaning ascribed to it in [NRS 482.1825](#).

(Added to NRS by [2013.2817](#))

**NRS 244.2643 Adoption of program authorized in certain counties.**

1. In a county whose population is 100,000 or more and in which a regional transportation commission does not exist, the board of county commissioners may adopt a policy for a Complete Streets Program and may plan and carry out projects as a part of a Complete Streets Program.

2. Any money received by a board of county commissioners pursuant to paragraph (b) of subsection 1 of [NRS 482.1825](#) must be used solely for the execution of projects as a part of a Complete Streets Program.

3. A board of county commissioners must not cause or allow any portion of the Complete Streets Fund created pursuant to [NRS 244.2645](#) to be used for a purpose other than those set forth in this section.

4. As used in this section, "Complete Streets Program" means a program for the retrofitting of roads that are under the jurisdiction of the board of county commissioners for the primary purpose of adding or significantly repairing facilities which provide road access considering all users, including, without limitation, pedestrians, bicycle riders, persons with a disability, persons who use public transportation and motorists. The term includes the operation of a public transit system as part of a Complete Streets Program, but the term does not include the purchase of vehicles or other hardware for a public transit system.

(Added to NRS by [2013.2817](#))

**NRS 244.2645 Complete Streets Fund to be created in certain counties; creation of fund; deposits; administration.**

1. In a county whose population is 100,000 or more and in which a regional transportation commission does not exist, the board of county commissioners shall create in the county treasury a fund to be known as the Complete Streets Fund, for the purpose of:

(a) Executing projects as a part of a Complete Streets Program pursuant to [NRS 244.2643](#); and

(b) Matching federal money from any federal source for the execution of projects as a part of a Complete Streets Program pursuant to [NRS 244.2643](#).

2. The county treasurer shall deposit money that is collected pursuant to paragraph (b) of subsection 1 of [NRS 482.1825](#) in the Complete Streets Fund.

3. The board of county commissioners shall administer the Complete Streets Fund.

4. The board of county commissioners may accept gifts and donations for deposit in the Complete Streets Fund.

(Added to NRS by [2013.2817](#))

## COUNTY PROPERTY

**NRS 244.265 Care and preservation of property.** The boards of county commissioners shall have power and jurisdiction in their respective counties to make orders respecting the property of the county in conformity with any law of this State, and to take care of and preserve such property.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.270 Control, management and gifts of property.** The boards of county commissioners shall have power and jurisdiction in their respective counties to control and manage the property, real and personal, belonging to the county, and to receive, by donation, any property for the use and benefit of the county.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681]

**NRS 244.273 Use of county equipment on private road; conditions.** Except as otherwise provided in [NRS 244.2731](#), the board of county commissioners of each county may authorize the use of county highway patrols and snowplows on private roads if:

1. The board declares an emergency; or
2. The board deems such use to be in the best interest of the county in the absence of a contractor that is licensed to perform the work.

The board shall not deem such use to be in the best interest of the county unless:

- (a) The equipment is being used for routine county business in the area where the private roads are located; and
- (b) The use of the equipment on private roads does not interfere with the normal operations of the county.

È If the board authorizes the use of a county highway patrol or snowplow on a private road pursuant to this section, the equipment must be operated by an employee of the county. The board may require the owner of the road to pay the county the prevailing rental rate for the use of such equipment.

(Added to NRS by 1959, 496; A [1995, 68](#); [2013, 900](#))

**NRS 244.2731 Use of county equipment and county highway patrols in certain counties.** In a county whose population is less than 15,000, the board of county commissioners may authorize the use of:

1. County equipment on the property of any local government that is located within the county if:

(a) The board adopts an ordinance which sets forth its determination that such use is in the best interest of the county.

(b) The board and the governing body of the local government enter into an interlocal agreement providing for the reimbursement of the county for the use of such equipment and related labor costs.

(c) An employee of the county operates the equipment.

2. County highway patrols and county equipment on any private road that is located within the county if:

(a) The board declares an emergency; or

(b) The board adopts an ordinance which sets forth its determination that such use is in the best interest of the county in the absence of a contractor that is licensed to perform the work.

È If the board authorizes the use of a county highway patrol or county equipment on a private road pursuant to this subsection, the equipment must be operated by an employee of the county. The board may require the owner of the road to pay the county for the use of the equipment and related labor costs.

(Added to NRS by [2013, 899](#))

**NRS 244.275 Purchase or lease of property for use of county; appraisal.**

1. The boards of county commissioners shall have power and jurisdiction in their respective counties:

(a) To purchase any real or personal property necessary for the use of the county.

(b) To lease any real or personal property necessary for the use of the county.

2. No purchase of real property shall be made unless the value of the same has been previously appraised and fixed by one or more competent real estate appraisers to be appointed for that purpose by the county commissioners. The person or persons so appointed shall be sworn to make a true appraisalment thereof according to the best of their knowledge and ability. Purchases of real property from other federal, state or local governments are exempt from such requirement of appraisalment.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681] — (NRS A 1957, 662; 1960, 374; [1965, 737](#); [1967, 126](#); [1969, 676](#), [1393](#); [1975, 570](#))

**NRS 244.276 Purchase, sale or exchange of property with owners abutting road or flood control facility to adjust road or flood control facility; reversion of property acquired by dedication.**

1. Except as otherwise provided in subsection 2, any county may buy, sell or exchange property in the manner set forth in subsection 3 without complying with the provisions of [NRS 244.281](#) when deemed necessary or proper to establish, align, realign, change, vacate or otherwise adjust a street, alley, avenue or other thoroughfare, or portion thereof, or a flood control facility within its limits.

2. If the county acquired the property by dedication, the property may not be sold and ownership must revert to the abutting property owners in the proportion that the property was dedicated by them or their predecessors in interest. In the case of realignment, the property may be exchanged for other real property.

3. When a petition signed by all property holders owning or controlling property abutting on a proposed or existing street, avenue, alley or other thoroughfare, or a flood control facility, which may be affected by an establishment, alignment, realignment, change, vacation or other adjustment is presented to any board of county commissioners, praying to have the proposed or existing street, alley, avenue or other thoroughfare, or the flood control facility, established, aligned, realigned, changed, vacated or otherwise adjusted, or upon the resolution of the board of county commissioners, the board of county commissioners may make the establishment, alignment, realignment, change, vacation or other adjustment as it may deem proper, by purchase, sale, proceedings in eminent domain or exchange of county property, including portions of streets, alleys, avenues or other thoroughfares, or flood control facilities, in order to carry out any necessary establishment, alignment, realignment, change, vacation or other adjustment whenever the board of county commissioners considers it to be in the best interests of the county.

4. As used in this section, "flood control facility" means any natural or artificial water facility for the collection, channeling, impoundment and disposal of rainfall, other surface and subsurface drainage waters, and storm and floodwaters, including, without limitation, ditches, ponds, dams, spillways, retarding basins, detention basins, lakes, reservoirs, canals, channels, levees, revetments, dikes, walls, embankments, bridges, inlets, outlets, connections, laterals, other collection lines, intercepting sewers, outfalls, outfall sewers, trunk sewers, force mains, submains, water lines, sluices, flumes, syphons, sewer lines, pipes, conduits, culverts, other transmission lines, pumping stations, gauging stations, ventilating facilities, stream gauges, rain gauges, engines, valves, pumps, meters, junction boxes, manholes, other inlet and outlet structures, apparatus, fixtures, structures and buildings, flood-warning service and appurtenant telephone, telegraph, radio and television apparatus, and other water diversion facilities.

(Added to NRS by [1967, 268](#); A [1969, 677](#); [1977, 627](#), 1987, [204](#); [2003, 422](#))

**NRS 244.277 Acceptance of grant of right-of-way, permit, lease or patent over certain federal lands.** The board of county commissioners may apply for and accept:

1. Grants of rights-of-way, permits, leases and patents and subsequent renewals of grants of rights-of-way, permits, leases and patents over, upon, under or through any land or interest in land owned by the United States and administered by the Secretary of the Interior

through the Bureau of Land Management and by the Secretary of Agriculture with respect to lands within the National Forest System, pursuant to any applicable federal law or regulation; and

2. Special use permits for parks, forests and public property owned by the United States and administered by the Secretary of Agriculture, through the United States Forest Service, pursuant to Title 16 of the United States Code and 36 C.F.R. Part 251, E and in connection therewith may indemnify the United States and may comply with federal regulations and stipulations consistent with the federal statutes and regulations set forth in this section or any other applicable federal statute or regulation.

(Added to NRS by [1977.355](#); A [2003.825](#); [2007.2186](#); [2015.301](#))

**NRS 244.278 Maintenance and repair of dedicated streets or easements acquired by general improvement district.**

1. Except as provided in subsection 5, when streets or easements acquired by a district organized or reorganized pursuant to [chapter 318](#) of NRS have been accepted for dedication by a board of county commissioners pursuant to [NRS 278.380](#) and [278.390](#), the board of county commissioners shall:

(a) Maintain and repair such streets or easements; or

(b) Pay the board of trustees of such district for the maintenance and repair of such streets or easements.

2. If the board of county commissioners maintains and repairs the streets or easements, it shall do so in the same manner as other streets or easements are maintained or repaired by the county.

3. If the board of county commissioners pays a board of trustees for such maintenance and repair, the amount of money paid shall be that fraction of the total money allocated to the county pursuant to [NRS 365.550](#) which equals the ratio of the total miles of such dedicated streets or easements to the total miles of all county streets and roads.

4. Any such money received by a board of trustees shall be used for maintenance and repair of such streets or easements or for the purchase of equipment for such work and shall not be used to defray the expenses of administration of the district.

5. If the repair of a street or easement is necessary because of an improvement undertaken by a board of trustees, the board of county commissioners is not required to repair or pay for the repair of that street or easement.

(Added to NRS by [1977.423](#))

**NRS 244.279 Sale or lease of right-of-way or water rights to public utility.**

1. A board of county commissioners may sell or lease:

(a) A right-of-way to a public utility as defined in [NRS 704.020](#); and

(b) Water rights to a public utility engaged in the business of furnishing water for municipal, industrial and domestic purposes to customers within the boundaries of the county,

E without first offering those rights-of-way or water rights to the public.

2. If a public utility wishes to dispose of any right-of-way or water right acquired pursuant to subsection 1, it must be reconveyed to the county.

(Added to NRS by [1983.524](#))

**NRS 244.2795 Sale or lease of certain real property: Appraisal required; qualifications and selection of appraisers; disclosure statements; interest of appraiser or related person in property or adjoining property prohibited; effect of sale or lease in violation of section.**

1. Except as otherwise provided in [NRS 244.189](#), [244.276](#), [244.279](#), [244.2815](#), [244.2825](#), [244.2833](#), [244.2835](#), [244.284](#), [244.287](#), [244.290](#), [278.479](#) to [278.4965](#), inclusive, and subsection 3 of [NRS 496.080](#), except as otherwise required by federal law, except as otherwise required pursuant to a cooperative agreement entered into pursuant to [NRS 277.050](#) or [277.053](#) or an interlocal agreement in existence on or before October 1, 2004, except if the board of county commissioners is entering into a joint development agreement for real property owned by the county to which the board of county commissioners is a party, except for a lease of residential property with a term of 1 year or less, except for the sale or lease of real property to a public utility, as defined in [NRS 704.020](#), to be used for a public purpose, except for the sale or lease of real property to the State or another governmental entity and except for the sale or lease of real property larger than 1 acre which is approved by the voters at a primary or general election or special election, the board of county commissioners shall, when offering any real property for sale or lease:

(a) Except as otherwise provided in this paragraph, obtain two independent appraisals of the real property before selling or leasing it. If the board of county commissioners holds a public hearing on the matter of the fair market value of the real property, one independent appraisal of the real property is sufficient before selling or leasing it. The appraisal or appraisals, as applicable, must have been prepared not more than 6 months before the date on which the real property is offered for sale or lease.

(b) Select the one independent appraiser or two independent appraisers, as applicable, from the list of appraisers established pursuant to subsection 2.

(c) Verify the qualifications of each appraiser selected pursuant to paragraph (b). The determination of the board of county commissioners as to the qualifications of the appraiser is conclusive.

2. The board of county commissioners shall adopt by ordinance the procedures for creating or amending a list of appraisers qualified to conduct appraisals of real property offered for sale or lease by the board. The list must:

(a) Contain the names of all persons qualified to act as a general appraiser in the same county as the real property that may be appraised; and

(b) Be organized at random and rotated from time to time.

3. An appraiser chosen pursuant to subsection 1 must provide a disclosure statement which includes, without limitation, all sources of income that may constitute a conflict of interest and any relationship with the real property owner or the owner of an adjoining real property.

4. An appraiser shall not perform an appraisal on any real property for sale or lease by the board of county commissioners if the appraiser or a person related to the appraiser within the first degree of consanguinity or affinity has an interest in the real property or an adjoining property.

5. If real property is sold or leased in violation of the provisions of this section:

(a) The sale or lease is void; and

(b) Any change to an ordinance or law governing the zoning or use of the real property is void if the change takes place within 5 years after the date of the void sale or lease.

(Added to NRS by [2005.1457](#); A [2005.2671](#), [2680](#); [2007.2827](#); [2011.347](#), [484](#))

**NRS 244.281 Sale or lease of certain real property: Determination that sale or lease is in best interest of county; notice; appraisal; exceptions; second offering; effect of sale or lease in violation of section.**

1. Except as otherwise provided in this subsection and [NRS 244.189](#), [244.276](#), [244.279](#), [244.2815](#), [244.2825](#), [244.2833](#), [244.2835](#), [244.284](#), [244.287](#), [244.290](#), [278.479](#) to [278.4965](#), inclusive, and subsection 3 of [NRS 496.080](#), except as otherwise required by federal law, except as otherwise required pursuant to a cooperative agreement entered into pursuant to [NRS 277.050](#) or [277.053](#) or an interlocal agreement in existence on or before October 1, 2004, except if the board of county commissioners is entering into a joint development agreement for real property owned by the county to which the board of county commissioners is a party, except for a lease of residential property with a term of 1 year or less, except for the sale or lease of real property to a public utility, as defined in [NRS 704.020](#), to be used for a public purpose and except for the sale or lease of real property larger than 1 acre which is approved by the voters at a primary or general election or special election:

(a) When a board of county commissioners has determined by resolution that the sale or lease of any real property owned by the county will be for purposes other than to establish, align, realign, change, vacate or otherwise adjust any street, alley, avenue or other

thoroughfare, or portion thereof, or flood control facility within the county and will be in the best interest of the county, it may:

- (1) Sell the property in the manner prescribed for the sale of real property in [NRS 244.282](#).
- (2) Lease the property in the manner prescribed for the lease of real property in [NRS 244.283](#).
- (b) Before the board of county commissioners may sell or lease any real property as provided in paragraph (a), it shall:
  - (1) Post copies of the resolution described in paragraph (a) in three public places in the county; and
  - (2) Cause to be published at least once a week for 3 successive weeks, in a newspaper qualified under [chapter 238](#) of NRS that is published in the county in which the real property is located, a notice setting forth:
    - (I) A description of the real property proposed to be sold or leased in such a manner as to identify it;
    - (II) The minimum price, if applicable, of the real property proposed to be sold or leased; and
    - (III) The places at which the resolution described in paragraph (a) has been posted pursuant to subparagraph (1), and any other places at which copies of that resolution may be obtained.

È If no qualified newspaper is published within the county in which the real property is located, the required notice must be published in some qualified newspaper printed in the State of Nevada and having a general circulation within that county.

(c) Except as otherwise provided in this paragraph, if the board of county commissioners by its resolution further finds that the property to be sold or leased is worth more than \$1,000, the board shall appoint two or more disinterested, competent real estate appraisers pursuant to [NRS 244.2795](#) to appraise the property. If the board of county commissioners holds a public hearing on the matter of the fair market value of the property, one disinterested, competent appraisal of the property is sufficient before selling or leasing it. Except for property acquired pursuant to [NRS 371.047](#), the board of county commissioners shall not sell or lease it for less than the highest appraised value.

(d) If the property is appraised at \$1,000 or more, the board of county commissioners may:

- (1) Lease the property; or
- (2) Sell the property either for cash or for not less than 25 percent cash down and upon deferred payments over a period of not more than 10 years, secured by a mortgage or deed of trust, bearing such interest and upon such further terms as the board of county commissioners may specify.

(e) A board of county commissioners may sell or lease any real property owned by the county without complying with the provisions of [NRS 244.282](#) or [244.283](#) to:

(1) A person who owns real property located adjacent to the real property to be sold or leased if the board has determined by resolution that the sale will be in the best interest of the county and the real property is a:

(I) Remnant that was separated from its original parcel due to the construction of a street, alley, avenue or other thoroughfare, or portion thereof, flood control facility or other public facility;

(II) Parcel that, as a result of its size, is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the real property for sale or lease; or

(III) Parcel which is subject to a deed restriction prohibiting the use of the real property by anyone other than the person who owns real property adjacent to the real property for sale or lease.

(2) The State or another governmental entity if:

(I) The sale or lease restricts the use of the real property to a public use; and

(II) The board adopts a resolution finding that the sale or lease will be in the best interest of the county.

(f) A board of county commissioners that disposes of real property pursuant to paragraph (d) is not required to offer to reconvey the real property to the person from whom the real property was received or acquired by donation or dedication.

(g) If real property that is offered for sale or lease pursuant to this section is not sold or leased at the initial offering of the contract for the sale or lease of the real property, the board of county commissioners may offer the real property for sale or lease a second time pursuant to this section. If there is a material change relating to the title, zoning or an ordinance governing the use of the real property, the board of county commissioners must obtain a new appraisal of the real property pursuant to the provisions of [NRS 244.2795](#) before offering the real property for sale or lease a second time. If real property that is offered for sale or lease pursuant to this section is not sold or leased at the second offering of the contract for the sale or lease of the real property, the board of county commissioners may list the real property for sale or lease at the appraised value with a licensed real estate broker, provided that the broker or a person related to the broker within the first degree of consanguinity or affinity does not have an interest in the real property or an adjoining property.

2. If real property is sold or leased in violation of the provisions of this section:

(a) The sale or lease is void; and

(b) Any change to an ordinance or law governing the zoning or use of the real property is void if the change takes place within 5 years after the date of the void sale or lease.

3. As used in this section, "flood control facility" has the meaning ascribed to it in [NRS 244.276](#).

(Added to NRS by [1969, 56](#); A [1977, 627](#); [1981, 375](#); [1983, 524](#); [1987, 205](#); [1995, 2747](#); [2001, 593](#); [2003, 423](#); [2005, 1458, 2672, 2680](#); [2007, 2828](#); [2011, 485](#))

#### **NRS 244.2815 Sale, lease or disposal of real property of county for redevelopment or economic development; requirements.**

1. A board of county commissioners may sell, lease or otherwise dispose of real property for the purposes of redevelopment or economic development:

(a) Without first offering the real property to the public; and

(b) For less than fair market value of the real property.

2. Before a board of county commissioners may sell, lease or otherwise dispose of real property pursuant to this section, the board must:

(a) Except as otherwise provided in subsection 3, obtain an appraisal of the real property pursuant to [NRS 244.2795](#); and

(b) Adopt a resolution finding that it is in the best interest of the public to sell, lease or otherwise dispose of the real property:

(1) Without offering the real property to the public; and

(2) For less than fair market value of the real property.

3. The board of county commissioners of a county whose population is less than 45,000 may lease real property pursuant to this section without obtaining the appraisal otherwise required pursuant to subsection 2 if:

(a) The real property was acquired by the county directly from the Federal Government; and

(b) The terms and conditions under which the real property was acquired prohibit the sale of the real property and provide for the reversion of the title to the real property to the Federal Government upon demand by the Federal Government.

4. As used in this section:

(a) "Economic development" means:

(1) The establishment of new commercial enterprises or facilities within the county;

(2) The support, retention or expansion of existing commercial enterprises or facilities within the county;

(3) The establishment, retention or expansion of public, quasi-public or other facilities or operations within the county;

(4) The establishment of residential housing needed to support the establishment of new commercial enterprises or facilities or the expansion of existing commercial enterprises or facilities; or

(5) Any combination of the activities described in subparagraphs (1) to (4), inclusive,

È to create and retain opportunities of employment for the residents of the county.

(b) "Redevelopment" has the meaning ascribed to it in [NRS 279.408](#).

(Added to NRS by [2005, 1458](#); A [2005, 2680](#); [2011, 348](#))

**NRS 244.282 Sale of certain real property at auction: Resolution declaring intention to sell property; requirements; notice; procedure for conducting sale; deposit to cover certain costs; effect of sale or lease in violation of section.**

1. Except as otherwise provided in [NRS 244.279](#), before ordering the sale at auction of any real property, the board shall, in open meeting by a majority vote of the members, adopt a resolution declaring its intention to sell the property at auction. The resolution must:

- (a) Describe the property proposed to be sold in such a manner as to identify it.
- (b) Specify the minimum price and the terms upon which it will be sold.
- (c) Fix a time, not less than 3 weeks thereafter, for a public meeting of the board to be held at its regular place of meeting, at which sealed bids will be received and considered.

2. Notice of the adoption of the resolution and of the time and place of holding the meeting must be given by:

- (a) Posting copies of the resolution in three public places in the county not less than 15 days before the date of the meeting; and
- (b) Causing to be published at least once a week for 3 successive weeks before the meeting, in a newspaper qualified under [chapter 238](#) of NRS that is published in the county in which the real property is located, a notice setting forth:

(1) A description of the real property proposed to be sold at auction in such a manner as to identify it;

(2) The minimum price of the real property proposed to be sold at auction; and

(3) The places at which the resolution described in subsection 1 has been posted pursuant to paragraph (a), and any other places at which copies of that resolution may be obtained.

È If no qualified newspaper is published within the county in which the real property is located, the required notice must be published in some qualified newspaper printed in the State of Nevada and having a general circulation within that county.

3. At the time and place fixed in the resolution for the meeting of the board, all sealed bids which have been received must, in public session, be opened, examined and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell and which are made by responsible bidders, the bid which is the highest must be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.

4. Before accepting any written bid, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to buy the property upon the terms and conditions specified in the resolution, for a price exceeding by at least 5 percent the highest written bid, then the highest oral bid which is made by a responsible person must be finally accepted.

5. The final acceptance by the board may be made either at the same session or at any adjourned session of the same meeting held within the 10 days next following.

6. The board may, either at the same session or at any adjourned session of the same meeting held within the 10 days next following, if it deems the action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale.

7. Any resolution of acceptance of any bid made by the board must authorize and direct the chair to execute a deed and to deliver it upon performance and compliance by the purchaser with all the terms or conditions of the purchaser's contract which are to be performed concurrently therewith.

8. All money received from sales of real property must be deposited forthwith with the county treasurer to be credited to the county general fund.

9. The board may require any person requesting that real property be sold pursuant to the provisions of this section to deposit a sufficient amount of money to pay the costs to be incurred by the board in acting upon the application, including the costs of publication and the expenses of appraisal. This deposit must be refunded whenever the person making the deposit is not the successful bidder. The costs of acting upon the application, including the costs of publication and the expenses of appraisal, must be borne by the successful bidder.

10. If real property is sold in violation of the provisions of this section:

(a) The sale is void; and

(b) Any change to an ordinance or law governing the zoning or use of the real property is void if the change takes place within 5 years after the date of the void sale.

(Added to NRS by [1987, 203](#); A [2003, 424](#); [2007, 2830](#))

**NRS 244.2825 Transfer or sale of real property which was part of original mining townsite and which was acquired by county directly from Federal Government.**

1. Unless the provisions of [NRS 244.2815](#) apply, a board of county commissioners may transfer real property which was acquired by the county directly from the Federal Government to a person without complying with the provisions of [NRS 244.281](#) if the board of county commissioners determines that:

(a) The property is part of an original mining townsite;

(b) The person and the person's predecessors in interest, if any, have continuously claimed, possessed and occupied such property for at least the 25 years immediately preceding the date of the transfer;

(c) The person's claim of right to possession of the property is based upon a written instrument issued to the person or the person's predecessors in interest by a person who claimed a right to possess the property; and

(d) The person or the person's predecessors in interest have paid all taxes that have been assessed against the property for the period during which the person and the person's predecessors in interest have claimed, possessed and occupied the property.

2. The board of county commissioners may sell real property which was acquired by the county directly from the Federal Government to a person without complying with the provisions of [NRS 244.281](#) if the board of county commissioners determines that the requirements set forth in paragraphs (a) and (b) of subsection 1 apply to the property. To establish a price for a sale pursuant to this subsection, a board of county commissioners shall obtain an appraisal of the property from a person who is certified to appraise real estate pursuant to [chapter 645C](#) of NRS. The price of property sold pursuant to this subsection must be equal to the sum of the appraised value of the property plus the greater of:

(a) One hundred dollars; or

(b) The balance of the state, county and municipal taxes that are due and owing on the land for the 5 years immediately preceding the date of the sale.

3. For purposes of this section, a person shall be deemed to have continuously possessed and occupied real property if during the time the person claims that the person and the person's predecessors in interest, if any, have possessed and occupied the real property, the real property has been:

(a) Usually inhabited, cultivated or improved by the person or the person's predecessors in interest;

(b) Protected by a substantial enclosure erected by the person or the person's predecessors in interest; or

(c) Used by the person or the person's predecessors in interest for the production of fuel, timber, ore or minerals, for husbandry or pasturage or for any other habitual use that the board of county commissioners determines to be indicative of possession and occupancy.

4. Before submitting documents to the county recorder to record a transfer or sale of property to a person pursuant to this section, the board of county commissioners shall:

(a) Charge and collect from the person to whom the real property is being transferred or sold a payment in an amount equal to the sum of:

(1) If applicable, the sales price determined pursuant to subsection 2; and

(2) The total cost to the county of:

(I) Acquiring the property from the Federal Government; and

(II) Conveying the property to the person; and

(b) Submit the money collected pursuant to this section to the county treasurer.

5. As used in this section, "original mining townsite" means real property owned by the Federal Government upon which improvements were made:

- (a) Because a mining operation was located near the property; and
- (b) Based upon the belief that:
  - (1) The property had been or would be acquired from the Federal Government by the entity that operated the mine; or
  - (2) The person who made the improvement had a valid claim for acquiring the property from the Federal Government.

(Added to NRS by [2001, 591](#); A [2011, 349](#))

#### **NRS 244.283 Lease of real property of county; notice; bids.**

1. When the board of county commissioners determines that the lease of real property belonging to the county for industrial, commercial, residential or recreational purposes is necessary or desirable, the board may lease such real property, whether acquired by purchase, dedication or otherwise. Such a lease must not be in contravention of any condition in a gift or devise of real property to the county.

2. Except as otherwise provided in [NRS 244.279](#) and [244.2833](#), before ordering the lease of any property the board shall, in open meeting by a majority vote of the members, adopt a resolution declaring its intention to lease the property. The resolution must:

(a) Describe the property proposed to be leased in such manner as to identify it.

(b) Specify the minimum rental, and the terms upon which it will be leased.

(c) Fix a time, not less than 3 weeks thereafter, for a public meeting of the board to be held at its regular place of meeting, at which sealed proposals to lease will be received and considered.

3. Notice of the adoption of the resolution and of the time and place of holding the meeting must be given by:

(a) Posting copies of the resolution in three public places in the county not less than 15 days before the date of the meeting; and

(b) Publishing the resolution not less than once a week for 2 successive weeks before the meeting in a newspaper of general circulation published in the county, if any such newspaper is published therein.

4. At the time and place fixed in the resolution for the meeting of the board, all sealed proposals which have been received must, in public session, be opened, examined and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to lease and which are made by responsible bidders, the proposal which is the highest must be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.

5. Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to lease the property upon the terms and conditions specified in the resolution, for a rental exceeding by at least 5 percent the highest written proposal, then the highest oral bid which is made by a responsible person must be finally accepted.

6. A person may not make an oral bid unless, at least 5 days before the meeting held for receiving and considering bids, the person submits to the board written notice of the person's intent to make an oral bid and a statement establishing the person's financial responsibility to the satisfaction of the board.

7. The final acceptance by the board may be made either at the same session or at any adjourned session of the same meeting held within the 21 days next following.

8. The board may, either at the same session or at any adjourned session of the same meeting held within the 21 days next following, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from lease.

9. Any resolution of acceptance of any bid made by the board must authorize and direct the chair to execute a lease and to deliver it upon performance and compliance by the lessee with all the terms or conditions of the lessee's contract which are to be performed concurrently therewith.

10. All money received from rentals of real property must be deposited forthwith with the county treasurer to be credited to the county general fund.

11. This section does not apply to leases of real property made pursuant to [NRS 244.288](#), [334.070](#) or [338.177](#).

(Added to NRS by 1960, 373; A [1975, 570](#); [1977, 395](#); [1983, 525](#), [1249](#); [1989, 259](#), [520](#), [847](#); [1995, 157](#); [2005, 2675](#); [2011, 487](#))

#### **NRS 244.2833 Lease of building space or other real property that is less than 25,000 square feet.**

1. The board of county commissioners may offer any county-owned building or any portion thereof or any other real property for lease without complying with the provisions of [NRS 244.2795](#), [244.281](#) and [244.283](#) if:

(a) The area of the building space or other real property is less than 25,000 square feet; and

(b) The board of county commissioners adopts a resolution stating that it is in the best interest of the county to lease the property:

(1) Without offering the property to the public; and

(2) For less than the fair market value of the building space or other real property, if applicable.

2. The board of county commissioners shall:

(a) Cause to be published at least once, in a newspaper qualified under [chapter 238](#) of NRS that is published in the county in which the county-owned building or portion thereof or the other real property is located, a notice setting forth a description of the county-owned building or portion thereof or the other real property proposed to be leased in such a manner as to identify it; and

(b) Hold a public hearing on the matter not less than 10 or more than 20 days after the date of publication of the notice.

3. A lease of a county-owned building or any portion thereof or any other real property pursuant to this section may be made on such terms and conditions as the board of county commissioners deems proper. The duration of such a lease must not exceed 3 years and may include an extension for not more than an additional 2 years.

(Added to NRS by [2011, 483](#))

#### **NRS 244.2835 Lease of real property to certain nonprofit organizations.**

1. The board of county commissioners of a county may lease real property to a nonprofit organization that:

(a) Is recognized as exempt under section 501(c)(3) of the Internal Revenue Code;

(b) Is affiliated by contract or other written agreement with the county; and

(c) Provides to residents of the county or to other persons a service that the county would otherwise be required to expend money to provide,

and under such terms and for such consideration as the board determines reasonable based upon the costs and benefits to the county and the recommendation of any county officers who may be involved in approving the lease.

2. To lease real property pursuant to this section, the board of county commissioners must approve the lease and establish the recommended amount of rent to be received for the real property. The board shall render a decision on an application to lease real property pursuant to this section within 60 days after it receives the application.

3. In determining the amount of rent for the lease of real property pursuant to this section, consideration must be given to:

(a) The amount the lessee is able to pay;

(b) Whether the real property will be used by the lessee to perform a service of value to members of the general public;

(c) Whether the service to be performed on the real property will be of assistance to any agency of the county; and

(d) The expenses, if any, that the county is likely to incur to lease real property pursuant to this section in comparison to other potential uses of the real property.

4. The board of county commissioners may waive any fee for the consideration of an application submitted pursuant to this section.

(Added to NRS by [2007, 2827](#))

#### **NRS 244.284 Lease or conveyance of real property of county to corporation for public benefit.**

1. In addition to the powers conferred by [NRS 450.500](#), the board of county commissioners may:

(a) Lease any of the real property of the county for a term not exceeding 99 years; or

(b) Convey any of the real property of the county, except property of the county that is operated or occupied by the county fair and recreation board, without consideration,  
E if such real property is not needed for the public purposes of the county and is leased or conveyed to a corporation for public benefit, and the property is actually used for charitable or civic purposes.

2. A lease or conveyance pursuant to this section may be made on such terms and conditions as seem proper to the board of county commissioners.

3. If a corporation for public benefit to which property is conveyed pursuant to this section ceases to use the property for charitable or civic purposes, the property automatically reverts to the county.

4. As used in this section, "corporation for public benefit" has the meaning ascribed to it in [NRS 82.021](#).

(Added to NRS by 1963, 690; A [1969, 218](#); [1975, 571](#); [2001, 1710](#); [2003, 918](#))

**NRS 244.286 Lease or lease-purchase agreement for construction or remodeling of building or facility; conveyance of property; applicability of certain provisions to agreement for construction or remodeling of building or facility.**

1. The board of county commissioners of any county may enter into an agreement with a person whereby the person agrees to construct or remodel a building or facility according to specifications adopted by the board of county commissioners and thereupon enter into a lease or a lease-purchase agreement with the board of county commissioners for that building or facility.

2. The board of county commissioners may convey property to a person where the purpose of the conveyance is the entering into of an agreement contemplated by subsection 1.

3. The person who enters into an agreement for the actual construction or remodeling of a building or facility pursuant to subsection 1 shall include in the agreement the contractual provisions and stipulations that are required to be included in a contract for a public work pursuant to the provisions of [NRS 338.013](#) to [338.090](#), inclusive.

4. The board of county commissioners, the contractor who is awarded the contract or entered into the agreement to perform the construction or remodeling and any subcontractor on the project shall comply with the provisions of [NRS 338.013](#) to [338.090](#), inclusive, in the same manner as if the board of county commissioners had undertaken the project or had awarded the contract.

(Added to NRS by [1969, 1234](#); A [1969, 1545](#); [1979, 511](#); [1989, 1944](#); [1999, 1688](#); [2009, 2070](#))

**NRS 244.287 Conveyance of property to nonprofit organization for development of affordable housing; Application; public hearing; conditions; annual list of property conveyed; subordination of interest in property conveyed.**

1. A nonprofit organization may submit to a board of county commissioners an application for conveyance of property that is owned by the county if the property was:

(a) Received by donation for the use and benefit of the county pursuant to [NRS 244.270](#).

(b) Purchased by the county pursuant to [NRS 244.275](#).

2. Before the board of county commissioners makes a determination on such an application for conveyance, it shall hold at least one public hearing on the application. Notice of the time, place and specific purpose of the hearing must be:

(a) Published at least once in a newspaper of general circulation in the county.

(b) Mailed to all owners of record of real property which is located not more than 300 feet from the property that is proposed for conveyance.

(c) Posted in a conspicuous place on the property that is proposed for conveyance.

E The hearing must be held not fewer than 10 days but not more than 40 days after the notice is published, mailed and posted in accordance with this subsection.

3. The board of county commissioners may approve such an application for conveyance if the nonprofit organization demonstrates to the satisfaction of the board that the organization or its assignee will use the property to develop affordable housing for families whose income at the time of application for such housing does not exceed 80 percent of the median gross income for families residing in the same county, as that percentage is defined by the United States Department of Housing and Urban Development. If the board of county commissioners receives more than one application for conveyance of the property, the board must give priority to an application of a nonprofit organization that demonstrates to the satisfaction of the board that the organization or its assignee will use the property to develop affordable housing for persons who are disabled or elderly.

4. If the board of county commissioners approves an application for conveyance, it may convey the property to the nonprofit organization without consideration. Such a conveyance must not be in contravention of any condition in a gift or devise of the property to the county.

5. As a condition to the conveyance of the property pursuant to subsection 4, the board of county commissioners shall enter into an agreement with the nonprofit organization that requires the nonprofit organization or its assignee to use the property to provide affordable housing for at least 50 years. If the nonprofit organization or its assignee fails to use the property to provide affordable housing pursuant to the agreement, the board of county commissioners may take reasonable action to return the property to use as affordable housing, including, without limitation:

(a) Repossessing the property from the nonprofit organization or its assignee.

(b) Transferring ownership of the property from the nonprofit organization or its assignee to another person or governmental entity that will use the property to provide affordable housing.

6. The agreement required by subsection 5 must be recorded in the office of the county recorder of the county in which the property is located and must specify:

(a) The number of years for which the nonprofit organization or its assignee must use the property to provide affordable housing; and

(b) The action that the board of county commissioners will take if the nonprofit organization or its assignee fails to use the property to provide affordable housing pursuant to the agreement.

7. A board of county commissioners that has conveyed property pursuant to subsection 4 shall:

(a) Prepare annually a list which includes a description of all property that was conveyed to a nonprofit organization pursuant to this section; and

(b) Include the list in the annual audit of the county which is conducted pursuant to [NRS 354.624](#).

8. If, 5 years after the date of a conveyance pursuant to subsection 4, a nonprofit organization or its assignee has not commenced construction of affordable housing, or entered into such contracts as are necessary to commence the construction of affordable housing, the property that was conveyed automatically reverts to the county.

9. A board of county commissioners may subordinate the interest of the county in property conveyed pursuant to subsection 4 to a first or subsequent holder of a mortgage on that property to the extent the board deems necessary to promote investment in the construction of affordable housing.

10. As used in this section, unless the context otherwise requires, "nonprofit organization" means an organization that is recognized as exempt pursuant to 26 U.S.C. § 501(c)(3).

(Added to NRS by [1997, 1735](#); A [1999, 3535](#))

**NRS 244.288 Industrial development of real property by county; notice; hearing; option to purchase property.**

1. Notwithstanding the provisions of [NRS 244.275](#), the board of county commissioners of a county, upon making a finding pursuant to a public hearing that a county industrial park is necessary to meet the needs of the county, and that no private enterprise has presented an acceptable proposal for industrial development, may develop a plan, establish requirements for and carry out the:

(a) Acquisition, sale or lease of real property by the county for industrial development, upon such lawful terms and conditions as are agreed to by the board.

(b) Design, engineering and construction of industrial developments for sale or lease.



2. The board shall:

(a) Give notice of its intention by publication at least once in a newspaper of general circulation published in the county, or if there is no such newspaper then in a newspaper of general circulation in the county published in the State; and

(b) Hold its public hearing not less than 10 nor more than 20 days after the date of publication of the notice.

3. The board may grant an option to purchase property designated for industrial development. The duration of the option must not exceed 3 years, but afterward the board may extend it year by year. Any attempted assignment of such an option, whether contractual or effected by operation of law, is void. Upon its execution, the option must immediately be recorded by the board with the county recorder.

4. After review by the planning commission, a member of the board or the purchaser or lessee of the property shall present the proposed plan for an industrial development to the board.

5. The board shall, after a public hearing, approve or reject the proposed plan.

(Added to NRS by [1981, 374](#); A [1989, 260, 520](#))

#### **NRS 244.290 Reconveyance, sale or lease of land donated, dedicated or condemned for public purposes.**

1. Except as otherwise provided in [NRS 278.480](#) for the vacation of streets and easements, the board of county commissioners of any county may reconvey all the right, title and interest of the county in and to any land donated, dedicated, acquired in accordance with [chapter 37](#) of NRS, or purchased under the threat of an eminent domain proceeding for a public park, public square, public landing, public roadway, public right-of-way, agricultural fairground, aviation field, automobile parking ground or facility for the accommodation of the traveling public, or land held in trust for the public for any other public use or uses, or any part thereof, to the person:

(a) By whom the land was donated or dedicated or to that person's heirs, assigns or successors, upon such terms as may be prescribed by a resolution of the board; or

(b) From whom the land was acquired in accordance with the provisions of [chapter 37](#) of NRS, or purchased under the threat of an eminent domain proceeding, or to that person's heirs, assigns or successors, except as otherwise provided in [NRS 37.270](#), for an amount equal to the amount paid for the land by the board.

2. If the board determines that maintenance of the property is unnecessarily burdensome to the county or that reconveyance would be in the best interest of the county and its residents, the board may formally adopt a resolution stating that determination. Upon the adoption of the resolution, the chair or an authorized representative of the board shall issue a written offer of reconveyance to the person from whom the real property was received or acquired, or that person's successor in interest.

3. If the person from whom the land was received or acquired, or that person's successor in interest:

(a) Accepts the offer of reconveyance within 45 days after the date of the offer, the board of county commissioners shall execute a deed of reconveyance.

(b) Refuses to accept the offer of reconveyance or states in writing that he or she is unable to accept the offer of reconveyance, the board of county commissioners may sell or lease the real property in accordance with the provisions of this chapter.

[1:2:1926; NCL § 1994] + [2:2:1926; NCL § 1995] — (NRS A [1969, 458, 901](#); [1981, 986](#); [1987, 206](#); [2005, 1460, 1788, 2680](#))

#### **NRS 244.292 Acquisition and maintenance of cemeteries; conveyance of property used as cemetery after public hearing.**

1. A board of county commissioners may, by any lawful means, acquire, control, maintain, enlarge or abolish cemeteries.

2. A board of county commissioners may convey any real property of the county that is used as a cemetery to any nonprofit charitable or civic organization for the purpose of maintaining a cemetery thereon, but only after a public hearing. The conveyance may be made on such additional terms and conditions as the board deems proper.

(Added to NRS by [1983, 677](#))

#### **NRS 244.294 Construction and maintenance of parking facilities; fees; exclusive parking in designated spaces.**

1. A board of county commissioners may construct, convert, improve, equip and maintain parking facilities or parking spaces for use by the general public and public employees. Such facilities or spaces must be owned and operated by the county or its agents.

2. The board may fix and charge reasonable fees for the use of any such parking facilities or spaces.

3. The board may enter into a contract, lease or other arrangement to provide exclusive parking in designated spaces at any parking facility owned, leased or operated by the county.

(Added to NRS by [1981, 773](#); A [1993, 1320](#))

**NRS 244.296 Motor vehicles.** The board of county commissioners of each county shall establish guidelines for the use of automobiles and other motor vehicles owned by such county. The guidelines may enumerate conditions governing the official use of such vehicles by officers and employees of the county and may impose restrictions on other uses.

(Added to NRS by [1975, 754](#))

### **DISTRICT FOR COUNTY FIRE DEPARTMENT**

#### **NRS 244.2961 Creation and administration of district; regulation of explosive, combustible or inflammable material; duties of employees; certain counties to adopt ordinance pertaining to transportation of sick or injured persons to medical facilities.**

1. The board of county commissioners may by ordinance create a district for a fire department. The board of county commissioners is ex officio the governing body of any district created pursuant to this section and may:

(a) Organize, regulate and maintain the fire department.

(b) Appoint and prescribe the duties of the fire chief.

(c) Designate arson investigators as peace officers.

(d) Regulate or prohibit the storage of any explosive, combustible or inflammable material in or transported through the county, and prescribe the distance from any residential or commercial area where it may be kept. Any ordinance adopted pursuant to this paragraph that regulates places of employment where explosives are stored must be at least as stringent as the standards and procedures adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to [NRS 618.890](#).

(e) Establish, by ordinance, a fire code and other regulations necessary to carry out the purposes of this section.

(f) Include the budget of the district in the budget of the county.

(g) Hold meetings of the governing body of the district in conjunction with the meetings of the board of county commissioners without posting additional notices of the meetings within the district.

2. Except as otherwise provided in subsection 6, if the fire department transports sick or injured persons to a medical facility, the board of county commissioners shall adopt an ordinance:

(a) Requiring the fire department to defray the expenses of furnishing such transportation by imposing and collecting fees; and

(b) Establishing a schedule of such fees.

3. The board of county commissioners of a county whose population is 700,000 or more shall, when adopting an ordinance pursuant to subsection 2:

(a) Limit the number of transports of sick or injured persons to a medical facility that may be made by the fire department to not more than 1,000 such transports per year, except that the fire department may, exclusive of the limit, make any such emergency transport that is necessary for the health or life of a sick or injured person when other ambulance services are not available; and

(b) Require the fire department and all other ambulance services operating in the county to report to the board:

(1) The total number of transports of sick or injured persons to a medical facility that are made each month; and

(2) For each transport reported pursuant to subparagraph (1):

(I) The fees charged to transport the person to a medical facility;

(II) Whether the person had health insurance at the time of the transport; and

(III) The name of the medical facility where the fire department or ambulance service transported the person to or from.

4. The other officers and employees of the county shall perform duties for the district that correspond to the duties they perform for the county.

5. All persons employed to perform the functions of the fire department are employees of the county for all purposes.

6. The provisions of subsection 2 do not apply to any county for which a nonprofit corporation has been granted an exclusive franchise for ambulance service in that county.

(Added to NRS by [1979, 925](#); A [1985, 257](#); [1989, 75, 194](#); [1999, 1857](#); [2001, 999](#); [2009, 1236](#); [2011, 1102](#))

**NRS 244.2962 County commissioners in certain counties to submit reports to Legislature with certain information concerning transport of person to medical facility by each fire department and ambulance service in county.** The board of county commissioners of a county whose population is 700,000 or more shall, each calendar quarter, submit a report to the Legislative Committee on Health Care and the Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session. The report must include, without limitation, the following information related to each fire department and ambulance service operating in the county:

1. The total number of transports of sick or injured persons to a medical facility that were made by the fire department or ambulance service during that calendar quarter.

2. For each person transported by the fire department or ambulance service during the calendar quarter:

(a) The fees charged to transport the person to a medical facility;

(b) Whether the person had health insurance at the time of transport; and

(c) The name of the medical facility where the fire department or ambulance service transported the person to or from.

(Added to NRS by [2009, 1237](#); A [2011, 1103](#))

**NRS 244.2963 Assumption of certain rights, duties, liabilities and obligations.** If the board of county commissioners establishes a district for a fire department, the department:

1. Assumes all rights, duties, liabilities and obligations of any fire department in any unincorporated town in the county which is subject to the provisions of [NRS 269.500](#) to [269.625](#), inclusive.

2. Assumes all rights, duties, liabilities and obligations of any county fire protection district only upon dissolution of the district as provided in [chapter 474](#) of NRS.

(Added to NRS by [1979, 926](#); A [1989, 75](#))

**NRS 244.2965 Boundaries of district.**

1. Subject to the limitations contained in subsection 2, a board of county commissioners which establishes a district for a county fire department shall establish the boundaries of the district which must include only the area which the department is to serve, and may alter those boundaries by ordinance.

2. The district must not include any territory within the boundaries of an incorporated city.

(Added to NRS by [1979, 926](#); A [1979, 926](#); [1981, 757](#); [1989, 75](#))

**NRS 244.2967 Levy of tax; accounting for proceeds of tax.** A board of county commissioners which creates a district for a county fire department shall levy a tax for its support and for the payment of the interest and principal on any indebtedness incurred for its buildings or equipment, on all property within the boundaries of the district, and shall establish a separate fund in the county treasury for the receipt and expenditure of and accounting for the proceeds of this tax.

(Added to NRS by [1979, 927](#); A [1987, 207](#); [1989, 76](#))

## JUVENILE FORESTRY CAMPS

**NRS 244.2969 "Juvenile court" defined.** As used in [NRS 244.2969](#) to [244.299](#), inclusive, "juvenile court" has the meaning ascribed to it in [NRS 62A.180](#).

(Added to NRS by [1991, 2185](#); A [2003, 1130](#))

**NRS 244.297 Establishment; commitments by juvenile court.** The board of county commissioners of any county may establish by ordinance juvenile forestry camps to which children may be committed by the juvenile court of the county as provided in title 5 of NRS.

(Added to NRS by 1960, 35; A [2003, 1130](#))

**NRS 244.298 Provisions of ordinance creating camp.** The ordinance creating a juvenile forestry camp shall include, but shall not be limited to, provisions for:

1. An advisory council of 15 members, one of whom shall be a judge of the juvenile court for the county, one the county sheriff and one the chief of police of the largest incorporated city, if any, in the county;

2. The powers and duties of the advisory council;

3. The appointment of a director of the juvenile forestry camp;

4. The powers, duties and compensation of the director;

5. The employment of other necessary personnel;

6. The adoption of minimum standards of operation; and

7. Programs of education and training of committed juveniles.

(Added to NRS by 1960, 35)

**NRS 244.299 Labor, studies and activities of children committed to camp.** Children committed to juvenile forestry camps may be required to labor on the buildings and grounds thereof, or to perform any other work or engage in any studies or activities prescribed by the board of county commissioners or the juvenile court of the county.

(Added to NRS by 1960, 35)

## RECREATIONAL AND CULTURAL CENTERS

**NRS 244.300 Operation, maintenance and improvement of parks, golf courses and other centers to which county holds title.**

1. The county commissioners of the several counties, in addition to the powers now conferred upon them by law, may operate, manage, improve and maintain all public parks, golf courses and other public recreational and cultural centers and areas, the construction of which has either been initiated or completed, and the title to which is held by the county.

2. For the purposes of this section, title is held by the county when the county has the right to acquire a clear title by discharging a fixed encumbrance, whether created by purchase contract, mortgage or deed of trust.

[1:71:1939; 1931 NCL § 2049.01]—(NRS A 1959, 567; [1965, 104](#); [1967, 701](#); [1991, 396](#))

**NRS 244.305 Acquisition of land for park, recreational, cultural and memorial purposes.**

1. The boards of county commissioners of the several counties may acquire by purchase, contracts of purchase, which may or may not extend beyond their respective terms of office, gift, or in any other manner, parcels of land for park, recreational, cultural and memorial purposes.

2. For the purpose of acquiring such parcels of land the boards of county commissioners may use any unexpended money remaining in any county fund, except bond interest and redemption funds, and may fix a yearly rate as a part of the county budget for the purpose of paying for the lands and the expense incidental to acquiring the same.

[1:206:1945; 1943 NCL § 2049.11] + [2:206:1945; 1943 NCL § 2049.12] — (NRS A 1959, 777; [1965.104](#); [1979.905](#); [1991.396](#))

**NRS 244.306 Operation and maintenance of swimming pools and other centers acquired by gift.**

1. The boards of county commissioners of the several counties, in addition to the powers now conferred upon them by law, may operate and maintain swimming pools and other public recreational and cultural centers when they have been acquired by gift to the county.

2. For the purpose of operating and maintaining such swimming pools or other public recreational and cultural centers the boards of county commissioners may use any unexpended money remaining in any county fund, except bond interest and redemption funds. The use and transfer of any such unexpended funds must be in conformance with [chapter 354](#) of NRS relating to the transfer of funds by counties. The boards also may:

(a) Provide in their annual county budgets for the expense of such operation and maintenance and levy a tax for that purpose.

(b) Make charges for the use by the public of any swimming pools or public recreational or cultural centers acquired pursuant to this section.

(Added to NRS by 1957, 475; A [1965.104](#); [1979.905](#); [1991.396](#))

**NRS 244.307 Expenditure of county money for construction, improvement or repair of facilities owned by city or school district.**

1. The board of county commissioners may, by resolution, authorize the expenditure of county money for the construction, reconstruction, improvement or repair of any recreational or cultural facility the title to which is held by:

(a) An incorporated city located within the county; or

(b) A school district located within the county, if the board of county commissioners has entered into an interlocal agreement with the school district which provides for the construction, reconstruction, improvement or repair of the facility.

2. Each such resolution must:

(a) Describe the facility for which the money is to be expended.

(b) Specify the maximum amount of money to be expended and the terms upon which it is to be expended.

(c) Contain a finding by the board of county commissioners that a substantial benefit will be derived by the inhabitants of the county as a whole by the expenditure of such money.

3. As used in this section, "cultural facility" includes a library.

(Added to NRS by 1961, 55; A [1991.397](#); [1997.264](#))

**NRS 244.30701 Sale of naming rights relating to county-owned shooting range in county whose population is 700,000 or more: Ordinance establishing procedures for sale; enterprise fund for proceeds of sale, fees or charges and other money received for range.**

1. The board of county commissioners in a county whose population is 700,000 or more may adopt, by ordinance, procedures for the sale of naming rights relating to a shooting range that is owned by the county, including, without limitation, the sale of naming rights to:

(a) Buildings, improvements, facilities, features, fixtures and sites located within the boundaries of the shooting range; and

(b) Activities, events and programs held at the shooting range.

2. If the board of county commissioners sells naming rights in accordance with the procedures adopted pursuant to subsection 1, the board shall create an enterprise fund exclusively for the proceeds of the sale of all such naming rights, for fees or charges for use of the shooting range and for any gifts, grants, donations, bequests, devises or money from any other source received for the shooting range. Any interest or other income earned on the money in the fund, after deducting any applicable charges, must be credited to the fund. Money that remains in the fund at the end of a fiscal year does not revert to the county general fund and the balance in the fund must be carried forward to the next fiscal year. The money in the fund may only be used to pay for expenses directly related to the shooting range.

(Added to NRS by [2007.2321](#); A [2011.1104](#))

**COUNTY PARK AND RECREATION COMMISSIONS**

**NRS 244.3071 Definitions.** As used in [NRS 244.3071](#) to [244.30792](#), inclusive, unless the context requires otherwise:

1. "Board" means the board of county commissioners and includes the Board of Supervisors of Carson City.

2. "Commission" means the county park and recreation commission.

3. "Commissioner" means a member of the commission.

4. "Facilities" means any recreational, cultural or park property authorized by [NRS 244.3071](#) to [244.30792](#), inclusive.

(Added to NRS by [1965.535](#); A [1969.321](#); [1991.397](#))

**NRS 244.3072 Power of county to create.** In addition to the powers elsewhere conferred upon counties, any county, regardless of population, may create a county park and recreation commission in conformity with the procedure prescribed by [NRS 244.3073](#) to [244.30792](#), inclusive.

(Added to NRS by [1965.536](#))

**NRS 244.3073 Petition for creation of commission; study of feasibility; approval by appropriate state agency.**

1. Upon the petition of 5 percent or more of the registered voters of a county expressing a desire or interest in the creation of a county park and recreation commission, the board is authorized to conduct a recreation feasibility study which will meet the planning criteria set forth by the Bureau of Outdoor Recreation, the National Recreation Association or any other nationally recognized recreation authority.

2. Any study which shows a need for, and the feasibility of, a county park and recreation commission must be submitted to the Division of State Parks of the State Department of Conservation and Natural Resources or any other appropriate state agency. Acceptance and approval of the study by the Division of State Parks or other appropriate state agency empowers and authorizes the board to organize by ordinance a county park and recreation commission for the express purpose of planning, acquiring, developing, operating and maintaining recreational and cultural facilities and programs.

(Added to NRS by [1965.536](#); A [1991.397](#))

**NRS 244.3074 Organizational ordinance: Contents.** The organizational ordinance shall state:

1. That the ordinance thereby creates a county park and recreation commission;

2. The name of the commission;

3. The number of commissioners to be appointed;

4. The powers to be exercised by the commission;

5. That the facilities to be acquired, if any, are those therein designated;

6. That the facilities previously acquired or to be acquired under or pursuant to [NRS 244.3071](#) to [244.30792](#), inclusive, or any other law by the board on behalf of the county, jurisdiction over and responsibility for which facilities are to be assumed subsequently by the

commission, are those therein designated;

7. The times at which such jurisdiction and responsibility shall be assumed by the commission on behalf of the county; and

8. The names of the appointed commissioners who shall serve on the first county park and recreation commission.

(Added to NRS by [1965.536](#))

**NRS 244.3075 Supplementation of organizational ordinance.**

1. Any organizational ordinance may be supplemented after its adoption from time to time by the board by an ordinance stating:

(a) Additional powers to be exercised by the commission;

(b) That the additional facilities, if any, to be acquired are those therein designated;

(c) That the additional facilities of the county, jurisdiction over and responsibility for which are to be assumed by the commission, are those therein designated; and

(d) The times at which such jurisdiction and responsibility shall be assumed by the commission on behalf of the county.

2. Any supplemental ordinance may diminish any powers which the commission is authorized to exercise or may take from the commission jurisdiction over and responsibility for any facilities of the county which have been previously granted to the commission.

(Added to NRS by [1965.536](#))

**NRS 244.3076 Number, qualifications and appointment of members.** The commission shall be:

1. Appointed by the board.

2. Composed of not less than five nor more than nine members, one of whom shall be a member of the board and one of whom shall be a member of the board of trustees of the county school district. The remaining members shall be qualified electors of the county.

(Added to NRS by [1965.537](#))

**NRS 244.3077 Commissioners: Terms; vacancies; compensation and expenses.**

1. The terms of office of the commissioners shall be set so that there is never a termination of the terms of all members at one time and of the first commissioners appointed, one or more shall hold office for 1 year, one or more for 2 years, one or more for 3 years, and two or more for 4 years. Thereafter all commissioners shall be appointed for terms of 4 years.

2. Commissioners shall hold office until their successors are appointed and qualified.

3. Any vacancy in the office of commissioner shall be filled for the unexpired term in the same manner as original appointments.

4. Commissioners shall serve without compensation but shall be entitled to the same travel expenses and subsistence allowances as county officers.

(Added to NRS by [1965.537](#))

**NRS 244.3078 Oath of office; no bond required.** Within 10 days after their appointment, commissioners shall qualify by taking the oath of office. No bond shall be required of them.

(Added to NRS by [1965.537](#))

**NRS 244.3079 Election of officers; treasurer; seal.**

1. Within 10 days after their appointment, the commissioners shall organize as the commission by the election of one of their number as chair, one as secretary, and by the election of such other officers as they may deem necessary. Annually during January the commission shall reorganize by the election of new officers.

2. The county treasurer of the county shall be the treasurer of the commission. The treasurer shall receive and pay out all the moneys of the county under the control of the commission, as ordered by it, but shall receive no compensation for any such additional duties.

3. The commission shall adopt a seal.

(Added to NRS by [1965.537](#))

**NRS 244.30791 Meetings; records; quorum.**

1. The commission shall hold at least four meetings each year and shall keep a complete record of all its transactions.

2. A majority of the commissioners shall constitute a quorum for the transaction of business.

3. Any resolution, motion or other action shall be adopted or ordered taken by a majority of the commissioners forming a quorum.

(Added to NRS by [1965.537](#))

**NRS 244.30792 Powers and duties.** The commission may have the following powers and duties as determined by the board and as set forth by the board in the organizational ordinance:

1. To determine policy in regard to recreational, cultural and park facilities.

2. To promulgate regulations governing the use of such facilities.

3. To prepare plans for additional recreational, cultural and park facilities and the development of existing facilities.

4. To operate and maintain existing facilities.

5. To fix, and from time to time increase or decrease, rates, tolls and charges for services and the use or availability of facilities.

6. To employ technical and clerical staff.

7. To prepare and submit annual budgets to the board.

8. To purchase or lease land subject to the statutes governing purchases and leases of land by the board.

9. To acquire by gift, bequest or devise any personal property, or any real property within the county, for recreational, cultural or park facilities.

10. To administer any trusts declared for recreational, cultural and park facilities in the county.

11. To enter into contracts for the construction and development of recreational, cultural and park facilities.

12. To expend all money collected to the credit of facilities under the control of the commission, but all money received for such facilities must be deposited in the county treasury to the credit of the commission and paid out only upon warrants drawn by the commission upon properly authenticated vouchers of the commission after approval of the same by the county auditor.

13. To perform such additional duties for park, recreational and cultural programs as may be delegated by the board.

(Added to NRS by [1965.537](#); A [1991.397](#))

## COUNTY PARK COMMISSIONS

**NRS 244.308 Definitions.** As used in [NRS 244.308](#) to [244.3091](#), inclusive, unless the context requires otherwise:

1. "Board" means the board of county commissioners and includes the Board of Supervisors of Carson City.

2. "Commission" means the county park commission.

3. "Commissioner" means a member of the commission.

4. "Facilities" means any recreational, cultural or park property authorized by [NRS 244.308](#) to [244.3091](#), inclusive.

(Added to NRS by 1963, 410; A [1969.322, 927](#); [1991.398](#))

**NRS 244.3081 Recreational, cultural and park facilities: Powers of certain counties.**

1. In addition to powers elsewhere conferred upon counties, any county having a population of 100,000 or more may:

(a) Establish, construct, purchase, otherwise acquire, reconstruct, improve, extend and better recreational, cultural and park facilities and buildings therefor, and improvements incidental thereto;

(b) Equip and furnish the same;

(c) Acquire suitable sites or grounds, or any interests therein, for any recreational, cultural or park facilities; and

(d) Operate, maintain, sell and otherwise dispose of the facilities.

2. Recreational, cultural and park facilities include, without limiting the generality of the provisions of subsection 1, those buildings, incidental improvements, equipment, furnishings, sites and grounds, or interest therein, as are used for recreational, cultural and park purposes.

(Added to NRS by 1963, 410; A [1969, 1533](#); [1979, 511](#); [1991, 398](#))

**NRS 244.3082 Exercise of powers by commission; ordinance.** Whenever the board of county commissioners desires any of such powers to be exercised by a county park commission, the board is hereby empowered and authorized to organize by ordinance such a commission to exercise thereafter any of such powers on behalf of the county.

(Added to NRS by 1963, 410)

**NRS 244.3083 Contents of ordinance organizing commission.** The organizational ordinance shall state:

1. That the ordinance thereby creates a county park commission;

2. The name of the commission;

3. The powers to be exercised by the commission;

4. That the facilities to be acquired, if any, are those therein designated;

5. That the facilities previously acquired or to be acquired under or pursuant to [NRS 244.308](#) to [244.3091](#), inclusive, or any other law by the board on behalf of the county, jurisdiction over and responsibility for which facilities are to be assumed subsequently by the commission, are those therein designated;

6. The times at which such jurisdiction and responsibility shall be assumed by the commission on behalf of the county; and

7. The names of the commissioners who shall serve on the first county park commission.

(Added to NRS by 1963, 410; A [1969, 927](#); [1973, 715](#))

**NRS 244.3084 Supplementation of organizational ordinance.**

1. Any organizational ordinance may be supplemented after its adoption from time to time by the board by an ordinance stating:

(a) Additional powers to be exercised by the commission;

(b) That the additional facilities, if any, to be acquired are those therein designated;

(c) That the additional facilities of the county, jurisdiction over and responsibility for which are to be assumed by the commission, are those therein designated; and

(d) The times at which such jurisdiction and responsibility shall be assumed by the commission on behalf of the county.

2. Any supplemental ordinance may diminish any powers which the commission is authorized to exercise or may take from the commission jurisdiction over and responsibility for any facilities of the county which have been previously granted to the commission.

(Added to NRS by 1963, 410)

**NRS 244.3085 Number and appointment of members.** The commission shall be composed of nine members, who shall be appointed by the board from residents of the county at large with reference to their fitness for office.

(Added to NRS by 1963, 411; A [1973, 715](#))

**NRS 244.3086 Terms of office; vacancies; compensation and expenses of commissioners.**

1. Of the first commissioners appointed, one shall hold office for 1 year, two for 2 years, three for 3 years, and three for 4 years. Thereafter all commissioners shall be appointed for terms of 4 years.

2. Commissioners shall hold office until their successors are appointed and qualified.

3. Any vacancy in the office of commissioner shall be filled for the unexpired term in the same manner as original appointments.

4. Commissioners shall serve without compensation but shall be entitled to the same travel expenses and subsistence allowances as county officers.

(Added to NRS by 1963, 411; A [1973, 715](#))

**NRS 244.3087 Oath of office; no bond required.** Within 10 days after their appointment, commissioners shall qualify by taking the oath of office. No bond shall be required of them.

(Added to NRS by 1963, 411)

**NRS 244.3088 Election of officers; treasurer; seal.**

1. Within 10 days after their appointment, the commissioners shall organize as the commission by the election of one of their number as chair, one as secretary, and by the election of such other officers as they may deem necessary.

2. The county treasurer of the county shall be the treasurer of the commission. The treasurer shall receive and pay out all the moneys of the county under the control of the commission, as ordered by it, but shall receive no compensation for any such additional duties.

3. The commission shall adopt a seal.

(Added to NRS by 1963, 411)

**NRS 244.3089 Meetings; records; quorum.**

1. The commission shall hold at least four meetings each year and shall keep a complete record of all its transactions.

2. Five commissioners shall constitute a quorum for the transaction of business.

3. Any resolution, motion or other action shall be adopted or ordered taken by a majority of the commissioners forming a quorum.

(Added to NRS by 1963, 411; A [1973, 716](#))

**NRS 244.309 Powers and duties.** The commission may have the following powers and duties as determined by the board and as set forth by the board in the organizational ordinance:

1. To determine policy in regard to recreational, cultural and park facilities.

2. To promulgate regulations governing the use of such facilities.

3. To prepare plans for additional recreational, cultural and park facilities and the development of existing facilities.

4. To operate and maintain existing facilities.

5. To fix, and from time to time increase or decrease, rates, tolls and charges for services and the use or availability of facilities.

6. To employ technical and clerical staff.

7. To prepare and submit annual budgets to the board.

8. To purchase or lease land subject to the statutes governing purchases and leases of land by the board.

9. To acquire by gift, bequest or devise any real or personal property for recreational, cultural and park facilities.

10. To administer any trusts declared for recreational, cultural and park facilities in the county.

11. To enter into contracts for the construction and development of recreational, cultural and park facilities.

12. To cooperate with the county manager in all matters relating to recreational, cultural and park facilities.

13. To do all other acts necessary and pertinent to a park, recreational and cultural program.

14. To expend all money collected to the credit of facilities under the control of the commission, but all money received for such facilities must be deposited in the county treasury to the credit of the commission and paid out only upon warrants drawn by the commission upon properly authenticated vouchers of the commission after approval of the same by the county auditor.

15. To exercise such additional powers and perform such additional duties as delegated by the board in its discretion for a park, recreational and cultural program.

(Added to NRS by 1963, 411; A [1991.399](#))

**NRS 244.3091 County commissioners' exercise of power of eminent domain.** The board may, at the request of the commission, exercise the power of eminent domain to acquire real property for recreational, cultural and park purposes.

(Added to NRS by 1963, 412; A [1991.399](#))

## CONTRACTS

**NRS 244.320 Agreements and transactions extending beyond term of commissioners.**

1. A board of county commissioners may enter into any agreement, contract, lease, franchise, exchange of property or other transaction which extends beyond the terms of the county commissioners then in office and voting on the matter, but except as otherwise provided by law, the agreement, contract, lease, franchise, exchange or other transaction is binding beyond those terms of office only to the extent that money is appropriated therefor, or for a like item or service.

2. This section does not affect any agreement, contract, lease, franchise, exchange of property or other transaction which does not extend beyond the term of office of any member of the board who is part of the quorum voting thereon.

[1:96:1895; C § 2143; RL § 1537; NCL § 1973] + [2:96:1895; C § 2144; RL § 1538; NCL § 1974] — (NRS A [1967.534](#); [1975.568](#); [1977.463](#); [1983.1881](#); [2013.1465](#))

**NRS 244.327 Contracts with State Department of Agriculture; contributions.** The boards of county commissioners may in their respective counties:

1. Execute contracts or agreements with the State Department of Agriculture pursuant to the provisions of [NRS 561.245](#); and

2. Make money and contributions available to the State Department of Agriculture pursuant to the provisions of [NRS 561.255](#).

(Added to NRS by 1963, 31; A [1993.1545](#); [1999.3620](#))

## COUNTY PRINTING

**NRS 244.330 Public printing: Requirement that printing be placed with newspaper or commercial printing establishment; requirements for printing ballots; exceptions.**

1. Except as otherwise provided in this section and [NRS 344.050](#), public printing required by the various counties must be placed with a bona fide newspaper or bona fide commercial printing establishment within the county. If there is no bona fide newspaper or bona fide commercial printing establishment within the county adequately equipped to do the printing, the printing must be placed with a bona fide newspaper or bona fide commercial printing establishment in the State adequately equipped to do the printing. If only one such newspaper or commercial printing establishment exists in the county and it fails, or has failed in the past, with regard to a specific piece of printing required by law to be printed, to perform its printing functions in accordance with the specification for the job as supplied by the governing body in any year, the specific piece of printing when required in any subsequent year may be placed with a bona fide newspaper or bona fide commercial printing establishment in the State adequately equipped to do the printing.

2. Except as otherwise authorized in subsections 4 and 5, printing required by counties must be done within the State.

3. The provisions of this section are contingent upon satisfactory services being rendered by all such printing establishments and reasonable charges therefor. As used in this subsection, "reasonable charges" means a charge not in excess of the amount necessary to be paid for similar work in other printing establishments.

4. The provisions of this section do not prohibit the printing of county bonds and other evidences of indebtedness outside the State.

5. Except as otherwise provided in this subsection and [NRS 344.050](#), the printing of ballots and other materials required for an election must be placed with a bona fide newspaper or bona fide printing establishment that is located within the county in which the election will be held and that is adequately equipped to do the printing. If there is no bona fide newspaper or bona fide printing establishment located within that county that is adequately equipped to do the printing, the printing may be placed with a bona fide newspaper or bona fide printing establishment located outside the State that is adequately equipped to do the printing.

[Part 1:120:1925; A 1927, 227; NCL § 5610] — (NRS A 1959, 219; [1971.1231](#); [1997.2789](#); [2005.1086](#))

## CERTIFICATION OF PROPERTY MANAGERS

**NRS 244.331 Definitions.** As used in [NRS 244.331](#) to [244.3345](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 244.3315](#) to [244.3335](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2005.2334](#))

**NRS 244.3315 "Apartment complex" defined.** "Apartment complex" means a building or group of buildings, each building of which is arranged in several units of connecting rooms, with each unit designed for independent housekeeping.

(Added to NRS by [2005.2334](#))

**NRS 244.332 "Certificate" defined.** "Certificate" means a certificate to engage in property management issued pursuant to [NRS 244.334](#).

(Added to NRS by [2005.2334](#))

**NRS 244.3325 "Property" defined.** "Property" means a hotel, motel or apartment complex for which a business license issued by the county is required for its operation.

(Added to NRS by [2005.2334](#))

**NRS 244.333 "Property management" defined.** "Property management" means the physical, administrative or financial management of a property.

(Added to NRS by [2005.2334](#))

**NRS 244.3335 "Unit" defined.** "Unit" means a structure or the part of a structure that is occupied as, or designed or intended for occupancy as, a residence or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

(Added to NRS by [2005.2334](#))

**NRS 244.334 Certification of persons who engage in property management in unincorporated area of county; application; fees; renewal; conditions; penalty; exceptions.**

1. Except as otherwise provided in subsection 3, the board of county commissioners of each county may, by ordinance, require each person who wishes to engage in property management in an unincorporated area of the county to obtain a certificate issued by the board before engaging in property management.

2. If a board of county commissioners of a county adopts an ordinance pursuant to subsection 1:

(a) Each person who engages in property management must make application for a certificate to the board of county commissioners of the county in which the property to be managed is to be located. The application must be in a form and manner prescribed by the board of county commissioners.

(b) The board of county commissioners may:

(1) Establish and collect a fee for the issuance or renewal of a certificate.

(2) Grant or deny applications for the issuance or renewal of a certificate.

(3) Impose conditions, limitations and restrictions upon a certificate.

(4) Establish any other requirements necessary to carry out the ordinance, including, without limitation, the imposition of a penalty for a violation of the ordinance.

(5) Adopt, amend and repeal regulations relating to the ordinance.

3. An ordinance adopted pursuant to the provisions of this section must not apply to:

(a) A person who holds a license issued pursuant to [chapter 645](#) of NRS; or

(b) A person engaging in property management of a property where gaming is conducted under a nonrestricted license for gaming issued pursuant to [NRS 463.170](#).

(Added to NRS by [2005, 2334](#))

#### **NRS 244.3345 Ordinance to require property in unincorporated area of county to be managed by person issued certificate; penalty; exceptions.**

1. Except as otherwise provided in subsection 3, the board of county commissioners of each county may, by ordinance, require that a property which is located in an unincorporated area of the county must be managed by a person issued a certificate pursuant to the provisions of [NRS 244.334](#).

2. If a board of county commissioners adopts an ordinance pursuant to the provisions of subsection 1, the board of county commissioners may:

(a) Establish any other requirements necessary to carry out the ordinance, including, without limitation, the imposition of a penalty for a violation of the ordinance.

(b) Adopt, amend and repeal regulations relating to the ordinance.

3. An ordinance adopted pursuant to the provisions of this section must not apply to:

(a) A property managed by a person who holds a license issued pursuant to [chapter 645](#) of NRS; or

(b) A property where gaming is conducted under a nonrestricted license for gaming issued pursuant to [NRS 463.170](#).

(Added to NRS by [2005, 2335](#))

### **REGULATION, TAXATION AND LICENSING OF BUSINESSES AND OCCUPATIONS**

#### **NRS 244.335 Powers of commissioners and county license boards; application for certain licenses; license tax as lien; confidential information.**

1. Except as otherwise provided in subsections 2, 3 and 4, and [NRS 244.33501](#), a board of county commissioners may:

(a) Except as otherwise provided in [NRS 244.331](#) to [244.3345](#), inclusive, [598D.150](#) and [640C.100](#), regulate all character of lawful trades, callings, industries, occupations, professions and business conducted in its county outside of the limits of incorporated cities and towns.

(b) Except as otherwise provided in [NRS 244.3359](#) and [576.128](#), fix, impose and collect a license tax for revenue or for regulation, or for both revenue and regulation, on such trades, callings, industries, occupations, professions and business.

2. The county license boards have the exclusive power in their respective counties to regulate entertainers employed by an entertainment by referral service and the business of conducting a dancing hall, escort service, entertainment by referral service or gambling game or device permitted by law, outside of an incorporated city. The county license boards may fix, impose and collect license taxes for revenue or for regulation, or for both revenue and regulation, on such employment and businesses.

3. A board of county commissioners shall not require that a person who is licensed as a contractor pursuant to [chapter 624](#) of NRS obtain more than one license to engage in the business of contracting or pay more than one license tax related to engaging in the business of contracting, regardless of the number of classifications or subclassifications of licensing for which the person is licensed pursuant to [chapter 624](#) of NRS.

4. The board of county commissioners or county license board shall not require a person to obtain a license or pay a license tax on the sole basis that the person is a professional. As used in this subsection, "professional" means a person who:

(a) Holds a license, certificate, registration, permit or similar type of authorization issued by a regulatory body as defined in [NRS 622.060](#) or who is regulated pursuant to the Nevada Supreme Court Rules; and

(b) Practices his or her profession for any type of compensation as an employee.

5. The county license board shall provide upon request an application for a state business registration pursuant to [chapter 76](#) of NRS. No license to engage in any type of business may be granted unless the applicant for the license:

(a) Signs an affidavit affirming that the business has complied with the provisions of [chapter 76](#) of NRS; or

(b) Provides to the county license board the business identification number of the applicant assigned by the Secretary of State pursuant to [NRS 225.082](#) which the county may use to validate that the applicant is currently in good standing with the State and has complied with the provisions of [chapter 76](#) of NRS.

6. No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license:

(a) Presents written evidence that:

(1) The Department of Taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(2) Another regulatory agency of the State has issued or will issue a license required for this activity; or

(b) Provides to the county license board the business identification number of the applicant assigned by the Secretary of State pursuant to [NRS 225.082](#) which the county may use to validate that the applicant is currently in good standing with the State and has complied with the provisions of paragraph (a).

7. Any license tax levied for the purposes of [NRS 244.3358](#) or [244A.597](#) to [244A.655](#), inclusive, constitutes a lien upon the real and personal property of the business upon which the tax was levied until the tax is paid. The lien has the same priority as a lien for general taxes. The lien must be enforced:

(a) By recording in the office of the county recorder, within 6 months after the date on which the tax became delinquent or was otherwise determined to be due and owing, a notice of the tax lien containing the following:

(1) The amount of tax due and the appropriate year;

(2) The name of the record owner of the property;

(3) A description of the property sufficient for identification; and

(4) A verification by the oath of any member of the board of county commissioners or the county fair and recreation board; and

(b) By an action for foreclosure against the property in the same manner as an action for foreclosure of any other lien, commenced within 2 years after the date of recording of the notice of the tax lien, and accompanied by appropriate notice to other lienholders.

8. The board of county commissioners may delegate the authority to enforce liens from taxes levied for the purposes of [NRS 244A.597](#) to [244A.655](#), inclusive, to the county fair and recreation board. If the authority is so delegated, the board of county commissioners shall revoke or suspend the license of a business upon certification by the county fair and recreation board that the license tax has become delinquent, and shall not reinstate the license until the tax is paid. Except as otherwise provided in [NRS 239.0115](#) and [244.3357](#), all information concerning license taxes levied by an ordinance authorized by this section or other information concerning the business affairs or operation of any licensee obtained as a result of the payment of such license taxes or as the result of any audit or examination of the books by any authorized employee of a county fair and recreation board of the county for any license tax levied for the purpose of [NRS 244A.597](#) to [244A.655](#), inclusive, is confidential and must not be disclosed by any member, officer or employee of the county fair and recreation board or the county imposing the license tax unless the disclosure is authorized by the affirmative action of a majority of the members of the appropriate county fair and recreation board. Continuing disclosure may be so authorized under an agreement with the Department of Taxation or Secretary of State for the exchange of information concerning taxpayers.

[Part 8:80:1865; A 1871, 47; 1931, 52; 1933, 203; 1953, 681] — (NRS A 1959, 220; 1961, 364; 1963, 794; [1971, 497](#); [1973, 324](#); [1977, 818](#); [1979, 727](#); [1983, 759](#); [1985, 386](#); [1987, 2306](#); [1989, 242](#), [906](#), [1970](#); [1991, 27](#), [165](#), [2461](#); [1993, 2651](#); [1995, 2803](#); [1997, 3167](#); [2003, 2894](#); [2003, 20th Special Session, 192](#); [2005, 729](#), [1134](#), [2335](#); [2007, 2081](#); [2009, 2046](#); [2011, 3587](#); [2015, 2663](#), [3365](#))

**NRS 244.33501 Multijurisdictional business license for certain contractors: Interlocal agreement; ordinance establishing system for issuance; eligibility.**

1. The board of county commissioners in each county whose population is 700,000 or more shall enter into an agreement in accordance with the provisions of [NRS 277.080](#) to [277.180](#), inclusive, with the governing body of each city whose population is 150,000 or more located within the county and with the governing body of each city located within the county whose population is less than 150,000 who chooses to enter into such an agreement for the establishment of a business license to authorize a person who is licensed as a contractor pursuant to [chapter 624](#) of NRS to engage in the business of contracting within the county and each of those cities.

2. The agreement required pursuant to subsection 1 must set forth the purposes, powers, rights, obligations and responsibilities, financial and otherwise, of the county and each city that enters into the agreement.

3. Upon entering into the agreement required pursuant to subsection 1, the board of county commissioners shall establish by ordinance a system for issuing such a business license that authorizes a person who is licensed as a contractor pursuant to [chapter 624](#) of NRS to engage in the business of contracting within the county and each city that entered into the agreement pursuant to subsection 1 and in which the person intends to conduct business.

4. An ordinance adopted pursuant to the provisions of subsection 3 must include, without limitation:

- (a) The requirements for obtaining the business license;
- (b) The fees for the issuance and renewal of the business license; and
- (c) Any other requirements necessary to establish the system for issuing the business license.

5. A person who is licensed as a contractor pursuant to [chapter 624](#) of NRS is eligible to obtain from the county a business license that authorizes the person to engage in the business of contracting within the county and each city located in the county which enters into an agreement pursuant to subsection 1 and in which the person intends to conduct business if the person meets the requirements set forth in the ordinance to qualify for the license and:

(a) The person maintains only one place of business within the county and the place of business is located within the unincorporated area of the county;

(b) The person maintains more than one place of business within the county and each of those places of business is located within the unincorporated area of the county; or

(c) The person does not maintain any place of business within the county.

6. A person who obtains a business license described in this section is subject to all other licensing and permitting requirements of the State and any other counties and cities in which the person does business.

(Added to NRS by [2011, 3586](#))

**NRS 244.33503 Continuation of license tax in county whose population is 100,000 or more; use of proceeds; pledge of proceeds.**

1. Any license tax:

(a) Which is levied by a county whose population is 100,000 or more against any lawful trade, calling, industry, occupation, profession or business conducted in the county and located in an unincorporated area within the county;

(b) Whose proceeds are pledged for the payment of any bonds or other obligations issued pursuant to the provisions of [NRS 244A.597](#) to [244A.655](#), inclusive; and

(c) Which is being collected by the county on January 1, 1995,

È must continue to be levied, collected and transmitted to the county fair and recreation board created pursuant to [NRS 244A.599](#) as long as any of the bonds or other obligations issued pursuant to the provisions of [NRS 244A.597](#) to [244A.655](#), inclusive, remain outstanding and unpaid.

2. The proceeds of the license tax must be used by the county fair and recreation board for the purposes set forth in [NRS 244A.597](#) to [244A.655](#), inclusive, including the payment of any bonds or other obligations issued pursuant to those provisions, and may be irrevocably pledged by the county fair and recreation board to the payment of bonds or other obligations issued pursuant to those provisions.

(Added to NRS by [1995, 1604](#); A [1999, 987](#))

**NRS 244.33505 Business required to submit affidavit or attestation concerning industrial insurance upon application for license or post office box; provision by county of monthly report to Division of Industrial Relations; board of county commissioners to provide business with document or access to information setting forth rights and responsibilities of employers and employees for promotion of safety in workplace.**

1. In a county in which a license to engage in a business is required, the board of county commissioners shall not issue such a license unless the applicant for the license:

(a) Signs an affidavit affirming that the business:

- (1) Has received coverage by a private carrier as required pursuant to [chapters 616A](#) to [616D](#), inclusive, and [chapter 617](#) of NRS;
- (2) Maintains a valid certificate of self-insurance pursuant to [chapters 616A](#) to [616D](#), inclusive, of NRS;
- (3) Is a member of an association of self-insured public or private employers; or
- (4) Is not subject to the provisions of [chapters 616A](#) to [616D](#), inclusive, or [chapter 617](#) of NRS; or

(b) If the applicant submits his or her application electronically, attests to his or her compliance with the provisions of paragraph (a).

2. In a county in which such a license is not required, the board of county commissioners shall require a business, when applying for a post office box, to submit to the board the affidavit or attestation required by subsection 1.

3. Except as otherwise provided in this subsection, each board of county commissioners shall submit to the Administrator of the Division of Industrial Relations of the Department of Business and Industry monthly a report of the names of those businesses which have submitted an affidavit or attestation required by subsections 1 and 2. A board of county commissioners is not required to include in the monthly report the name of a business which has submitted an attestation electronically via the state business portal.

4. Except as otherwise provided in subsection 5, upon receiving an affidavit required by this section, a board of county commissioners shall provide the owner of the business with a document setting forth the rights and responsibilities of employers and employees to promote safety in the workplace, in accordance with regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to [NRS 618.376](#).

5. If a business submits an attestation required by this section electronically via the state business portal, the state business portal must provide the owner of the business with access to information setting forth the rights and responsibilities of employers and employees



to promote safety in the workplace, in accordance with regulations adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to [NRS 618.376](#).

6. As used in this section, “state business portal” means the state business portal established pursuant to [chapter 75A](#) of NRS. (Added to NRS by [1991, 2436](#); A [1993, 775, 2778, 2820](#); [1995, 641, 649, 2041](#); [1999, 231, 1811](#); [2011, 3589](#); [2015, 2665, 3367](#))

**NRS 244.33506 Application for or renewal of license, permit or certificate: Statement regarding obligation of child support required; grounds for denial; duty of board of county commissioners.** [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If a board of county commissioners requires a person to obtain a license, permit or certificate to practice a profession or occupation pursuant to [NRS 244.334](#) or [244.335](#), an applicant for the issuance or renewal of such a license, certificate or permit shall submit to the board of county commissioners the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to [NRS 425.520](#). The statement must be completed and signed by the applicant.

2. The board of county commissioners shall include the statement required pursuant to subsection 1 in:

- (a) The application or any other forms that must be submitted for the issuance or renewal of the license, certificate or permit; or
- (b) A separate form prescribed by the board of county commissioners.

3. A license, certificate or permit may not be issued or renewed by a board of county commissioners pursuant to [NRS 244.334](#) or [244.335](#) if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the board of county commissioners shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

5. As used in this section, “license, permit or certificate to practice a profession or occupation” does not include a general business license issued by a board of county commissioners.

(Added to NRS by [1997, 2042](#); A [2005, 2336](#); [2015, 2666](#))

**NRS 244.33507 Application for issuance of license, permit or certificate: Social security number required.** [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for the issuance of a license, permit or certificate to practice a profession or occupation pursuant to [NRS 244.334](#) or [244.335](#) must include the social security number of the applicant.

2. As used in this section, “license, permit or certificate to practice a profession or occupation” does not include a general business license issued by a board of county commissioners.

(Added to NRS by [1997, 2043](#); A [2005, 2337](#); [2015, 2666](#))

**NRS 244.33508 Mandatory suspension of license, certificate or permit for failure to pay child support or comply with certain subpoenas or warrants; reinstatement.** [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If a board of county commissioners receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license, certificate or permit to practice a profession or occupation in that county, the board of county commissioners shall deem the license, certificate or permit issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the board of county commissioners receives a letter issued to the holder of the license, certificate or permit by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license, certificate or permit has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. A board of county commissioners shall reinstate a license, certificate or permit to practice a profession or occupation in that county that has been suspended by a district court pursuant to [NRS 425.540](#) if the board of county commissioners receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license, certificate or permit was suspended stating that the person whose license, certificate or permit was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2042](#))

**NRS 244.33509 Imposition of civil penalty in lieu of criminal penalty for violation of certain ordinances concerning licensing or regulation of businesses.**

1. A board of county commissioners may by ordinance provide for the imposition of a civil penalty in lieu of a criminal penalty for the violation of an ordinance enacted by the board concerning the licensing or regulation of businesses unless state law provides a criminal penalty for the same act or omission.

2. If a board of county commissioners adopts an ordinance providing for the imposition of a civil penalty in lieu of a criminal penalty as described in subsection 1, the board shall:

(a) Determine violations and levy civil penalties for those violations; or

(b) Delegate to a hearing officer or hearing board the authority to determine violations and levy civil penalties for those violations.

3. The amount of a civil penalty levied pursuant to subsection 2 must not exceed \$1,000 for each violation.

4. As used in this section, an ordinance “concerning the licensing or regulation of businesses” includes, without limitation, an ordinance that:

(a) Prescribes the criteria that must be satisfied before the business may be licensed in the county or its license may be renewed in the county;

(b) Sets forth the licensing fee that must be paid before the business may be licensed in the county or its license may be renewed in the county;

(c) Describes the practices, transactions or acts in which a business licensed in the county may engage;

(d) Describes the practices, transactions or acts in which a business licensed in the county is prohibited from engaging; or

(e) Prohibits the operation within the county of a business that is:

(1) Unlicensed; or

(2) Not licensed to engage in the particular activities in which it is engaging.

(Added to NRS by [2009, 425](#))

**NRS 244.3351 Optional tax on revenues from rental of transient lodging: Imposition and administration.**

1. Except as otherwise provided in subsection 2 of [NRS 244.3359](#), in addition to all other taxes imposed on the revenue from the rental of transient lodging, a board of county commissioners may by ordinance, but not as in a case of emergency, impose a tax at the rate of 1 percent of the gross receipts from the rental of transient lodging pursuant to either paragraph (a) or (b) as follows:

(a) After receiving the approval of a majority of the registered voters of the county voting on the question at a special, primary or general election, the board of county commissioners may impose the tax throughout the county, including its incorporated cities, upon all persons in the business of providing lodging. The question may be combined with a question submitted pursuant to [NRS 278.710](#), [371.045](#) or [377A.020](#), or any combination thereof.

(b) After receiving the approval of a majority of the registered voters who reside within the boundaries of a transportation district created pursuant to [NRS 244A.252](#), voting on the question at a special, primary or general district election, the board of county commissioners may impose the tax within the boundaries of the transportation district upon all persons in the business of providing lodging. The question may be combined with a question submitted pursuant to [NRS 278.710](#).

2. A special election may be held only if the board of county commissioners determines, by a unanimous vote, that an emergency exists. The determination made by the board of county commissioners is conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board must be commenced within 15 days after the board's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the board of county commissioners to prevent or mitigate a substantial financial loss to the county or to enable the board to provide an essential service to the residents of the county.

3. The ordinance imposing the tax must include all the matters required by [NRS 244.3352](#) for the mandatory tax, must be administered in the same manner, and imposes the same liabilities, except:

(a) Collection of the tax imposed pursuant to this section must not commence earlier than the first day of the second calendar month after adoption of the ordinance imposing the tax; and

(b) The governmental entity collecting the tax shall transfer all collections to the county and may not retain any part of the tax as a collection or administrative fee.

(Added to NRS by [1991, 25](#); A [1993, 1035](#), [2779](#), [2822](#); [1999, 1670](#))

**NRS 244.33512 Optional tax on revenues from rental of transient lodging: Distribution and use of proceeds of tax imposed throughout county.** In a county in which a tax has been imposed pursuant to paragraph (a) of subsection 1 of [NRS 244.3351](#):

1. The proceeds of the tax and any applicable penalty or interest must be:

(a) Remitted to the appropriate city if collected in the incorporated area of any city and not within any transportation district created by the county, or if collected in any transportation district created by a city; or

(b) Retained by the county if collected elsewhere, and used as provided in this section.

2. Except as otherwise provided in subsection 3, if the county has created one or more transportation districts, it shall use any part of the money retained which is collected within the boundaries of a transportation district to pay the cost of:

(a) Projects related to the construction and maintenance of sidewalks, streets, avenues, boulevards, highways, bridges and other public rights-of-way used primarily for vehicular or fixed guideway traffic, including, without limitation, overpass projects, street projects and underpass projects, as defined in [NRS 244A.037](#), [244A.053](#) and [244A.055](#), respectively:

(1) Within the boundaries of the district;

(2) Within 1 mile outside the boundaries of the district if the governing body finds that such projects outside the boundaries of the district will facilitate transportation within the district; or

(3) Within 30 miles outside the boundaries of the district and the boundaries of this State, where those boundaries are coterminous, if:

(I) The projects consist of improvements to a highway which is located wholly or partially outside the boundaries of this State and which connects this State to an interstate highway; and

(II) The governing body finds that such projects will provide a significant economic benefit to the district;

(b) Payment of principal and interest on notes, bonds or other obligations issued by the county to fund projects described in paragraph (a); or

(c) Any combination of those uses.

3. In addition to those uses set forth in subsection 2, if a county has created one or more transportation districts and all or any portion of those districts are located in an area that is governed by an interstate compact entered into by this State and a state that borders this State, the county may use any part of the money retained which is collected within the boundaries of a transportation district to pay the cost of establishing, operating and maintaining a public transit system, including any improvement thereto, within the boundaries of the district, or outside those boundaries if the governing body finds that such a system outside the boundaries of the district will facilitate transportation within the district, or both.

4. If the county has entered into an agreement pursuant to [NRS 277.080](#) to [277.170](#), inclusive, which contemplates later payment by the other party of a portion of the cost of a project which may be funded pursuant to subsection 2, the county may pay from retained proceeds the principal and interest on notes, bonds or other obligations issued in anticipation of that payment.

5. Any part of the money retained which is collected in the unincorporated area of the county and not within any transportation district created by the county or a city must be used for the same purposes:

(a) Within the unincorporated area of the county;

(b) Within 1 mile outside the unincorporated area of the county if the board of county commissioners finds that such projects outside that area will facilitate transportation within that area; or

(c) Within 30 miles outside the unincorporated area of the county and the boundaries of this State, where those boundaries are coterminous, if:

(1) The projects consist of improvements to a highway which is located wholly or partially outside the boundaries of this State and which connects this State to an interstate highway; and

(2) The board of county commissioners finds that such projects will provide a significant economic benefit to that area.

6. As used in this section:

(a) "Improvement" has the meaning ascribed to it in [NRS 244A.033](#).

(b) "Public transit system" means a system designed to facilitate the transportation of members of the general public, including:

(1) The use of motor buses, rails or any other means of conveyance, operated by whatever type of power; and

(2) An offstreet parking project or an overpass project as defined in [NRS 244A.035](#) and [244A.037](#), respectively.

(Added to NRS by [1991, 25](#); A [1995, 115](#), [1604](#); [1997, 2442](#); [1999, 980](#); [2001, 1665](#))

**NRS 244.33514 Optional tax on revenues from rental of transient lodging: Use of proceeds of tax imposed within boundaries of transportation district.** In a transportation district in which a tax has been imposed pursuant to paragraph (b) of subsection 1 of [NRS 244.3351](#), the proceeds of the tax and any applicable penalty or interest must be retained by the county and used to pay the cost of:

1. Projects related to the construction and maintenance of sidewalks, streets, avenues, boulevards, highways and other public rights-of-way used primarily for vehicular traffic, including, without limitation, overpass projects, street projects and underpass projects, as defined in [NRS 244A.037](#), [244A.053](#) and [244A.055](#), within the boundaries of the district or within such a distance outside those boundaries as is stated in the ordinance imposing the tax, if the governing body finds that such projects outside the boundaries of the district will facilitate transportation within the district;

2. Payment of principal and interest on notes, bonds or other obligations issued by the county to fund projects described in subsection 1; or

3. Any combination of those uses.

(Added to NRS by [1991, 26](#))

**NRS 244.33516 Optional tax on revenues from rental of transient lodging: Periodic reports to Legislature.** A board of county commissioners which, after July 1, 2009, imposes a tax pursuant to [NRS 244.3351, 278.710, 365.203, 371.043, 371.045, 373.030](#) or [377A.020](#) shall, by January 1, 2011, and every 10 years thereafter:

1. Prepare a comprehensive report which includes:
  - (a) A statement of the proposed uses during the following 10 years of the revenues to be collected from each tax imposed; and
  - (b) A projection of the principal amount of any general or special obligation bonds or other securities proposed to be issued during the following 10 years to fund projects described in paragraph (a) of subsection 2 of [NRS 244.33512](#);
2. Hold a public hearing to consider and solicit comments on the report; and
3. Provide a copy of the report to the next regular session of the Legislature.

(Added to NRS by [1991, 26](#); A [2009, 2076](#))

**NRS 244.3352 Mandatory tax on revenues from rental of transient lodging: Imposition and collection; schedule for payment; penalty and interest for late payment.**

1. The board of county commissioners:
    - (a) In a county whose population is 700,000 or more, shall impose a tax at a rate of 2 percent; and
    - (b) In a county whose population is less than 700,000, shall impose a tax at the rate of 1 percent.
- È of the gross receipts from the rental of transient lodging in that county upon all persons in the business of providing lodging. This tax must be imposed by the board of county commissioners in each county, regardless of the existence or nonexistence of any other license fee or tax imposed on the revenues from the rental of transient lodging. The ordinance imposing the tax must include a schedule for the payment of the tax and the provisions of subsection 4.
2. The tax imposed pursuant to subsection 1 must be collected and administered pursuant to [NRS 244.335](#).
  3. The tax imposed pursuant to subsection 1 may be collected from the paying guests and may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from the paying guest.
  4. If the tax imposed pursuant to subsection 1 is not paid within the time set forth in the schedule for payment, the county shall charge and collect in addition to the tax:
    - (a) A penalty of not more than 10 percent of the amount due, exclusive of interest, or an administrative fee established by the board of county commissioners, whichever is greater; and
    - (b) Interest on the amount due at the rate of not more than 1.5 percent per month or fraction thereof from the date on which the tax became due until the date of payment.
  5. As used in this section, "gross receipts from the rental of transient lodging" does not include the tax imposed and collected from paying guests pursuant to this section or [NRS 268.096](#).

(Added to NRS by [1983, 476](#); A [1987, 900](#); [1989, 167, 907](#); [1997, 2458](#); [2011, 1104](#))

**NRS 244.3354 Mandatory tax on revenues from rental of transient lodging: Distribution of proceeds.** The proceeds of the tax imposed pursuant to [NRS 244.3352](#) and any applicable penalty or interest must be distributed as follows:

1. In a county whose population is 700,000 or more:
  - (a) Three-eighths of the first 1 percent of the proceeds must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.
  - (b) The remaining proceeds must be transmitted to the county treasurer for deposit in the county school district's fund for capital projects established pursuant to [NRS 387.328](#), to be held and expended in the same manner as other money deposited in that fund.
2. In a county whose population is less than 700,000:
  - (a) Three-eighths must be paid to the Department of Taxation for deposit with the State Treasurer for credit to the Fund for the Promotion of Tourism.
  - (b) Five-eighths must be deposited with the county fair and recreation board created pursuant to [NRS 244A.599](#) or, if no such board is created, with the board of county commissioners, to be used to advertise the resources of that county related to tourism, including available accommodations, transportation, entertainment, natural resources and climate, and to promote special events related thereto.

(Added to NRS by [1983, 476](#); A [1987, 901](#); [1993, 2330](#); [1997, 2459](#); [2011, 1105](#))

**NRS 244.3356 Mandatory tax on revenues from rental of transient lodging: Prohibited uses of proceeds.** The proceeds of the tax imposed pursuant to [NRS 244.3352](#) may not be used:

1. As additional security for the payment of, or to redeem, any general obligation bonds issued pursuant to [NRS 244A.597](#) to [244A.655](#), inclusive.
2. To defray the costs of collecting or administering the tax incurred by the county fair and recreation board.
3. To operate and maintain recreational facilities under the jurisdiction of the county fair and recreation board.
4. To improve and expand recreational facilities authorized by [NRS 244A.597](#) to [244A.655](#), inclusive.
5. To construct, purchase or acquire such recreational facilities.

(Added to NRS by [1983, 476](#))

**NRS 244.33561 Additional mandatory tax on revenues from rental of transient lodging in certain counties: Imposition and collection; limitation; schedule for payment; penalty and interest for late payment.**

1. Except as otherwise provided in subsection 2, in any county whose population is 300,000 or more, the board of county commissioners shall impose a tax at the rate of 3 percent of the gross receipts from the rental of transient lodging in that county. Except as otherwise provided in subsection 2, the tax must be imposed throughout the county, including its incorporated cities, upon all persons in the business of providing lodging. The ordinance imposing the tax must include a schedule for the payment of the tax and the provisions of subsection 4.
2. If the sum of the rates of all other taxes existing on July 31, 2008, and imposed by the State of Nevada or any unit of local government on the gross receipts from the rental of transient lodging in any area of the county exceeds 10 percent, the tax imposed pursuant to this section in that area must be imposed at a rate equal to the difference between 13 percent and the sum of the rates of the existing taxes. If the sum of the rates of the existing taxes in any area of the county is equal to or greater than 13 percent, no additional tax may be imposed in that area pursuant to this section. For the purposes of this section, the sum of the rates of any existing taxes must be determined as of July 31, 2008, and any increase in the rate of an existing tax after that date does not reduce the rate of the tax imposed pursuant to this section.
3. The tax imposed pursuant to this section must be collected with and in the same manner as any other tax imposed by the county on the gross receipts from the rental of transient lodging. The tax may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from a paying guest.
4. If the tax imposed pursuant to this section is not paid within the time set forth in the schedule for payment, the county shall charge and collect in addition to the tax:
  - (a) A penalty of not more than 10 percent of the amount due, exclusive of interest, or an administrative fee established by the board of county commissioners, whichever is greater; and
  - (b) Interest on the amount due at the rate of not more than 1.5 percent per month or fraction thereof from the date on which the tax became due until the date of payment.

(Added to NRS by [2009.5](#))

**NRS 244.33565 Taxes on revenues from rental of transient lodging: Adoption of ordinance defining “transient lodging.”**

1. Each board of county commissioners shall adopt an ordinance that defines the term “transient lodging” for the purposes of all taxes imposed by the board on the rental of transient lodging. The ordinance must specify the types of lodging to which the taxes apply.
2. The definition adopted by the board may include rooms or spaces in any one or more of the following:
  - (a) Hotels;
  - (b) Motels;
  - (c) Apartments;
  - (d) Time-share projects, except when an owner of a unit in the time-share project who has a right to use or occupy the unit is occupying the unit pursuant to a time-share instrument as defined in [NRS 119A.150](#);
  - (e) Apartment hotels;
  - (f) Vacation trailer parks;
  - (g) Campgrounds;
  - (h) Parks for recreational vehicles; and
  - (i) Any other establishment that rents rooms or spaces to temporary or transient guests.

3. The board may provide one or more different definitions pursuant to subsection 1 for different jurisdictions within the county in which the taxes are collected. Unless the governing body of the governmental entity that collects the taxes consents by majority vote to a change, each definition must be consistent with the past practices of the specific jurisdiction in which the taxes are collected.

(Added to NRS by [1997.1266](#))

**NRS 244.3357 Taxes on revenues from rental of transient lodging: Annual report to Department of Taxation.** On or before August 15 of each year, the board of county commissioners in each county shall submit a report to the Department of Taxation which states:

1. The rate of all taxes imposed on the revenues from the rental of transient lodging pursuant to [NRS 244.335](#) and [244.3352](#) and any special act in the preceding fiscal year;
2. The total amount of revenue collected from all taxes imposed on the revenues from the rental of transient lodging pursuant to [NRS 244.335](#) and [244.3352](#) and any special act in the preceding fiscal year; and
3. The manner in which the revenue was used in the previous fiscal year.

(Added to NRS by [1989.905](#))

**NRS 244.3358 Taxes on revenues from rental of transient lodging: Assignment of certain proceeds by certain counties to general improvement district furnishing recreational facilities; use of proceeds assigned; pledge of proceeds prohibits revocation of assignment.**

1. A county whose population is less than 100,000 may by ordinance assign to a district created pursuant to [chapter 318](#) of NRS which has been granted the basic power of furnishing recreational facilities all or any portion of the proceeds of any tax on the revenues from the rental of transient lodging which is imposed by the county and collected within the boundaries of the district, except the tax imposed pursuant to [NRS 244.3352](#) or a tax imposed pursuant to [NRS 244.3351](#).

2. The district may use the proceeds assigned pursuant to subsection 1 for any purpose authorized pursuant to [NRS 318.143](#).

3. The district may, with the consent of the board of county commissioners or as otherwise provided in [NRS 268.460](#), irrevocably pledge the proceeds assigned pursuant to subsection 1 for:

- (a) The repayment of any bonds or short-term or medium-term obligations issued pursuant to [chapter 318](#) or [350](#) of NRS for any lawful purpose pertaining to the furnishing of recreational facilities; or
- (b) The refinancing of any such bonds or obligations.

Ê The consent of the board of county commissioners must be given by resolution. If any proceeds are pledged pursuant to this subsection, the assignment of the proceeds may not be revoked until the bonds or short-term or medium-term obligations for which the proceeds were pledged have been completely repaid.

4. No assignment may be made pursuant to this section which is inconsistent with an assignment made or contract entered into for the purposes of [NRS 244A.597](#) to [244A.655](#), inclusive.

5. A county which makes an assignment pursuant to this section may retain an amount equal to the reasonable cost of collecting the tax, which must not exceed 2 percent of the proceeds of the tax for any period of collection.

(Added to NRS by [1985.385](#); A [1991.28](#); [1995.1813](#); [1997.283](#))

**NRS 244.3359 Taxes on rental of transient lodging: Limitations on imposition of new tax and on increase in rate of existing tax; legislative declaration; exceptions.**

1. A county whose population is 700,000 or more shall not impose a new tax on the rental of transient lodging or increase the rate of an existing tax on the rental of transient lodging after March 25, 1991, except pursuant to [NRS 244.3351](#), [244.3352](#) and [244.33561](#).

2. A county whose population is 100,000 or more but less than 700,000 shall not impose a new tax on the rental of transient lodging or increase the rate of an existing tax on the rental of transient lodging after March 25, 1991, except pursuant to [NRS 244.33561](#) and [244A.910](#).

3. Except as otherwise provided in subsection 2 and [NRS 387.191](#) and [387.193](#), the Legislature hereby declares that the limitation imposed by subsection 2 will not be repealed or amended except to allow the imposition of an increase in such a tax for the promotion of tourism or for the construction or operation of tourism facilities by a convention and visitors authority.

(Added to NRS by [1991.27](#); A [1997.2460](#); [2009.6](#); [2011.1105](#); [2015.466](#))

**NRS 244.336 Farmers’ markets: Definitions.** As used in this section and [NRS 244.337](#) and [244.338](#), unless the context otherwise requires:

1. “Farmers’ market” means a place of business where the actual producer of farm products can bring the products for direct sale to consumers. The term includes a place of business where a person rents space to producers for the sale of farm products.

2. “Farm products” has the meaning ascribed to it in [NRS 576.0155](#).

(Added to NRS by [1975.1203](#); A [1993.432](#))

**NRS 244.337 Farmers’ markets: Licensing and regulation.**

1. The board of county commissioners of any county may provide by ordinance for the licensing and regulating of farmers’ markets located outside of an incorporated city.

2. Every person who establishes a farmers’ market shall make application to the board of county commissioners of the county in which the farmers’ market is to be located. The application must be in a form and manner prescribed by the board of county commissioners.

3. The board of county commissioners may:

- (a) Fix, impose and collect license fees upon the market.
- (b) Grant or deny applications for licenses or impose conditions, limitations and restrictions upon the license.
- (c) Adopt, amend and repeal regulations relating to the licenses and licensees of farmers’ markets.

(Added to NRS by [1975.1203](#); A [1987.1717](#))

**NRS 244.338 Farmers' markets: Responsibilities of licensee; unlawful acts.**

1. The person, firm, association or corporation licensed by the board of county commissioners to establish a farmers' market is:
    - (a) Responsible for the collection of any taxes required pursuant to [chapters 372, 374 and 377](#) of NRS.
    - (b) An employer as defined in [NRS 616A.230](#) for the purpose of providing coverage under the Nevada Industrial Insurance Act.
  2. A person who sells farm products within the farmers' market is not required to be licensed.
  3. It is unlawful for any person to sell, within the farmers' market, any product which is not a farm product.
- (Added to NRS by [1975.1204](#))

**NRS 244.340 Tent shows, circuses, theme parks and permanent exhibitions: Licensing by ordinance; license tax; exception to requirement of acquiring state license or certificate.**

1. County commissioners of the several counties shall provide by ordinance for the licensing of tent shows, circuses, theme parks and permanent exhibitions in their respective counties.
  2. In no case may a license for a tent show or circus be issued for a sum of less than \$25 per day or more than \$300 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county. Upon written application of any executive officer of any local post or unit of any national organization of former military personnel, acting in the executive officer's official capacity, such a license or licenses must be issued without charge for not to exceed 2 weeks in any calendar year, if the local post or unit is to participate in the show or the proceeds thereof.
  3. In no case may a license for a theme park or permanent exhibition be issued for a sum of less than \$25 per day or more than \$100 per day, which must be in addition to any license provided by ordinance in any incorporated municipality, city or town of the county.
  4. Upon compliance with the terms of the ordinance, the owner or operator of the theme park or permanent exhibition is not required to acquire any license or certificate from a state agency which would otherwise be required to operate a lift, tramway, monorail, elevator, escalator, roller coaster or other conveyance used primarily in connection with the theme park or permanent exhibit.
- [1:32:1929; A 1933, 94; 1931 NCL § 2041] — (NRS A [1987.508](#))

**NRS 244.345 Dancing halls, escort services, entertainment by referral services and gambling games or devices; limitation on licensing of houses of prostitution.**

1. Every natural person wishing to be employed as an entertainer for an entertainment by referral service and every natural person, firm, association of persons or corporation wishing to engage in the business of conducting a dancing hall, escort service, entertainment by referral service or gambling game or device permitted by law, outside of an incorporated city, must:
    - (a) Make application to the license board of the county in which the employment or business is to be engaged in, for a county license of the kind desired. The application must be in a form prescribed by the regulations of the license board.
    - (b) File the application with the required license fee with the county license collector, as provided in [chapter 364](#) of NRS, who shall present the application to the license board at its next regular meeting.

È The board, in counties whose population is less than 700,000, may refer the petition to the sheriff, who shall report upon it at the following regular meeting of the board. In counties whose population is 700,000 or more, the board shall refer the petition to the metropolitan police department. The department shall conduct an investigation relating to the petition and report its findings to the board at the next regular meeting of the board. The board shall at that meeting grant or refuse the license prayed for or enter any other order consistent with its regulations. Except in the case of an application for a license to conduct a gambling game or device, the county license collector may grant a temporary permit to an applicant, valid only until the next regular meeting of the board. In unincorporated towns and cities governed pursuant to the provisions of [chapter 269](#) of NRS, the license board has the exclusive power to license and regulate the employment and businesses mentioned in this subsection.
  2. The board of county commissioners, and in a county whose population is less than 700,000, the sheriff of that county constitute the license board, and the county clerk or other person designated by the license board is the clerk thereof, in the respective counties of this state.
  3. The license board may, without further compensation to the board or its clerk:
    - (a) Fix, impose and collect license fees upon the employment and businesses mentioned in this section.
    - (b) Grant or deny applications for licenses and impose conditions, limitations and restrictions upon the licensee.
    - (c) Adopt, amend and repeal regulations relating to licenses and licensees.
    - (d) Restrict, revoke or suspend licenses for cause after hearing. In an emergency the board may issue an order for immediate suspension or limitation of a license, but the order must state the reason for suspension or limitation and afford the licensee a hearing.
  4. The license board shall hold a hearing before adopting proposed regulations, before adopting amendments to regulations, and before repealing regulations relating to the control or the licensing of the employment or businesses mentioned in this section. Notice of the hearing must be published in a newspaper published and having general circulation in the county at least once a week for 2 weeks before the hearing.
  5. Upon adoption of new regulations the board shall designate their effective date, which may not be earlier than 15 days after their adoption. Immediately after adoption a copy of any new regulations must be available for public inspection during regular business hours at the office of the county clerk.
  6. Except as otherwise provided in [NRS 241.0355](#), a majority of the members constitutes a quorum for the transaction of business.
  7. Any natural person, firm, association of persons or corporation who engages in the employment of any of the businesses mentioned in this section without first having obtained the license and paid the license fee as provided in this section is guilty of a misdemeanor.
  8. In a county whose population is 700,000 or more, the license board shall not grant any license to a petitioner for the purpose of operating a house of ill fame or repute or any other business employing any person for the purpose of prostitution.
  9. As used in this section:
    - (a) "Entertainer for an entertainment by referral service" means a natural person who is sent or referred for a fee to a hotel or motel room, home or other accommodation by an entertainment by referral service for the purpose of entertaining the person located in the hotel or motel room, home or other accommodation.
    - (b) "Entertainment by referral service" means a person or group of persons who send or refer another person to a hotel or motel room, home or other accommodation for a fee in response to a telephone or other request for the purpose of entertaining the person located in the hotel or motel room, home or other accommodation.
- [1:50:1923; NCL § 2037] + [2:50:1923; NCL § 2038] + [3:50:1923; NCL § 2039] + [4:50:1923; NCL § 2040] — (NRS A 1959, 838; 1961, 364; [1971.11](#); [1973.923](#); [1975.562](#); [1979.20](#), [305](#), [511](#), [728](#), [730](#), [732](#), [733](#); [1989.1899](#); [1991.166](#); [2001.1124](#); [2011.1105](#))

**NRS 244.3475 Paging services in county whose population is 700,000 or more: Ordinance required regarding maintenance of certain records.**

1. The board of county commissioners of a county whose population is 700,000 or more shall enact an ordinance requiring a person other than a public utility who:
  - (a) Purchases paging services from a public utility; and
  - (b) Resells those paging services to another person for use primarily in the unincorporated area of the county,

È to maintain such records of the names and addresses of the persons to whom the paging services are resold as the board deems necessary.
2. The ordinance must include:
  - (a) The information that must be included in the records required to be maintained; and
  - (b) The length of time that the records must be maintained.
3. As used in this section, "public utility" means:
  - (a) A public utility as defined in [NRS 704.020](#); and

(b) A provider of a “commercial mobile service” as defined in 47 U.S.C. § 332.  
(Added to NRS by [1999, 1642](#); A [2011, 1107](#))

**NRS 244.348 Pawnbrokers: Additional license required to use motor vehicle as collateral for loan; fee for additional license.**

1. If the board of county commissioners requires a license to engage in business as a pawnbroker, it shall also require an additional license if the pawnbroker accepts motor vehicles as pledged property or in any other manner allows the use of a motor vehicle as collateral for a loan. A license authorizing a pawnbroker to accept motor vehicles as pledged property must not be issued to a person who does not have a license to engage in business as a pawnbroker.

2. The board shall charge and collect an additional fee of not more than \$500 for each license authorizing a pawnbroker to accept motor vehicles as pledged property, and shall issue the license upon payment of the prescribed fee.

(Added to NRS by [1993, 2324](#))

**NRS 244.3485 Secondhand dealers: Licensing; fines for certain violations.**

1. The board of county commissioners of each county shall, by ordinance, require each person who wishes to engage in the business of a secondhand dealer in an unincorporated area of the county to obtain a license issued by the board before the person engages in the business of a secondhand dealer.

2. The ordinance must require the applicant to submit:

(a) An application for a license to the board of county commissioners in a form prescribed by the board.

(b) With his or her application a complete set of his or her fingerprints and written permission authorizing the board to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

3. The board of county commissioners shall not issue a license pursuant to this section to an applicant who has been convicted of, or entered a plea of guilty, guilty but mentally ill or nolo contendere to, a felony involving moral turpitude or related to the qualifications, functions or duties of a secondhand dealer.

4. The board of county commissioners may:

(a) Establish and collect a fee for the issuance or renewal of a license;

(b) Establish and collect a fee to cover the costs of the investigation of an applicant, including a fee to process the fingerprints of the applicant;

(c) Place conditions, limitations or restrictions upon the license;

(d) Establish any other requirements necessary to carry out the provisions of this section; or

(e) Enact an ordinance which covers the same or similar subject matter included in the provisions of [NRS 647.140](#) and which provides that any person who violates any provision of that ordinance shall be punished:

(1) For the first offense, by a fine of not more than \$500.

(2) For the second offense, by a fine of not more than \$1,000.

(3) For the third offense, by a fine of not more than \$2,000 and by revocation of the license of the secondhand dealer.

5. As used in this section, “secondhand dealer” has the meaning ascribed to it in [NRS 647.018](#).

(Added to NRS by [2003, 654](#); A [2007, 1444](#); [2009, 768](#))

**NRS 244.349 Grant of license required upon relocation of business under certain circumstances.** If a board of county commissioners has required by ordinance that a certain distance be maintained between similar businesses, and the board or any other officer or body so authorized grants a variance for the location of any particular business that is relocated because of the county’s acquisition of the former site of that particular business, any other similar business being conducted at the time of the relocation which is affected by the exercise of the variance must be granted a license to engage in business that is equivalent to the license granted to the relocated business.

(Added to NRS by [1993, 2213](#))

**NRS 244.350 Sale of intoxicating liquors: Licensing and regulation by county liquor board; exceptions.**

1. The board of county commissioners and, in a county whose population is less than 700,000, the sheriff of that county, constitute a liquor board. The liquor board may, without further compensation, grant or refuse liquor licenses, and revoke those licenses whenever there is, in the judgment of a majority of the board, sufficient reason for revocation. The board shall elect a chair from among its members.

2. Except as otherwise provided in this section, the liquor board in each of the several counties shall enact ordinances:

(a) Regulating the sale of intoxicating liquors in their respective counties.

(b) Fixing the hours of each day during which liquor may be sold or disposed of.

(c) Prescribing the conditions under which liquor may be sold or disposed of.

(d) Prohibiting the employment or service of minors in the sale or disposition of liquor.

(e) Prohibiting the sale or disposition of liquor in places where, in the judgment of the board, the sale or disposition may tend to create or constitute a public nuisance, or where by the sale or disposition of liquor a disorderly house or place is maintained.

3. In a county whose population is 700,000 or more, the liquor board shall refer any petition for a liquor license to the metropolitan police department. The department shall conduct an investigation relating to the petition and report its findings to the liquor board at the next regular meeting of the board.

4. All liquor dealers within any incorporated city are exempt from the effect of this section, and are to be regulated only by the government of that city.

5. The liquor board may deny or refuse to renew the license of a person who has willfully violated the provisions of [NRS 369.630](#) more than three times in any 24-month period.

6. The liquor board shall not deny a license to a person solely because the person is not a citizen of the United States.

7. The Legislative Counsel Bureau is exempt from the provisions of this section with respect to the purchase and sale of souvenir wine pursuant to [NRS 218F.430](#).

[1:184:1933; 1931 NCL § 3690] — (NRS A [1973, 924](#); [1975, 563, 1487](#); [1977, 624](#); [1979, 735, 736, 1169](#); [1985, 257](#); [1987, 1718](#); [1989, 1900](#); [2005, 2686](#); [2007, 899](#); [2011, 1107](#))

**NRS 244.3501 Sale of intoxicating liquors: Enactment, style and recording of liquor board’s ordinances.**

1. An ordinance of the liquor board shall not be passed except by bill. When any ordinance is amended, the section or sections thereof shall be reenacted as amended, and an ordinance shall not be revised or amended by reference only to its title.

2. Every liquor board ordinance shall:

(a) Bear a summary, which shall appear before the title and which shall state in brief the subject matter of the ordinance.

(b) Embrace but one subject and matters necessarily connected therewith and pertaining thereto. The subject shall be clearly indicated in the title. In all cases where the subject of the ordinance is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

3. All proposed liquor board ordinances, when first proposed, shall be read aloud in full to the liquor board, and final action thereon shall be deferred until the next regular meeting of the board; but in cases of emergency, by unanimous consent of the whole board, final action may be taken immediately or at a special meeting called for that purpose.

4. All ordinances shall be:

(a) Signed by the chair of the liquor board.

(b) Attested by the county clerk.

(c) Published by title only, together with the names of the liquor board members voting for or against their passage, in a newspaper published in and having a general circulation in the county, at least once a week for a period of 2 weeks before the same shall go into effect. Publication by title shall also contain a statement to the effect that typewritten copies of the ordinance are available for inspection at the office of the county clerk by all interested persons.

5. The style of liquor board ordinances shall be as follows:

THE LIQUOR BOARD OF THE  
COUNTY OF.....DOES ORDAIN:  
(Body of ordinance)  
(Last section of ordinance)

Proposed on ..... (month) ..... (day) ..... (year)

Proposed by Member.....

Passed ..... (month) ..... (day) ..... (year)

Vote:

Ayes: Members.....

Nays: Members.....

Absent: Members.....

Attest:

.....  
County Clerk

.....  
Chair of the Liquor Board

This ordinance shall be in force and effect from and after the ..... day of the month of ..... of the year .....

6. The county clerk shall record all liquor board ordinances in a book kept for that purpose, together with the affidavits of publication by the publisher. The book, or a certified copy of an ordinance therein recorded and under the seal of the county, shall be received as prima facie evidence in all courts and places without further proof.

(Added to NRS by [1977, 625](#); A [2001, 45](#))

**NRS 244.351 Sale of intoxicating liquors: Sale by minors allowed in certain circumstances.** A person who has attained the age of 16 years and has not attained the age of 18 years may be employed in a retail food store for the sale or disposition of liquor if:

1. He or she is supervised by a person who is 18 years of age or over and who is an owner or an employee of the business which sells or disposes of the liquor;

2. Such person 18 years of age or over who is supervising such person under 18 is actually present at the time that such person under 18 sells or disposes of the liquor; and

3. The liquor is in a container or receptacle which is corked or sealed.

(Added to NRS by [1969, 1226](#); A [1973, 1578](#))

**NRS 244.352 License board and liquor board may be merged.** Any board of county commissioners may by ordinance provide for the merger of the license board and the liquor board. The merged board shall perform all functions and has all powers provided for each of the separate boards.

(Added to NRS by [1979, 736](#))

**NRS 244.3525 Administration of oaths; payment of witnesses; appointment and qualifications of hearing officers; service of notice.**

1. The chair or clerk of the board of county commissioners to enforce [NRS 244.331](#) to [244.3345](#), inclusive, and [244.335](#) to [244.340](#), inclusive, the chair or clerk of the license board of the county to enforce [NRS 244.345](#) and the chair or clerk of the liquor board of the county to enforce [NRS 244.350](#), [244.3501](#) and [244.351](#) may:

(a) Administer oaths and require testimony under oath;

(b) Pay witnesses a reasonable allowance for travel and subsistence; and

(c) Appoint hearing officers who may administer oaths and receive testimony given under oath.

2. Each hearing officer appointed pursuant to paragraph (c) of subsection 1 must be a resident of this State who is a graduate of:

(a) An accredited law school; or

(b) An accredited 4-year college and has at least 5 years' experience in public administration,

and who has completed a course of instruction in administrative law, relating to the provisions of this chapter, offered by the office of the district attorney for the county. This course must consist of at least 4 hours of instruction in a classroom.

3. Any notice given by the board must be served in the manner required for civil actions.

(Added to NRS by [1985, 1238](#); A [1997, 3130](#); [2005, 2337](#); [2009, 426](#))

## REGULATION AND LICENSING OF OUTDOOR ASSEMBLIES

**NRS 244.354 Ordinance required.** The board of county commissioners of each county shall adopt an ordinance regulating and licensing outdoor assemblies. The minimum requirements set forth in [NRS 244.354](#) to [244.3548](#), inclusive, may be incorporated in such ordinance.

(Added to NRS by [1973, 1297](#))

**NRS 244.3541 "Assembly" defined.** As used in [NRS 244.354](#) to [244.3548](#), inclusive, unless the context otherwise requires, "assembly" means a company of persons gathered together for any purpose at any location, other than in a permanent building or permanent installation, which has been constructed for and will accommodate the number of persons gathered therein.

(Added to NRS by [1973, 1297](#); A [1985, 513](#))

**NRS 244.3542 License required.** Except as otherwise provided in [NRS 244.35425](#), every person who permits, maintains, promotes, conducts, advertises, operates, undertakes, organizes, manages, sells or gives away tickets to an actual or reasonably anticipated assembly of 1,000 or more individuals shall obtain a license from the board of county commissioners of the county in which such assembly is proposed, in accordance with the provisions of [NRS 244.354](#) to [244.3548](#), inclusive.

(Added to NRS by [1973, 1297](#); A [2013, 1465](#))

**NRS 244.35425 Agreement for exemption: Entry into agreement; modification or termination; required provisions; duration.**

1. A board of county commissioners may enter into an agreement with any person or organization described in paragraph (b) to exempt from the provisions of any ordinance adopted by that board of county commissioners pursuant to [NRS 244.354](#) and the provisions of [NRS 244.354](#) to [244.3548](#), inclusive:

(a) Any assembly occurring on federal land for which a federal agency issues a license or permit or otherwise authorizes the assembly; and

(b) The person or organization that permits, maintains, promotes, conducts, advertises, operates, undertakes, organizes, manages or sells or gives away tickets to any such assembly.

2. In determining whether to enter into an agreement pursuant to subsection 1, a board of county commissioners may consider, without limitation, whether a person or organization described in paragraph (b) of subsection 1 has demonstrated to the satisfaction of the board that:

(a) The federal agency that issues a license or permit for or otherwise authorizes an assembly described in paragraph (a) of subsection 1 has ensured that conditions which otherwise may be imposed by the board pursuant to [NRS 244.3545](#) are addressed during the process of issuing the license or permit for or otherwise authorizing the assembly; and

(b) The assembly will not present an unreasonable danger to the health or safety of any resident of the county.

3. Except as otherwise provided in subsection 6, an agreement entered into pursuant to subsection 1 may be rescinded only by mutual agreement of the parties to the agreement. For the duration of the agreement, no future board of county commissioners of that county may adopt an ordinance requiring, or in any other way require:

(a) The application of the provisions of [NRS 244.354](#) to [244.3548](#), inclusive, to the assembly that is the subject of the agreement, the person or organization with whom the board enters into the agreement, or any other person who permits, maintains, promotes, conducts, advertises, operates, undertakes, organizes, manages or sells or gives away tickets to the assembly; or

(b) Any changes to the terms of the agreement.

4. If a board of county commissioners enters into an agreement pursuant to subsection 1:

(a) The agreement must require the person or organization described in paragraph (b) of subsection 1 to call upon the services of the office of the county coroner if a death of a person occurs at the assembly;

(b) The agreement must provide for the office of the county coroner to receive compensation for such services, including, without limitation, compensation:

(1) For the expenses of any travel and subsistence incurred in the provisions of such services;

(2) For the expenses relating to an autopsy and the transportation and storage of the body of the deceased; and

(3) For any other reasonable expenses relating to the provision of such services; and

(c) The board of county commissioners or any board of county commissioners that takes office after the effective date of the agreement may enter into a separate agreement with the person or organization described in paragraph (b) of subsection 1 which provides for the county to provide reasonable and necessary services for the assembly and to receive compensation for the provision of such services.

5. Notwithstanding the provisions of [NRS 244.320](#), any agreement entered into pursuant to this section may extend beyond the terms of the county commissioners in office and voting on the agreement regardless of whether the board appropriates money for the agreement beyond the terms of office.

6. Nothing contained in this section shall be construed to prohibit, prevent or limit the power of the Legislature.

(Added to NRS by [2013, 1464](#))

**NRS 244.3543 Application for license: Time; contents.** Application for a license to conduct such an assembly shall be made in writing to the county clerk at least 60 days prior to the time indicated for the commencement of the planned activity and shall be accompanied by a nonrefundable application fee in the amount established by the board. The application shall include:

1. The name and address of the applicant or applicants.

2. The legal description of the place where the proposed assembly is to be held.

3. The date or dates of the assembly.

4. The estimated attendance at the assembly.

5. The nature or purpose of the assembly.

6. Such other information as the board determines is necessary.

(Added to NRS by [1973, 1298](#))

**NRS 244.3544 Hearing; Notice; investigation; grant, denial or conditioning of license; issuance of license.**

1. Upon receipt of a complete application and the application fee, the clerk shall:

(a) Set the application for public hearing at a regular meeting of the board, not less than 15 days nor more than 30 days thereafter, and give not less than 10 days' written notice thereof to the applicant.

(b) Promptly give notice of such hearing and copies of the application to the sheriff, the county health officer and the county engineer, who shall investigate the application and report in writing to the board not later than the hearing with appropriate recommendations related to their official functions, as to granting a license and conditions thereof.

2. Based upon the testimony of the witnesses and evidence presented at such hearing, including the reports of such officers, the board shall grant the license, deny the license or set conditions which must be met, or security given that such conditions will be met, before a license is granted. If conditions are imposed by the board, the applicant shall furnish or cause to be furnished to the clerk proof that all conditions have been met before the license is issued by the clerk.

3. When the clerk certifies that all conditions have been met, the sheriff shall, upon receipt of a license fee in an amount to be determined by the board, issue a license for the assembly.

(Added to NRS by [1973, 1298](#))

**NRS 244.3545 Conditions which may be imposed.** The conditions which may be imposed by the board, as provided in [NRS 244.3544](#), for the protection of the health, safety and property of local residents and persons attending such assemblies may include the following:

1. A minimum number of law enforcement officers employed at the licensee's expense.

2. Adequate drinking water.

3. An adequate sewage system.

4. Adequate food supplies.

5. Adequate toilet facilities.

6. Adequate medical facilities, including doctors and supplies.

7. A minimum amount of parking space for vehicles.

8. Adequate camping facilities.

9. Indemnity or performance bonds.

10. Adequate fire protection at the licensee's expense.

11. Financial statements.

12. A communication system.

13. Other conditions determined by the board to be necessary to protect the health, welfare and property of local residents and persons attending the assembly.

(Added to NRS by [1973, 1298](#))

**NRS 244.3546 Denial of license: Grounds; notice.**

1. After holding the hearing required under [NRS 244.3544](#), the board may deny issuance of the license if it finds any of the following:

(a) That the applicant fails to meet the conditions imposed pursuant to the provisions of [NRS 244.354](#) to [244.3548](#), inclusive.



(b) That the proposed assembly will be held in a manner or location not meeting the health, zoning, fire or building and safety standards established by the ordinances of the county or the laws of the State of Nevada.

(c) That the applicant has knowingly made a false, misleading or fraudulent statement of material fact in the application for a license.

(d) That the applicant, the applicant's employee, agent or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager has previously conducted the type of assembly indicated in the application, which resulted in the creation of a public or private nuisance.

(e) That the applicant, the applicant's employee, agent or any person associated with the applicant as partner, director, officer, stockholder, associate or manager has been convicted in a court of competent jurisdiction, by final judgment of:

(1) An offense involving the presentation, exhibition or performance of an obscene production, motion picture or place, or of selling obscene matter;

(2) An offense involving lewd conduct;

(3) An offense involving the use of force and violence upon the person of another;

(4) An offense involving misconduct with children; or

(5) A felony.

2. Where the application is denied, the county clerk shall mail to the applicant written notice of denial within 14 days of such action, which notice shall include a statement of the reasons the application was denied.

(Added to NRS by [1973, 1299](#))

#### **NRS 244.3547 Revocation and reinstatement of license; notice.**

1. The board may revoke any license or may reinstate any license on such suitable conditions as are determined by the board.

2. Notice of intent to revoke shall be given and the licensee is entitled to a hearing.

(Added to NRS by [1973, 1299](#))

**NRS 244.3548 Unlawful acts.** Except as otherwise provided in [NRS 244.35425](#), it is unlawful for any licensee or any employee, agent or associate of a licensee to:

1. Hold an actual or reasonably anticipated assembly of 1,000 or more persons without first procuring a license to do so.

2. Sell tickets to such an assembly without a license first having been obtained.

3. Hold such an assembly in such a manner as to create a public or private nuisance.

4. Exhibit, show or conduct within the place of such an assembly any obscene, indecent, vulgar or lewd exhibition, show, play, entertainment or exhibit, no matter by what name designated.

5. Allow any person on the premises of the licensed assembly to cause or create a disturbance in, around or near any place of the assembly, by offensive or disorderly conduct.

6. Knowingly allow any person to consume, sell or be in possession of intoxicating liquor while in such assembly except where the consumption or possession is expressly authorized by the board and under the laws of the State of Nevada.

7. Knowingly allow any person at the licensed assembly to use, sell or be in possession of any controlled substance while in, around or near a place of the assembly.

(Added to NRS by [1973, 1299](#); A [1987, 1548](#); [2013, 1466](#))

### **ORDINANCE CONCERNING CERTAIN FACILITIES, HOMES, HOUSES AND INSTITUTIONS**

#### **NRS 244.3549 Duty to adopt certain terms related to group homes by ordinance.**

1. Except as otherwise provided in subsections 2 and 3, each board of county commissioners shall adopt an ordinance using the following terms to describe the following types of facilities, homes, houses and institutions:

(a) Child care institution, as that term is used in [NRS 432A.0245](#).

(b) Facility for transitional living for released offenders, as that term is used in [NRS 449.0055](#).

(c) Group foster home, as that term is used in [NRS 424.015](#).

(d) Halfway house for recovering alcohol and drug abusers, as that term is used in [NRS 449.008](#).

(e) Home for individual residential care, as that term is used in [NRS 449.0105](#).

(f) Residential facility for groups, as that term is used in [NRS 449.017](#).

2. Subsection 1 requires the board of county commissioners to use the specified terms solely for the purpose of referring to the named facilities, homes, houses and institutions and does not require the board to adopt the State's definition for the purpose of regulating or imposing any requirement with respect to such a facility, home, house or institution.

3. A board of county commissioners is not required to include a term set forth in subsection 1 in the ordinance if:

(a) A facility, home, house or institution of the type corresponding to the term does not exist in the county; or

(b) The county's ordinances do not otherwise, by whatever name, refer to a facility, home, house or institution of the type corresponding to the term.

(Added to NRS by [2011, 707](#))

### **HEALTH AND SAFETY**

#### **NRS 244.355 Animals running at large on highways may be prohibited by ordinance.**

1. The boards of county commissioners of the respective counties are authorized, upon petition of 20 percent of the taxpayers residing in any district herein defined, to pass ordinances prohibiting horses, cattle, swine, goats or sheep from running at large upon any portion of the roads and highways within the district which are fenced on both sides.

2. The petition may be presented at any regular or special meeting of any board of county commissioners, and shall define the boundaries of the district sought to be established, and shall pray that such district may be established and that an ordinance may be passed by the board of county commissioners prohibiting any of the livestock mentioned in subsection 1 from running at large therein.

3. The boards of county commissioners are authorized and empowered to provide in such ordinance for the impounding and sale of any such livestock running at large within such district, and making a violation of any of the provisions of the ordinance a misdemeanor and punishable as such.

[1:165:1919; 1919 RL p. 2843; NCL § 4031] + [2:165:1919; 1919 RL p. 2843; NCL § 4032] + [3:165:1919; 1919 RL p. 2844; NCL § 4033]

#### **NRS 244.3555 Permits to solicit charitable contributions while standing on median strip of highway or sidewalk adjacent to highway.**

1. The boards of county commissioners of a county whose population is 700,000 or more shall provide by ordinance for the issuance of permits to charitable organizations which allow the holders to solicit charitable contributions for the respective organization while standing on the median strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the county. The county shall, upon receipt of the completed application, issue the permit for the period requested which may not exceed 3 days in a calendar year. The county may reasonably limit the time, place and manner of the solicitation to preserve public safety. In no case may a person whose age is less than 18 years be permitted to participate in the solicitation. The board of county commissioners of a county whose population is less than 700,000 may provide for such permits in the same manner.

2. The board may charge a fee for such a permit which does not exceed:

(a) An amount reasonably calculated to reimburse the county for its administrative costs in considering and processing the application; or

(b) Fifty dollars,  
or whichever is less.

3. The charitable organization:

(a) Shall indemnify the county against any injury to any person or property during the solicitation which arises from or is incident to the act of solicitation; and

(b) Is liable for any injury to any person or property during the solicitation which arises from the negligence of the soliciting agent.

4. As used in this section:

(a) "Charitable organization" means an organization which:

(1) The Secretary of the Treasury has determined is an exempt organization pursuant to the provisions of section 501(c) of the Internal Revenue Code; and

(2) Holds a current certificate of organization or is currently qualified by the Secretary of State to do business in this State.

(b) "Highway" means the entire width between the boundary lines of every way maintained by a public authority when any part thereof is open to the use of the public for purposes of vehicular traffic. The term does not include a "freeway" as that term is defined in [NRS 408.060](#).

(Added to NRS by [1991, 140](#); A [2011, 1108](#))

**NRS 244.356 Ordinance regulating traffic on streets of residential and commercial areas in federal military installation authorized.** The board of county commissioners of a county in which a federal military installation is located and where exclusive federal jurisdiction is no bar may enact ordinances regulating traffic upon the streets and alleys of residential and commercial areas within the boundaries of such federal military installation.

(Added to NRS by 1963, 26)

**NRS 244.357 Police, sanitary, loitering, prowling and traffic ordinances: Enactment and enforcement.**

1. Each board of county commissioners may enact and enforce such local police and sanitary ordinances and regulations as are not in conflict with the general laws and regulations of the State of Nevada, but may not enact any ordinance or regulation fixing a speed limit on any United States highway or any highway or road which is constructed, reconstructed, improved or maintained by the Department of Transportation as provided in [chapter 408](#) of NRS.

2. Such police and sanitary ordinances and regulations may be enacted to apply throughout an entire county or, where the subject matter makes it appropriate and reasonable, may be enacted to govern only a limited area within the county which must be specified in the ordinance.

3. Each board of county commissioners may enact and enforce loitering and prowling ordinances.

4. Subject to the restriction of subsection 1, each board of county commissioners may, by ordinance, regulate:

(a) All vehicular, pedestrian and other traffic within the unincorporated area of the county and provide generally for the public safety on public streets, publicly owned parking lots, parking areas to which the public is invited and the public rights-of-way.

(b) The length of time for which vehicles may be parked upon the public streets and publicly owned parking lots.

(Added to NRS by [1965, 119](#); A [1967, 1505](#); [1973, 187, 469](#); [1979, 1790](#); [1993, 809](#))

**NRS 244.35705 Ordinance concerning criminal gang activity and certain buildings and places harboring such activity: Injunctions; damages, fees and costs; violation of injunction; immune entities.**

1. Notwithstanding the provisions of any other law or ordinance, each board of county commissioners may, by ordinance, to protect the public health, safety and welfare of the residents of the county, adopt procedures pursuant to which the district attorney may file a civil action in a court of competent jurisdiction to seek any or all of the following relief:

(a) A temporary or permanent injunction against any specific member of a criminal gang to enjoin his or her activity which is associated with the criminal gang and which is occurring within the county.

(b) The recovery of money damages, attorney's fees and costs from:

(1) Any member of a criminal gang that is engaging in criminal activities within the county; and

(2) The owner of a building or place located within the county that has been found to be a public nuisance because the building or place is regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang, but only if the owner has actual notice that the building or place is regularly and continuously used by the members of a criminal gang to engage in, or facilitate the commission of, crimes by the criminal gang.

2. Any money damages awarded in an action brought pursuant to this section must be:

(a) Paid by, or collected from:

(1) Any assets of the criminal gang or its members that were derived from the criminal activities of the criminal gang or its members;

(2) Any assets of the owner of a building or place that has been found to constitute a public nuisance; or

(3) Any combination of the assets described in subparagraphs (1) and (2).

(b) Deposited into a separate, segregated fund in the county treasury, to be used solely for the benefit of the specific community or neighborhood that has been injured by the criminal activities of the criminal gang or the existence of the building or place that constitutes a public nuisance.

3. A member of a criminal gang who is subject to a temporary or permanent injunction granted pursuant to this section and who knowingly and intentionally commits a material violation of the terms of that injunction is guilty of a misdemeanor. If the violation also constitutes a criminal offense under another provision of law, the violation may be prosecuted pursuant to this section or the other provision of law, or both.

4. An action may not be brought pursuant to this section against:

(a) Any governmental entity; or

(b) Any charitable or nonprofit organization that is conducting, with ordinary care and skill, activities relating to prevention or education concerning criminal gangs.

5. As used in this section, "criminal gang" has the meaning ascribed to it in [NRS 193.168](#).

(Added to NRS by [2009, 1312](#))

**NRS 244.3571 Ordinance to regulate operation of electric personal assistive mobility devices or certain vehicles operated by security guards.**

1. Each board of county commissioners may, to protect the health and safety of the public, enact an ordinance which regulates the time, place and manner of the operation of:

(a) An electric personal assistive mobility device; or

(b) A vehicle operating pursuant to the provisions of paragraph (c) of subsection 2 of [NRS 484B.117](#),  
in the county, including, without limitation, by prohibiting the use of an electric personal assistive mobility device or a vehicle specified in paragraph (b) in a specified area of the county.

2. As used in this section, "electric personal assistive mobility device" has the meaning ascribed to it in [NRS 482.029](#).

(Added to NRS by [2005, 415](#); A [2015, 214](#))

**NRS 244.3572 Ordinance to establish offense related to purchase, possession or use of tobacco products by children.**

1. A board of county commissioners may adopt an ordinance to establish an offense related to tobacco that may include provisions which prohibit a child who is under the age of 18 years from:

- (a) Purchasing or attempting to purchase tobacco products;
- (b) Possessing or attempting to possess tobacco products;
- (c) Using tobacco products; or
- (d) Falsely representing that he or she is 18 years of age or older to purchase, possess or obtain tobacco products.

2. An ordinance adopted pursuant to this section must provide that the provisions of the ordinance do not apply to a child who is under the age of 18 years and who is:

- (a) Assisting in an inspection pursuant to [NRS 202.2496](#);
- (b) Handling or transporting tobacco products in the course of his or her lawful employment;
- (c) Handling or transporting tobacco products in the presence of his or her parent, spouse or legal guardian who is 18 years of age or older; or
- (d) Possessing or using tobacco products for an established religious purpose.

3. As used in this section, "tobacco products" means cigarettes, cigarette paper, tobacco of any description or products made or derived from tobacco. As used in this subsection, the term "products made or derived from tobacco" does not include any product regulated by the United States Food and Drug Administration pursuant to Chapter V of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 351 et seq.

(Added to NRS by [2013, 1534](#))

**NRS 244.3573 Provision of public safety within certain areas of mobile home park.**

1. Members of a county law enforcement agency, or if the county is within the jurisdiction of a metropolitan police department, the members of the metropolitan police department, may patrol and provide for the public safety:

- (a) Within the common areas of a mobile home park that is located within the unincorporated area of the county and into or upon which the public is admitted by easement, license or otherwise; and
- (b) With the permission of the manager of such a mobile home park, within other areas of the mobile home park.

2. As used in this section:

- (a) "Manager" has the meaning ascribed to it in [NRS 118B.0145](#); and
- (b) "Mobile home park" has the meaning ascribed to "manufactured home park" in [NRS 118B.017](#).

(Added to NRS by [1999, 2051](#); A [2001, 1189](#))

**NRS 244.3575 Ordinances regulating parking: Civil penalty in lieu of criminal sanction.** A board of county commissioners may by ordinance provide that the violation of a specific ordinance regulating parking imposes a civil penalty in an amount not to exceed \$155, instead of a criminal sanction.

(Added to NRS by [1989, 1058](#))

**NRS 244.358 Ordinance for control of rabies.** In order to control rabies and to protect the public health and welfare, the board of county commissioners of each county of this state shall enact an ordinance providing for a rabies control program and shall include within the ordinance the requirements established by regulations adopted by the State Board of Health.

(Added to NRS by [1965, 1073](#); A [1989, 301](#))

**NRS 244.359 Ordinance concerning control of animals, license fee and designation of and requirement of liability insurance policy for inherently dangerous animals; applicability; civil liability in lieu of criminal penalty in certain circumstances.**

1. Each board of county commissioners may enact and enforce an ordinance or ordinances:

- (a) Fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs on which the license fee is not paid.
- (b) Regulating or prohibiting the running at large and disposal of all kinds of animals.
- (c) Establishing a pound, appointing a poundkeeper and prescribing the poundkeeper's duties.
- (d) Prohibiting cruelty to animals.
- (e) Designating an animal as inherently dangerous and requiring the owner of such an animal to obtain a policy of liability insurance for the animal in an amount determined by the board of county commissioners.

2. Any ordinance or ordinances enacted pursuant to the provisions of paragraphs (a) and (b) of subsection 1 may apply throughout an entire county or govern only a limited area within the county which shall be specified in the ordinance or ordinances.

3. Except as otherwise provided in this subsection, a board of county commissioners may by ordinance provide that the violation of a particular ordinance enacted pursuant to this section imposes a civil liability to the county in an amount not to exceed \$500, instead of a criminal penalty. An ordinance enacted pursuant to this section that creates an offense relating to bites of animals, vicious or dangerous animals, horse tripping or cruelty to animals must impose a criminal penalty for the offense. As used in this subsection, "horse tripping" does not include tripping a horse to provide medical or other health care for the horse.

(Added to NRS by [1973, 558](#); A [2001, 2279](#))

**NRS 244.360 Abatement of nuisances: Complaint; notice; hearing; order; enforcement of order; costs; alternative procedures.**

1. Whenever a written complaint is filed with the county clerk alleging the existence of a nuisance, as defined in [NRS 40.140](#), within the county, the county clerk shall notify the board of county commissioners, who, except as otherwise provided by subsections 5 and 6, shall forthwith fix a date to hear the proof of the complainant and of the owner or occupant of the real property whereon the alleged nuisance is claimed to exist not less than 30 nor more than 40 days subsequent to the filing of the complaint.

2. At the time of fixing the hearing, the board of county commissioners 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 and, if none is so published in the county, then in a newspaper having a general circulation in the county.

3. At the time fixed for hearing, the board of county commissioners shall proceed to hear the complaint and any opponents. The board may adjourn the hearing from time to time, not exceeding 14 days in all. At the hearing, it shall receive the proofs offered to establish or controvert 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. 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 of county commissioners shall cause the abatement of the nuisance and make the cost of abatement a special assessment against the real property.

4. The special assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes shall be applicable to such special assessment.

5. As an alternative to the procedure set forth in subsections 1, 2, 3 and 4, the board of county commissioners, upon receipt from the county clerk of notice of the filing of a complaint alleging the existence of a nuisance, may direct the district attorney to notify the person responsible for such nuisance to abate it, and if such notice is not obeyed after service thereof, within a reasonable time under the circumstances, as specified by the board, to bring legal proceedings for abatement of the nuisance, and for recovery of compensatory and exemplary damages and costs of suit. Such proceedings shall be under the control of the board of county commissioners in the same manner as other suits to which the county is a party.

6. Notwithstanding the abatement procedures set forth in the preceding subsections, any board of county commissioners in this State may, by ordinance, direct the district attorney of the county in which the board has jurisdiction to bring all necessary civil actions on behalf of the county in any court of competent jurisdiction to enjoin, abate or restrain the continued violation of any ordinance, rule or regulation enacted, adopted or passed by said board and having the effect of law, the violation of which is designated as a nuisance in such ordinance, rule or regulation. If the board of county commissioners decides to direct the district attorney as herein provided, it shall enact an ordinance empowering the district attorney to file all necessary civil actions in the name of the county in any court of competent jurisdiction to enforce any such ordinance, rule or regulation of the board having the effect of law.

[1:29:1901; RL § 1562; NCL § 2043] — (NRS A [1971,944](#); [1973,215](#))

**NRS 244.3601 Dangerous structure or condition posing imminent danger: Determination; notice; securing or summary abatement; costs as special assessment.**

1. Notwithstanding the abatement procedures set forth in [NRS 244.360](#) or [244.3605](#), a board of county commissioners may, by ordinance, provide for a reasonable means to secure or summarily abate a dangerous structure or condition that at least three persons who enforce building codes, housing codes, zoning ordinances or local health regulations, or who are members of a local law enforcement agency or fire department, determine in a signed, written statement to be an imminent danger.

2. Except as otherwise provided in subsection 3, the owner of the property on which the structure or condition is located must be given reasonable written notice that is:

- (a) If practicable, hand-delivered or sent prepaid by United States mail to the owner of the property; or
- (b) Posted on the property.

È before the structure or condition is so secured. The notice must state clearly that the owner of the property may challenge the action to secure or summarily abate the structure or condition and must provide a telephone number and address at which the owner may obtain additional information.

3. If it is determined in the signed, written statement provided pursuant to subsection 1 that the structure or condition is an imminent danger and the result of the imminent danger is likely to occur before the notice and an opportunity to challenge the action can be provided pursuant to subsection 2, then the structure or condition which poses such an imminent danger that presents an immediate hazard may be summarily abated. A structure or condition summarily abated pursuant to this section may only be abated to the extent necessary to remove the imminent danger that presents an immediate hazard. The owner of the structure or condition which is summarily abated must be given written notice of the abatement after its completion. The notice must state clearly that the owner of the property may seek judicial review of the summary abatement and must provide an address and telephone number at which the owner may obtain additional information concerning the summary abatement.

4. The costs of securing or summarily abating the structure or condition may be made a special assessment against the real property on which the structure or condition is located and may be collected pursuant to the provisions set forth in subsection 4 of [NRS 244.360](#).

5. As used in this section:

- (a) “Dangerous structure or condition” has the meaning ascribed to it in subsection 8 of [NRS 244.3605](#).
- (b) “Imminent danger” means the existence of any structure or condition that could reasonably be expected to cause injury or endanger the life, safety, health or property of:
  - (1) The occupants, if any, of the real property on which the structure or condition is located; or
  - (2) The general public.

(Added to NRS by [1995,2536](#); A [2001,3100](#); [2009,405](#); [2011,3121](#); [2013,358,1875](#))

**NRS 244.3603 Abatement of chronic nuisances: Adoption and contents of ordinance; closure of property by court order; civil penalties; special assessment against property to recover costs of abatement.**

1. Each board of county commissioners may, by ordinance, to protect the public health, safety and welfare of the residents of the county, adopt procedures pursuant to which the district attorney may file an action in a court of competent jurisdiction to:

- (a) Seek the abatement of a chronic nuisance that is located or occurring within the unincorporated area of the county;
- (b) If applicable, seek the closure of the property where the chronic nuisance is located or occurring; and

(c) If applicable, seek penalties against the owner of the property within the unincorporated area of the county and any other appropriate relief.

2. An ordinance adopted pursuant to subsection 1 must:

(a) Contain procedures pursuant to which the owner of the property is:

(1) Sent a notice, by certified mail, return receipt requested, by the sheriff or other person authorized to issue a citation of the existence on the owner’s property of nuisance activities and the date by which the owner must abate the condition to prevent the matter from being submitted to the district attorney for legal action.

(2) If the chronic nuisance is not an immediate danger to the public health, safety or welfare and was caused by the criminal activity of a person other than the owner, afforded a minimum of 30 days to abate the chronic nuisance.

(3) Afforded an opportunity for a hearing before a court of competent jurisdiction.

(b) Provide that the date specified in the notice by which the owner must abate the condition is tolled for the period during which the owner requests a hearing and receives a decision.

(c) Provide the manner in which the county will recover money expended to abate the condition on the property if the owner fails to abate the condition.

3. If the court finds that a chronic nuisance exists and action is necessary to avoid serious threat to the public welfare or the safety or health of the occupants of the property, the court may order the county to secure and close the property until the nuisance is abated and may:

(a) Impose a civil penalty:

(1) If the property is nonresidential property, of not more than \$750 per day; or

(2) If the property is residential property, of not more than \$500 per day,

È for each day that the condition was not abated after the date specified in the notice by which the owner was required to abate the condition;

(b) Order the owner to pay the county for the cost incurred by the county in abating the condition; and

(c) Order any other appropriate relief.

4. In addition to any other reasonable means authorized by the court for the recovery of money expended by the county to abate the chronic nuisance and, except as otherwise provided in subsection 5, for the collection of civil penalties imposed pursuant to subsection 3, the board or its designee may make the expense and civil penalties a special assessment against the property upon which the chronic nuisance is located or occurring. The special assessment may be collected pursuant to the provisions set forth in subsection 4 of [NRS 244.360](#).

5. Any civil penalties that have not been collected from the owner of the property may not be made a special assessment against the property pursuant to subsection 4 by the board or its designee unless:

(a) At least 180 days have elapsed after the date specified in the order of the court by which the owner must abate the chronic nuisance or, if the owner appeals that order, the date specified in the order of the appellate court by which the owner must abate the chronic nuisance, whichever is later;

(b) The owner has been billed, served or otherwise notified that the civil penalties are due; and

(c) The amount of the uncollected civil penalties is more than \$5,000.

6. If a designee of the board imposes a special assessment pursuant to subsection 4, the designee shall submit a written report to the board at least once each calendar quarter that sets forth, for each property against which such an assessment has been imposed:

- (a) The street address or assessor's parcel number of the property;
- (b) The name of each owner of record of the property as of the date of the assessment; and
- (c) The total amount of the assessment, stating the amount assessed for the expense of abatement and any amount assessed for civil penalties.

7. As used in this section:

- (a) A "chronic nuisance" exists:
  - (1) When three or more nuisance activities exist or have occurred during any 90-day period on the property.
  - (2) When a person associated with the property has engaged in three or more nuisance activities during any 90-day period on the property or within 100 feet of the property.
  - (3) When the property has been the subject of a search warrant based on probable cause of continuous or repeated violations of [chapter 459](#) of NRS.
  - (4) When a building or place is used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, using or giving away a controlled substance, immediate precursor or controlled substance analog.
  - (5) When a building or place was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog and:
    - (I) The building or place has not been deemed safe for habitation by a governmental entity; or
    - (II) All materials or substances involving the controlled substance, immediate precursor or controlled substance analog have not been removed from or remediated on the building or place by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog.
- (b) "Commercial real estate" has the meaning ascribed to it in [NRS 645.8711](#).
- (c) "Controlled substance analog" has the meaning ascribed to it in [NRS 453.043](#).
- (d) "Immediate precursor" has the meaning ascribed to it in [NRS 453.086](#).
- (e) "Nuisance activity" means:
  - (1) Criminal activity;
  - (2) The presence of debris, litter, garbage, rubble, abandoned or junk vehicles or junk appliances;
  - (3) Violations of building codes, housing codes or any other codes regulating the health or safety of occupants of real property;
  - (4) Excessive noise and violations of curfew; or
  - (5) Any other activity, behavior or conduct defined by the board to constitute a public nuisance.
- (f) "Person associated with the property" means:
  - (1) The owner of the property;
  - (2) The manager or assistant manager of the property;
  - (3) The tenant of the property; or
  - (4) A person who, on the occasion of a nuisance activity, has:
    - (I) Entered, patronized or visited;
    - (II) Attempted to enter, patronize or visit; or
    - (III) Waited to enter, patronize or visit,
- È the property or a person present on the property.
- (g) "Residential property" means:
  - (1) Improved real estate that consists of not more than four residential units;
  - (2) Unimproved real estate for which not more than four residential units may be developed or constructed pursuant to any zoning regulations or any development plan applicable to the real estate; or
  - (3) A single-family residential unit, including, without limitation, a condominium, townhouse or home within a subdivision, if the unit is sold, leased or otherwise conveyed unit by unit, regardless of whether the unit is part of a larger building or parcel that consists of more than four units.

È The term does not include commercial real estate.

(Added to NRS by [1997, 1466](#); A [2001, 3100](#); [2007, 3131](#); [2011, 3122](#); [2013, 358](#))

**NRS 244.3605 Abatement of dangerous structures or conditions, rubbish, abandoned or junk vehicles, noxious plant growth and other public nuisances: Adoption and contents of ordinance; civil penalties; special assessment against property to recover costs of abatement.**

1. Notwithstanding the provisions of [NRS 244.360](#) and [244.3601](#), the board of county commissioners of a county may, to abate public nuisances, adopt by ordinance procedures pursuant to which the board or its designee may order an owner of property within the county to:

- (a) Repair, safeguard or eliminate a dangerous structure or condition;
- (b) Clear debris, rubbish, refuse, litter, garbage, abandoned or junk vehicles or junk appliances which are not subject to the provisions of [chapter 459](#) of NRS;
- (c) Clear weeds and noxious plant growth; or
- (d) Repair, clear, correct, rectify, safeguard or eliminate any other public nuisance as defined in the ordinance adopted pursuant to this section,

È to protect the public health, safety and welfare of the residents of the county.

2. An ordinance adopted pursuant to subsection 1 must:

- (a) Contain procedures pursuant to which the owner of the property is:
  - (1) Sent notice, by certified mail, return receipt requested, of the existence on the owner's property of a public nuisance set forth in subsection 1 and the date by which the owner must abate the public nuisance.
  - (2) If the public nuisance is not an immediate danger to the public health, safety or welfare and was caused by the criminal activity of a person other than the owner, afforded a minimum of 30 days to abate the public nuisance.
  - (3) Afforded an opportunity for a hearing before the designee of the board relating to the order of abatement and an appeal of that decision either to the board or to a court of competent jurisdiction, as determined by the ordinance adopted pursuant to subsection 1.
  - (4) Afforded an opportunity for a hearing before the designee of the board relating to the imposition of civil penalties and an appeal of that decision either to the board or to a court of competent jurisdiction, as determined by the ordinance adopted pursuant to subsection 1.

(b) Provide that the date specified in the notice by which the owner must abate the public nuisance is tolled for the period during which the owner requests a hearing and receives a decision.

(c) Provide the manner in which the county will recover money expended to abate the public nuisance on the property if the owner fails to abate the public nuisance.

(d) Provide for civil penalties for each day that the owner did not abate the public nuisance after the date specified in the notice by which the owner was required to abate the public nuisance.

3. In any county whose population is 700,000 or more, an ordinance adopted pursuant to subsection 1 may authorize the county to request the operator of a tow car to abate a public nuisance by towing abandoned or junk vehicles which are not concealed from ordinary public view by means of inside storage, suitable fencing, opaque covering, trees, shrubbery or other means if the conditions of subsection 4 are satisfied. The operator of a tow car requested to tow a vehicle pursuant to this section must comply with the provisions of [NRS 706.444](#) to [706.453](#), inclusive.

4. The county may abate the public nuisance on the property and may recover the amount expended by the county for labor and materials used to abate the public nuisance or request abatement by the operator of a tow car pursuant to subsection 3 if:

(a) The owner has not requested a hearing within the time prescribed in the ordinance adopted pursuant to subsection 1 and has failed to abate the public nuisance on the owner's property within the period specified in the notice;

(b) After a hearing in which the owner did not prevail, the owner has not filed an appeal within the time prescribed in the ordinance adopted pursuant to subsection 1 and has failed to abate the public nuisance within the period specified in the order; or

(c) The board or a court of competent jurisdiction has denied the appeal of the owner and the owner has failed to abate the public nuisance within the period specified in the order.

5. In addition to any other reasonable means for recovering money expended by the county to abate the public nuisance and, except as otherwise provided in subsection 6, for collecting civil penalties imposed pursuant to the ordinance adopted pursuant to subsection 1, the board or its designee may make the expense and civil penalties a special assessment against the property upon which the public nuisance is located, and this special assessment may be collected pursuant to the provisions set forth in subsection 4 of [NRS 244.360](#).

6. Any civil penalties that have not been collected from the owner of the property may not be made a special assessment against the property pursuant to subsection 5 by the board or its designee unless:

(a) At least 12 months have elapsed after the date specified in the notice by which the owner must abate the public nuisance or the date specified in the order of the board or court by which the owner must abate the public nuisance, whichever is later;

(b) The owner has been billed, served or otherwise notified that the civil penalties are due; and

(c) The amount of the uncollected civil penalties is more than \$5,000.

7. If a designee of the board imposes a special assessment pursuant to subsection 5, the designee shall submit a written report to the board at least once each calendar quarter that sets forth, for each property against which such an assessment has been imposed:

(a) The street address or assessor's parcel number of the property;

(b) The name of each owner of record of the property as of the date of the assessment; and

(c) The total amount of the assessment, stating the amount assessed for the expense of abatement and any amount assessed for civil penalties.

8. As used in this section, "dangerous structure or condition" means a structure or condition that is a public nuisance which may cause injury to or endanger the health, life, property or safety of the general public or the occupants, if any, of the real property on which the structure or condition is located. The term includes, without limitation, a structure or condition that:

(a) Does not meet the requirements of a code or regulation adopted pursuant to [NRS 244.3675](#) with respect to minimum levels of health or safety; or

(b) Violates an ordinance, rule or regulation regulating health and safety enacted, adopted or passed by the board of county commissioners of a county, the violation of which is designated by the board as a public nuisance in the ordinance, rule or regulation.

(Added to NRS by [1989, 484](#); A [1997, 676, 1467](#); [2001, 1732, 3102](#); [2003, 219](#); [2009, 406](#); [2011, 3125](#); [2013, 361, 1876](#); [2015, 1474](#))

#### **NRS 244.3607 Recovery by county of costs of relocating tenants resulting from nuisance or other condition: Notice; hearing; appeal.**

1. If a board of county commissioners determines that a nuisance or other condition described in [NRS 244.3601, 244.3603](#) or [244.3605](#) requires the relocation of tenants, the board may arrange for the relocation of the tenants and may, in accordance with subsection 2, recover the cost of such relocation from the person determined by the board to be primarily responsible for creating the nuisance or other condition that required the relocation of the tenants.

2. Before a board of county commissioners recovers from a person the cost of relocating tenants, the board shall:

(a) Send notice, by certified mail, return receipt requested, to the person from whom the board seeks to recover the cost of the relocation, setting forth the date by which the person must remit payment to the county; and

(b) Afford the person from whom the board seeks to recover the cost of the relocation an opportunity for a hearing before the designee of the board and an appeal of that decision to the board.

The date specified in the notice by which the person must remit payment to the county is tolled for the period during which the person requests a hearing and receives a decision.

3. If a person appeals the decision of the designee to the board as described in paragraph (b) of subsection 2 and is aggrieved by the determination of the board, the person may, within 30 days after the making of the determination, appeal to the district court of the county. A judicial review authorized pursuant to this subsection must be limited to whether the determination was arbitrary, capricious or otherwise characterized by an abuse of discretion and must be conducted in accordance with the procedures set forth in [chapter 233B](#) of NRS for reviewing a final decision of an agency.

(Added to NRS by [2001, 3099](#))

#### **NRS 244.361 Regulation and control of smoke and pollution of air.**

1. Except as otherwise provided in subsection 3, the boards of county commissioners of the counties of this state may, by ordinance regularly enacted, regulate, control and prohibit, as a public nuisance, the excessive emission of dense smoke and air pollution caused by excessive soot, cinders, fly ash, dust, noxious acids, fumes and gases within the boundaries of the county.

2. If an ordinance adopted pursuant to subsection 1 involves or affects agricultural operations, any plan or program to carry out that ordinance must allow for customarily accepted agricultural practices to occur on agricultural land. A governmental entity which is considering the adoption of such a plan or program shall consult with the State Department of Agriculture or local conservation districts to determine the customarily accepted agricultural practices that may be affected by the proposed plan or program.

3. An existing compliance schedule, variance order or other enforcement action relating to air pollution by fossil fuel-fired steam generating facilities, with a capacity greater than 1,000 megawatts, may not be enforced until July 1, 1977.

(Added to NRS by 1957, 149; A [1975, 1126](#); [1993, 519](#); [1995, 528](#); [1999, 3620](#))

**NRS 244.363 Prevention of excessive noise.** Except as otherwise provided in subsection 3 of [NRS 40.140](#) and subsection 6 of [NRS 202.450](#), the boards of county commissioners in their respective counties may, by ordinance regularly enacted, regulate, control and prohibit, as a public nuisance, excessive noise which is injurious to health or which interferes unreasonably with the comfortable enjoyment of life or property within the boundaries of the county.

(Added to NRS by [1971, 944](#); A [1997, 952](#); [2007, 3133](#))

#### **NRS 244.364 State control over regulation of firearms, firearm accessories and ammunition; limited regulatory authority of county; conflicting ordinance or regulation void; records of ownership of firearms; civil action by person adversely affected by enforcement of conflicting ordinance or regulation.**

1. The Legislature hereby declares that:

(a) The purpose of this section is to establish state control over the regulation of and policies concerning firearms, firearm accessories and ammunition to ensure that such regulation and policies are uniform throughout this State and to ensure the protection of the right to keep and bear arms, which is recognized by the United States Constitution and the Nevada Constitution.

(b) The regulation of the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm accessories and ammunition in this State and the ability to define such terms is within the exclusive domain of the Legislature, and any other law, regulation, rule or ordinance to the contrary is null and void.

(c) This section must be liberally construed to effectuate its purpose.

2. Except as otherwise provided by specific statute, the Legislature reserves for itself such rights and powers as are necessary to regulate the transfer, sale, purchase, possession, carrying, ownership, transportation, storage, registration and licensing of firearms, firearm

accessories and ammunition in Nevada and to define such terms. No county may infringe upon those rights and powers.

3. A board of county commissioners may proscribe by ordinance or regulation the unsafe discharge of firearms.

4. Any ordinance or regulation which is inconsistent with this section or which is designed to restrict or prohibit the sale, purchase, transfer, manufacture or display of firearms, firearm accessories or ammunition that is otherwise lawful under the laws of this State is null and void, and any official action taken by an employee or agent of a county in violation of this section is void.

5. A board of county commissioners shall repeal any ordinance or regulation described in subsection 4, and any such ordinance or regulation that is posted within the county must be removed.

6. A board of county commissioners shall cause to be destroyed any ownership records of firearms owned by private persons which are kept or maintained by the county or any county agency, board or commission, including, without limitation, any law enforcement agency, for the purposes of compliance with any ordinance or regulation that is inconsistent with this section. The provisions of this subsection do not apply to the ownership records of firearms purchased and owned by any political subdivision of this State.

7. Any person who is adversely affected by the enforcement of an ordinance or regulation that violates this section on or after October 1, 2015, may file suit in the appropriate court for declaratory and injunctive relief and damages attributable to the violation. Notwithstanding any other provision of law, such a person is entitled to:

(a) Reimbursement of actual damages, reasonable attorney's fees and costs which the person has incurred if, within 30 days after the person commenced the action but before a final determination has been issued by the court, the board of county commissioners repeals the ordinance or regulation that violates this section.

(b) Liquidated damages in an amount equal to two times the actual damages, reasonable attorney's fees and costs incurred by the person if, more than 30 days after the person commenced the action but before a final determination has been issued by the court, the board of county commissioners repeals the ordinance or regulation that violates this section.

(c) Liquidated damages in an amount equal to three times the actual damages, reasonable attorney's fees and costs incurred by the person if the court makes a final determination in favor of the person.

8. This section must not be construed to prevent:

(a) A law enforcement agency or correctional institution from promulgating and enforcing its own rules pertaining to firearms, firearm accessories or ammunition that are issued to or used by peace officers in the course of their official duties.

(b) A court or administrative law judge from hearing and resolving a case or controversy or issuing an opinion or order on a matter within its jurisdiction.

(c) A public employer from regulating or prohibiting the carrying or possession of firearms, firearm accessories or ammunition during or in the course of an employee's official duties.

(d) The enactment or enforcement of a county zoning or business ordinance which is generally applicable to businesses within the county and thereby affects a firearms business within the county, including, without limitation, an indoor or outdoor shooting range.

(e) A county from enacting and enforcing rules for the operation and use of any firearm range owned and operated by the county.

(f) A political subdivision from sponsoring or conducting a firearm-related competition or educational or cultural program and enacting and enforcing rules for participation in or attendance at any such competition or program.

(g) A political subdivision or any official thereof with appropriate authority from enforcing any statute of this State.

9. As used in this section:

(a) "Ammunition" includes, without limitation, fixed cartridge ammunition and the individual components thereof, shotgun shells and the individual components thereof, projectiles for muzzle-loading firearms and any propellant used in firearms or ammunition.

(b) "Firearm" includes, without limitation, a pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, muzzle-loading firearm or any device which is designed to, able to or able to be readily converted to expel a projectile through the barrel by the action of an explosive, other form of combustion or expanding gases.

(c) "Firearm accessories" means:

(1) Devices specifically designed or adapted to enable the wearing or carrying of a firearm or the storing in or mounting on a conveyance of a firearm; or

(2) Attachments or devices specifically designed or adapted to be inserted into or affixed on a firearm to enable, alter or improve the functioning or capability of the firearm.

(d) "Person" includes, without limitation:

(1) Any person who has standing to bring or maintain an action concerning this section pursuant to the laws of this State.

(2) Any person who:

(I) Can legally possess a firearm under state and federal law;

(II) Owns, possesses, stores, transports, carries or transfers firearms, ammunition or ammunition components within a county;

and

(III) Is subject to the county ordinance or regulation at issue.

(3) A membership organization whose members include a person described in subparagraphs (1) and (2) and which is dedicated in whole or in part to protecting the legal, civil or constitutional rights of its members.

(e) "Political subdivision" includes, without limitation, a state agency, county, city, town or school district.

(f) "Public employer" has the meaning ascribed to it in [NRS 286.070](#).

(Added to NRS by [1989, 652](#); [A 2007, 1289](#); [2011, 1109](#); [2015, 1784](#), [1808](#), [2691](#))

#### **NRS 244.365 Prevention of pollution of streams by sawdust; tax levy.**

1. The board of county commissioners of any county is authorized and empowered to institute and maintain suits in any court of competent jurisdiction against any persons, firms, associations or corporations depositing sawdust in any river or stream the waters of which run partly or wholly in this state.

2. The boards of county commissioners of any and all counties are authorized and empowered to levy annually such tax as in their discretion may be necessary to carry out the provisions of this section.

[1:135:1887; C § 2145; RL § 4716; NCL § 8246] + [2:135:1887; C § 2146; RL § 4717; NCL § 8247]

#### **NRS 244.3651 Program to provide financial assistance to persons to connect to public water or sewer system under certain circumstances in county whose population is 100,000 or more but less than 700,000.**

1. Except as otherwise provided in this section, if a board of county commissioners of a county whose population is 100,000 or more but less than 700,000 operates a public water or sewer system, the board may:

(a) Establish by ordinance a program to provide financial assistance to persons to connect to the public water or sewer system.

(b) Accept gifts, grants and other sources of money to pay the costs to assist persons to connect to the public water or sewer system.

(c) Issue bonds and other securities, pursuant to [NRS 244A.011](#) to [244A.065](#), inclusive, to finance a program to provide financial assistance established pursuant to this subsection.

2. An ordinance adopted by a board of county commissioners pursuant to paragraph (a) of subsection 1 must include, without limitation, a finding of the board that the creation of a program to provide financial assistance to persons to connect to a public water or sewer system furthers a legitimate public purpose.

3. If a board of county commissioners establishes a program to provide financial assistance pursuant to subsection 1, the board:

(a) Must establish a plan for the management and protection of the groundwater in the water basin to which the program to provide financial assistance applies. Such a plan must include, without limitation, provisions for the sustainable management of municipal wells that are owned by the county in the water basin.

(b) Except as otherwise provided in subsection 4, may set forth conditions or limitations on any financial assistance provided pursuant to the program.

4. Financial assistance provided pursuant to a program established pursuant to subsection 1:

(a) May be in the form of grants, gifts or loans, or any combination thereof.

(b) May only be used to pay the necessary and actual expenses to:

(1) Disconnect from a private water or sewer system;

(2) Eliminate a private water or sewer system; and

(3) Connect to the public water or sewer system.

È including, without limitation, the costs of making a physical connection or disconnection and any connection charge, tap fee, inspection fee or similar fee or charge payable to any person or governmental entity.

(c) If provided in the form of loans that are financed by bonds or other securities issued pursuant to this section, may only be provided to natural persons.

5. A board may not establish a program to provide financial assistance pursuant to subsection 1 unless the board finds that establishing such a program is necessary to provide the public with a safe and reliable water and sewer system.

6. The requirements of [NRS 244.3655](#) do not apply to actions taken by a board of county commissioners pursuant to this section.

7. Nothing in this section shall be so construed as to require:

(a) A board of county commissioners to provide financial assistance to any property owner pursuant to this section; or

(b) A property owner to apply for or accept financial assistance pursuant to a program of financial assistance established pursuant to this program.

8. Bonds or other securities issued to finance a program to provide financial assistance established pursuant to subsection 1 must be payable from and secured by repayments of loans made through the program, other revenues of the program and revenues of the county's public water or sewer system, or any combination thereof, as determined by the board. The bonds or other securities may also be secured by other revenues that the county is authorized to pledge for the payment of bonds or other securities and may, in accordance with the provisions of [NRS 350.020](#), be issued as general obligations of the county.

9. As used in this section:

(a) "Private water or sewer system" means an on-site:

(1) Domestic well, and any facility or facilities related thereto, that provides potable water; or

(2) Sewage or septic system, and any facility or facilities related thereto, that serves a residential dwelling unit for the disposal, collection, storage or treatment of sewage.

(b) "Public water or sewer system" means a facility or facilities for the collection, pumping, treatment, storage or conveyance of potable water or sewage and includes, without limitation, mains, conduits, aqueducts, pipes, pipelines, ditches, canals, pumping stations, and all appurtenances, equipment and machinery necessary or useful and convenient for obtaining, storing, transporting or transferring water or sewage.

(Added to NRS by [2009, 1428](#); A [2011, 656, 1109](#))

**NRS 244.3653 Program to provide financial assistance to owners of public or private property, to make such property resistant to flood damage, in county whose population is 100,000 or more but less than 700,000.**

1. Except as otherwise provided in this section, a board of county commissioners of a county whose population is 100,000 or more but less than 700,000 may:

(a) Establish by ordinance a program to provide financial assistance to owners of public and private property in areas that are likely to be flooded in order to make such property resistant to flood damage.

(b) Accept gifts, grants and other sources of money to pay the costs associated with a program established pursuant to paragraph (a).

(c) Pay costs associated with a program established pursuant to paragraph (a) through the use of:

(1) Revenue and bond proceeds derived from a flood management project, except that no bond proceeds may be used to provide any loans pursuant to the program.

(2) Funds from the infrastructure fund of the county.

(3) Gifts, grants and other sources of money available to the board of county commissioners.

2. An ordinance adopted by a board of county commissioners pursuant to paragraph (a) of subsection 1:

(a) Must include, without limitation, a finding of the board that the creation of a program to provide financial assistance to owners of public and private property in areas that are likely to be flooded is necessary to promote and protect the public health, safety and welfare.

(b) May include a provision that the award of financial assistance is subject to any limitation or condition that the board determines is necessary.

3. Financial assistance provided pursuant to a program established pursuant to subsection 1:

(a) May be in the form of grants or loans, or any combination thereof.

(b) May only be used to pay the actual and necessary costs to make private or public property resistant to flood damage, including, without limitation, flood-proofing the property, erecting barriers, elevating foundations of buildings, structures or improvements, and relocating buildings, structures or improvements to areas that are not likely to be flooded.

(c) May not be awarded:

(1) To protect any building, structure or improvement unless the building, structure or improvement exists or construction has begun on the building, structure or improvement on or before July 1, 2009.

(2) To relocate any building, structure or improvement to property that is also in an area likely to be flooded.

(3) Unless the property owner:

(I) Submits an application for financial assistance on or before June 30, 2019.

(II) Has not received and agrees not to apply for any further financial assistance to make the property resistant to flood damage from a tourism improvement district established pursuant to [NRS 271A.070](#), a tax increment area created pursuant to [NRS 278C.155](#), a redevelopment area established pursuant to [NRS 279.426](#), a program for the rehabilitation of residential neighborhoods established pursuant to [NRS 279A.030](#) or a program for the rehabilitation of abandoned residential properties established pursuant to [NRS 279B.030](#).

(III) Satisfies any conditions adopted by the board of county commissioners.

4. The board of county commissioners may delegate its authority to administer a program of financial assistance established pursuant to this section to a flood management authority.

5. The board of county commissioners or, if the board has delegated its authority to administer a program of financial assistance pursuant to subsection 4, a flood management authority may bring an action against the property owner for the collection of any delinquent payments, charges, fees, interest or penalties related to any loan provided pursuant to a program established pursuant to this section.

6. Nothing in this section shall be so construed as to require:

(a) A board of county commissioners to provide financial assistance to any property owner pursuant to this section; or

(b) A property owner to apply for or accept financial assistance pursuant to a program of financial assistance established pursuant to this program.

7. As used in this section:

(a) "Drainage and flood control project" has the meaning ascribed to it in [NRS 244A.027](#).

(b) "Flood management authority" means any entity that is created by cooperative agreement pursuant to [chapter 277](#) of NRS, the functions of which include the acquisition, construction, improvement, operation and maintenance of a flood management project.

(c) "Flood management project," or any phrase of similar import, means a project or improvement that is located within or without a county whose population is 100,000 or more but less than 700,000 and is established for the control or management of any flood or storm waters of the county or any flood or storm waters of a stream of which the source is located outside of the county. The term includes, without limitation:



- (1) A drainage and flood control project;
  - (2) A project to construct, repair or restore an ecosystem;
  - (3) A project to mitigate any adverse effect of flooding or flood management activity or improvement;
  - (4) A project to conserve any flood or storm waters for any beneficial and useful purpose by spreading, storing, reusing or retaining those waters or causing those waters to percolate into the ground to improve water quality;
  - (5) A project that alters or diverts or proposes to alter or divert a natural watercourse, including any improvement for the passage of fish;
  - (6) A park project that is related to a flood management project;
  - (7) Any landscaping or similar amenity that is constructed:
    - (I) To increase the usefulness of a flood management project to any community or to provide aesthetic compatibility with any surrounding community; or
    - (II) To mitigate any adverse effect on the environment relating to a flood management project;
  - (8) A project to relocate or replace a utility, transmission line, conduit, bridge or similar feature or structure that exacerbates any flooding or is located in an area that is susceptible to flooding;
  - (9) A project to protect and manage a floodplain;
  - (10) A project that is designed to improve the quality of any flood or storm waters or the operation of any flood management system, including, without limitation, any monitoring, measurement or assessment of that system; and
  - (11) Any real property or interest in real property that is acquired to support the carrying out of a flood management project, including, without limitation, any property that may become flooded because of any improvement for flood management, or any combination thereof and any other structure, fixture, equipment or property required for a flood management project.
- (Added to NRS by [2009, 1429](#); A [2011, 1110](#))

**NRS 244.3655 Requiring users of certain water systems to connect into system provided by public utility or public entity; assessment of costs of connection.**

1. If the State Environmental Commission determines that:
    - (a) A water system which is located in a county and was constructed on or after July 1, 1991, is not satisfactorily serving the needs of its users; and
    - (b) Water provided by a public utility or a municipality or other public entity is reasonably available to those users, the board of county commissioners of that county may require all users of the system to connect into the available water system provided by a public utility or a municipality or other public entity, and may assess each lot or parcel served for its proportionate share of the costs associated with connecting into that water system. If the water system is being connected into a public utility, the Public Utilities Commission of Nevada shall determine the amount of the assessments for the purposes of establishing a lien pursuant to [NRS 445A.900](#).
  2. As used in this section, "water system" has the meaning ascribed to it in [NRS 445A.850](#).
- (Added to NRS by [1991, 405](#); A [1997, 1974](#); [2005, 558](#))

**NRS 244.366 Water and sewer facilities: Construction; acquisition; operation and maintenance; unlawful acts; penalty.**

1. The board of county commissioners of any county whose population is 700,000 or more has the power, outside of the limits of incorporated cities and towns:
    - (a) To construct, acquire by gift, purchase or the exercise of eminent domain, otherwise acquire, reconstruct, improve, extend, better and repair water and sewer facilities, such as:
      - (1) A water system, including but not limited to water mains, conduits, aqueducts, pipelines, ditches, canals, pumping stations, and all appurtenances and machinery necessary or useful and convenient for obtaining, transporting or transferring water.
      - (2) A water treatment plant, including but not limited to reservoirs, storage facilities, and all appurtenances necessary or useful and convenient thereto for the collection, storage and treatment, purification and disposal of water for domestic uses and purposes.
      - (3) A storm sewer or sanitary sewage collection system, including but not limited to intercepting sewers, outfall sewers, force mains, collecting sewers, storm sewers, combined sanitary and storm sewers, pumping stations, ejector stations, and all other appurtenances necessary, useful or convenient for the collection, transportation and disposal of sewage.
      - (4) A sewage treatment plant, including but not limited to structures, buildings, machinery, equipment, connections and all appurtenances necessary, useful or convenient for the treatment, purification or disposal of sewage.
    - (b) To acquire, by gift, purchase or the exercise of the right of eminent domain, lands or rights in land or water rights in connection therewith, including but not limited to easements, rights-of-way, contract rights, leases, franchises, approaches, dams and reservoirs.
    - (c) To operate and maintain those water facilities, sewer facilities, lands, rights in land and water rights.
    - (d) To sell, lease, donate for public use and otherwise dispose of those water facilities, sewer facilities, lands, rights in land and water rights.
    - (e) To prescribe and collect rates, fees, tolls or charges, including but not limited to the levy or assessments of such rates, fees, tolls or charges against governmental units, departments or agencies, including the State of Nevada and political subdivisions thereof, for the services, facilities and commodities furnished by those water facilities and sewer facilities, and to provide methods of collections, and penalties, including but not limited to denial of service, for nonpayment of the rates, fees, tolls or charges.
    - (f) To provide it is unlawful for any persons, associations and corporations owning, occupying or in any way controlling any building or other structure, any part of which is within 400 feet of any street, alley, court, passageway, other public highway, right-of-way, easement or other alley owned or occupied by the county in which a public sewer is then in existence and use, to construct, otherwise acquire, to cause or permit to be constructed or otherwise acquired, or to use or continue to use any private sewage disposal plant, privy vault, septic tank, cesspool or other private sewage system, upon such terms and conditions as the board of county commissioners may provide.
    - (g) To provide for the disconnection of plumbing facilities from any of those private sewage facilities and for the discontinuance and elimination of those private sewage facilities.
  2. The powers conferred by this section are in addition and supplemental to, and not in substitution for, and the limitations imposed by this section do not affect the powers conferred by, any other law. No part of this section repeals or affects any other law or any part thereof, it being intended that this section provide a separate method of accomplishing its objectives, and not an exclusive one.
  3. This section, being necessary to secure and preserve the public health, safety and convenience and welfare, must be liberally construed to effect its purpose.
  4. Any person, association or corporation violating any of the provisions of any ordinance adopted pursuant to this section is guilty of a misdemeanor.
- (Added to NRS by 1957, 658; A [1967, 734](#); [1969, 1534](#); [1979, 513](#); [1989, 1901](#); [2011, 1112](#))

**NRS 244.36605 Delinquent charges for financial assistance or for the provision of certain services related to water; election by county to collect delinquencies on tax roll.**

1. In a county whose population is 100,000 or more but less than 700,000, if the county provides financial assistance through a program established pursuant to [NRS 244.3651](#) or [244.3653](#), the board of county commissioners may elect by ordinance to have delinquent repayments of loans, including, without limitation, charges, fees, interest and penalties, collected on the tax roll, or collected with the property taxes due on mobile or manufactured homes that do not meet the requirements of [NRS 361.244](#), in the same manner, by the same persons, and at the same time as, together with and not separately from, the county's general taxes. If the board makes such an election, the board shall cause:
  - (a) A description of each lot or parcel of real property or each mobile or manufactured home with respect to which the charges are delinquent on May 1; and

(b) The amount of the delinquent charges, to be prepared and submitted to the tax receiver of the county, in a form approved by the tax receiver, not later than June 1.

2. In a county whose population is less than 700,000:

(a) The board of county commissioners of a county which provides sewerage, storm drainage or water service, or any combination of those services, may elect by ordinance to have delinquent charges for any or all of those services collected on the tax roll, or collected with the property taxes due on mobile or manufactured homes that do not meet the requirements of [NRS 361.244](#), in the same manner, by the same persons, and at the same time as, together with and not separately from, the county's general taxes. If the board makes such an election, the board shall cause:

(1) A description of each lot or parcel of real property or each mobile or manufactured home with respect to which the charges are delinquent on May 1; and

(2) The amount of the delinquent charges,

to be prepared and submitted to the tax receiver of the county, in a form approved by the tax receiver, no later than June 1.

(b) The powers authorized by this section are alternative to all other powers of the county for the collection of such delinquent charges or repayments.

(c) The real property may be described by reference to maps prepared by and on file in the office of the county assessor or by descriptions used by the county assessor.

(d) The amount of any such delinquent charge or repayment constitutes a lien against the lot or parcel of land or mobile or manufactured home against which the charge has been imposed as of the time when the lien of taxes on the roll or on mobile or manufactured homes attach.

(e) Except as otherwise provided in paragraph (g), the tax receiver of the county shall include the amount of the delinquent charges or repayments on bills for taxes levied against the respective lots and parcels of land or mobile or manufactured homes, as applicable. Thereafter the amount of the delinquent charges or repayments must be collected at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the county.

(f) All laws applicable to the levy, collection and enforcement of general taxes of the county, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, refund, redemption and sale, are applicable to delinquent charges or repayments that are collected in the manner authorized by this section.

(g) The tax receiver of the county may issue separate bills for delinquent charges or repayments that are collected in the manner authorized by this section and separate receipts for collection on account of those charges.

(Added to NRS by [1995, 2561](#); A [2003, 820](#); [2009, 1431](#); [2011, 1114](#))

#### **NRS 244.3661 Imposition of excise tax on use of water; rate of tax; interest on late payment; facility for treatment of water.**

1. Except as otherwise provided in [NRS 704.664](#), a board of county commissioners may, by ordinance, impose an excise tax on the use of water in an amount sufficient to ensure the payment, wholly or in part, of obligations incurred by the county to acquire and construct a new facility for the treatment of water for public or private use, or both. The tax must be imposed on customers of suppliers of water that are capable of using the water treatment services provided by the facility to be financed with the proceeds of the tax.

2. An excise tax imposed pursuant to subsection 1 may be levied at different rates for different classes of customers or to take into account differences in the amount of water used or estimated to be used or the size of the connection.

3. The ordinance imposing the tax must provide the:

(a) Rate or rates of the tax;

(b) Procedure for collection of the tax;

(c) Duration of the tax; and

(d) Rate of interest that will be charged on late payments.

4. Late payments of the tax must bear interest at a rate not exceeding 2 percent per month, or fraction thereof. The tax due is a perpetual lien against the property served by the water on whose use the tax is imposed until the tax and any interest which may accrue thereon are paid. The county shall enforce the lien in the same manner as provided in [NRS 361.5648](#) to [361.730](#), inclusive, for property taxes.

5. A county may:

(a) Acquire and construct a new facility for the treatment of water for public or private use, or both.

(b) Finance the project by the issuance of general obligation bonds, medium-term obligations or revenue bonds or other securities issued pursuant to [chapter 350](#) of NRS, or by installment-purchase financing pursuant to that chapter.

(c) Enter into an agreement with a public utility which provides that:

(1) Water treatment services provided by the facility will be made available to the public utility; or

(2) The public utility will operate and maintain the facility,

or both. An agreement entered into pursuant to this paragraph may extend beyond the terms of office of the members of the board of county commissioners who voted upon it.

6. A county may pledge any money received from the proceeds of a tax imposed pursuant to this section for the payment of general or special obligations issued for a new facility for the treatment of water for public or private use, or both. Any money pledged by the county pursuant to this subsection may be treated as pledged revenues of the project for the purposes of subsection 3 of [NRS 350.020](#).

7. As used in this section, "public utility" has the meaning ascribed to it in [NRS 704.020](#) and does not include the persons excluded by [NRS 704.021](#).

(Added to NRS by [1991, 1940](#); A [1993, 1036](#); [1995, 832, 1814](#); [2001, 2316](#))

#### **NRS 244.3663 Package plant for sewage treatment: Remedies for unsatisfactory service or violation of conditions; assumption of control by county; assessment for operation and maintenance.**

1. If the board of county commissioners determines that:

(a) A package plant for sewage treatment which is located in the county and is exempt from the provisions of [NRS 445A.540](#) to [445A.560](#), inclusive, is not satisfactorily serving the needs of its users; and

(b) Sewerage provided by a public utility or a municipality or other public entity is reasonably available to those users, the board may require all users of the plant to connect into the available sewers provided by a public utility or a municipality or other public entity, and may assess each lot or parcel served for its proportionate share of the cost of connecting into those sewers. These assessments are not subject to the jurisdiction of the Public Utilities Commission of Nevada.

2. If the State Department of Conservation and Natural Resources has found that a package plant for sewage treatment which is exempt from the provisions of [NRS 445A.540](#) to [445A.560](#), inclusive, is violating any of the conditions of [NRS 445A.465](#) to [445A.515](#), inclusive, and has notified the holder of the permit that the holder must bring the plant into compliance, but the holder of the permit has failed to comply within a reasonable time after the date of the notice, the board of county commissioners of the county in which the plant is located may take the following actions independently of any further action by the State Department of Conservation and Natural Resources:

(a) Give written notice, by certified mail, to the owner of the plant and the owners of the property served by the plant that if the violation is not corrected within 30 days after the date of the notice, the board of county commissioners will seek a court order authorizing it to assume control; and

(b) After the 30-day period has expired, if the plant has not been brought into compliance, apply to the district court for an order authorizing the board to assume control of the plant and assess the property for the continued operation and maintenance of the plant as provided in subsection 4.

3. If the board of county commissioners determines at any time that immediate action is necessary to protect the public health and welfare, it may assume physical control and operation of a package plant for sewage treatment which is located in the county and is exempt from the provisions of [NRS 445A.540](#) to [445A.560](#), inclusive, without complying with any of the requirements set forth in subsection 2. The board may not maintain control of the plant pursuant to this subsection for a period greater than 30 days unless it obtains an order from the district court authorizing an extension.

4. Each lot and parcel served by a package plant for sewage treatment which is exempt from the provisions of [NRS 445A.540](#) to [445A.560](#), inclusive, is subject to assessment by the board of county commissioners of the county in which the plant is located for its proportionate share of the cost of continued operation and maintenance of the plant if there is a default or the county assumes control and operation of the plant pursuant to subsection 2 or 3.

(Added to NRS by [1979, 1918](#); A [1987, 706](#); [1997, 1974](#))

**NRS 244.3665 Prohibition of waste of water.** The board of county commissioners may prohibit any waste of water within the unincorporated areas of the county by customers of a public water system. Any ordinance adopted under this section may:

1. Classify the conditions under which specified kinds and amounts of consumption or expenditure of water are wasteful;
2. Provide for reasonable notice to water users in any such area indicating which of such conditions, if any, exist in that area;
3. Allow any person, group of persons, partnership, corporation or other business or governmental entity which:
  - (a) Furnishes water to persons within such areas of the county for business, manufacturing, agricultural or household use; and
  - (b) Is not a public utility regulated by the Public Utilities Commission of Nevada,
4. Provide other appropriate penalties for violation of the ordinance which are based upon the classification adopted under subsection 1.

(Added to NRS by [1977, 790](#); A [1997, 1975](#))

**NRS 244.367 Fireworks: Regulation and control.**

1. The board of county commissioners shall have power and jurisdiction in their respective counties to pass ordinances prohibiting, restricting, suppressing or otherwise regulating the sale, use, storage and possession of fireworks, and providing penalties for the violation thereof.

2. An ordinance passed pursuant to subsection 1 must provide that any license or permit that may be required for the sale of fireworks must be issued by the licensing authority for:

- (a) The county, if the fireworks are sold within the unincorporated areas of the county; or
- (b) A city located within the county, if the fireworks are sold within the jurisdiction of that city.

(Added to NRS by 1957, 231; A [1999, 808](#))

**NRS 244.3673 Investigation of fires and enforcement of regulations of State Fire Marshal by certain counties.** The board of county commissioners of any county whose population is 100,000 or more or which has been converted into a consolidated municipality may provide by ordinance for the investigation of fires in which a death has occurred or which are of a suspicious origin, and for the enforcement of regulations adopted by the State Fire Marshal.

(Added to NRS by [1979, 129](#); A [1979, 1333](#); [1987, 2283](#); [1989, 1902](#); [1999, 1077](#); [2001, 1959](#))

**NRS 244.3675 Regulation of construction, maintenance and safety of buildings, structures and property; adoption of codes and establishment of fees.** Subject to the limitations set forth in [NRS 244.368](#), [278.02315](#), [278.580](#), [278.582](#), [278.586](#), [444.340](#) to [444.430](#), inclusive, and [477.030](#), the boards of county commissioners within their respective counties may:

1. Regulate all matters relating to the construction, maintenance and safety of buildings, structures and property within the county.
2. Adopt any building, electrical, housing, plumbing or safety code necessary to carry out the provisions of this section and establish such fees as may be necessary. Except as otherwise provided in [NRS 278.580](#), these fees do not apply to the State of Nevada or the Nevada System of Higher Education.

(Added to NRS by [1973, 707](#); A [1991, 1167](#); [1993, 2584](#); [1999, 1064](#); [2001, 3103](#); [2007, 1096](#), [3099](#); [2009, 833](#); [2015, 1991](#))

**NRS 244.368 Areas within which city's building code supersedes less stringent provisions of county's building code.**

1. In a county whose population is less than 700,000, a city's building code that has rules, regulations and specifications more stringent than the building code of the county within which the city is located supersedes, with respect to the area within the city and within a 1-mile limit outside of the boundaries of the city, any provisions of the county's building code not consistent therewith.

2. In a county whose population is 700,000 or more, a city's building code that has rules, regulations and specifications more stringent than the building code of the county within which the city is located supersedes, with respect to the area within the city, any provisions of the county's building code not consistent therewith.

3. The provisions of this section do not apply to farm or ranch buildings in existence on March 30, 1959.

(Added to NRS by 1959, 499; A [1993, 2584](#); [2007, 295](#); [2011, 1115](#))

**NRS 244.3685 Prescription drugs or medicine at reduced prices.**

1. A board of county commissioners may enter into one or more contracts or other agreements to provide the residents of the county with a reduction in the price of a drug or medicine dispensed by a pharmacy pursuant to a prescription. Such contract or other agreement may, without limitation, provide for the participation of the county in a program that provides prescription drugs or medicines at a discounted price.

2. A contract or agreement entered into pursuant to subsection 1 is not subject to any requirement of competitive bidding or other restriction imposed on the procedure for the awarding of contracts.

(Added to NRS by [2007, 355](#))

**NRS 244.369 Food handlers: Ordinance requiring physical examinations; limitations.**

1. Subject to the limitations contained in subsection 2, any board of county commissioners may by ordinance require that any food handler, as defined in [NRS 446.030](#), submit to physical examination as a prerequisite to engaging in or continuing to engage in such occupation.

2. Any ordinance enacted pursuant to the provisions of subsection 1 shall provide that no food handler is required to pay in excess of \$5 for any or all required physical examinations in any 2-year period.

(Added to NRS by 1963, 476; A [1973, 1080](#); [1977, 411](#))

**GRAFFITI**

**NRS 244.3691 Definitions.** As used in [NRS 244.3691](#) to [244.3695](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 244.36915](#) and [244.3692](#) have the meanings ascribed to them in those sections.

(Added to NRS by [1995, 739](#); A [2001, 851](#))

**NRS 244.36915 "Graffiti" defined.**

1. "Graffiti" means any unauthorized inscription, word, figure or design that is marked, etched, scratched, drawn, painted on or affixed to the public or private property, real or personal, of another, including, without limitation, an stray or one or more head of livestock, which defaces such property.

2. The term does not include any item affixed to property which may be removed:

(a) By hand without defacing the property;

(b) Through the use of a chemical or cleaning solvent commonly used for removing an adhesive substance without defacing the property; or

(c) Without the use of a decal remover tool.

3. As used in this section:

(a) "Decal remover tool" means any device using power or heat to remove an adhesive substance.

(b) "Stray" has the meaning ascribed to it in [NRS 206.003](#).

(c) "Livestock" has the meaning ascribed to it in [NRS 205.219](#).

(Added to NRS by [2001, 849](#); A [2015, 2111](#))

**NRS 244.3692 "Residential property" defined.** "Residential property" means a parcel of land, including all structures thereon, that is an owner-occupied single-family residence.

(Added to NRS by [2001, 849](#); A [2015, 2111](#))

**NRS 244.3693 Removal or covering of graffiti on real or personal property of county; civil penalty.**

1. The board of county commissioners shall remove or cover all evidence that graffiti has been placed on any real or personal property which it owns or otherwise controls within 15 days after it discovers the graffiti or as soon as practicable.

2. The board of county commissioners may bring an action against a person responsible for placing graffiti on the property of the county to recover a civil penalty and damages for the cost of removing or covering the graffiti placed on such property.

(Added to NRS by [1995, 739](#))

**NRS 244.36935 Abatement of graffiti on residential property.**

1. The board of county commissioners may adopt by ordinance procedures pursuant to which officers, employees or other designees of the county may cover or remove graffiti that is placed on residential property.

2. An ordinance adopted pursuant to subsection 1 must provide that:

(a) Officers, employees or other designees of the county shall not cover or remove the graffiti unless:

(1) The owner of the residential property consents to the covering or removal of the graffiti; or

(2) If the board of county commissioners or its designee is unable to contact the owner of the residential property to obtain the owner's consent, the board first provides the owner of the property with written notice that is:

(I) Sent by certified mail, return receipt requested; and

(II) Posted on the residential property on which the graffiti will be covered or from which the graffiti will be removed, at least 5 days before the officers, employees or other designees of the county cover or remove the graffiti.

(b) The county shall pay the cost of covering or removing the graffiti.

(Added to NRS by [2001, 849](#); A [2015, 2111](#))

**NRS 244.3694 Abatement of graffiti on nonresidential property.**

1. The board of county commissioners of a county may adopt by ordinance procedures pursuant to which the board or its designee may order an owner of nonresidential property within the county to cover or remove graffiti that is placed on that nonresidential property to protect the public health, safety and welfare of the residents of the county and to prevent blight upon the community.

2. An ordinance adopted pursuant to subsection 1 must:

(a) Contain procedures pursuant to which the owner of the property is:

(1) Sent notice, by certified mail, return receipt requested, of the existence on the owner's property of graffiti and the date by which the owner must cover or remove the graffiti; and

(2) Afforded an opportunity for a hearing and an appeal before the board or its designee.

(b) Provide that the date specified in the notice by which the owner must cover or remove the graffiti is tolled for the period during which the owner requests a hearing and receives a decision.

(c) Provide the manner in which the county will recover money expended for labor and materials used to cover or remove the graffiti if the owner fails to cover or remove the graffiti.

3. The board or its designee may direct the county to cover or remove the graffiti and may recover the amount expended by the county for labor and materials used to cover or remove the graffiti if:

(a) The owner has not requested a hearing within the time prescribed in the ordinance adopted pursuant to subsection 1 and has failed to cover or remove the graffiti within the period specified in the notice;

(b) After a hearing in which the owner did not prevail, the owner has not filed an appeal within the time prescribed in the ordinance adopted pursuant to subsection 1 and has failed to cover or remove the graffiti within the period specified in the order; or

(c) The board has denied the appeal of the owner and the owner has failed to cover or remove the graffiti within the period specified in the order.

4. In addition to any other reasonable means of recovering money expended by the county to cover or remove the graffiti, the board may:

(a) Provide that the cost of covering or removing the graffiti is a lien upon the nonresidential property on which the graffiti was covered or from which the graffiti was removed; or

(b) Make the cost of covering or removing the graffiti a special assessment against the nonresidential property on which the graffiti was covered or from which the graffiti was removed.

5. A lien authorized pursuant to paragraph (a) of subsection 4 must be perfected by:

(a) Mailing by certified mail a notice of the lien, separately prepared for each lot affected, addressed to the last known owner of the property at his or her last known address, as determined by the real property assessment roll in the county in which the nonresidential property is located; and

(b) Filing with the county recorder of the county in which the nonresidential property is located, a statement of the amount due and unpaid and describing the property subject to the lien.

6. A special assessment authorized pursuant to paragraph (b) of subsection 4 may be collected at the same time and in the same manner as ordinary county taxes are collected, and is subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection and enforcement of county taxes are applicable to such a special assessment.

7. As used in this section, "nonresidential property" means all real property other than residential property. The term does not include real property owned by a governmental entity.

(Added to NRS by [2001, 849](#); A [2015, 2111](#))

**NRS 244.3695 Graffiti reward and abatement fund: Creation; use; administrative assessments; payment of rewards.**

1. The board of county commissioners shall create a graffiti reward and abatement fund. The money in the fund must be used to pay a reward to a person who, in response to the offer of a reward, provides information which results in the identification, apprehension and conviction of a person who violates a county ordinance that prohibits graffiti or other defacement of property.

2. When a defendant pleads or is found guilty or guilty but mentally ill of violating a county ordinance that prohibits graffiti or other defacement of property, the court shall include an administrative assessment of \$250 for each violation in addition to any other fine or penalty. The money collected must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for credit to the graffiti reward and abatement fund.

3. If sufficient money is available in the graffiti reward and abatement fund, a county law enforcement agency may offer a reward, not to exceed \$1,000, for information leading to the identification, apprehension and conviction of a person who violates a county ordinance that prohibits graffiti or other defacement of property. The reward must be paid out of the graffiti reward and abatement fund upon approval of the board of county commissioners.

(Added to NRS by [1995, 739](#); A [2007, 1444](#))

## AGRICULTURE AND FAIRS

### **NRS 244.370 Exhibits of county's products at exposition or fair; permanent exhibits.**

1. Whenever the State of Nevada by act of the Legislature shall have decided to make a state exhibit at any exposition, the various counties may, for the purpose of more efficiently representing their resources and products, by order of their respective county commissioners, employ some person or persons to collect county exhibits and forward the same pursuant to instructions from the State Board of Commissioners of the exposition.

2. All collectors acting under authorization of county commissioners shall collect and mark each and every sample in accordance with such instructions from the State Board as may be necessary to secure clearness and uniformity of system in the state exhibit.

3. The county commissioners of each county may order the payment of such expenses as may be incurred in collecting the exhibit out of any available fund.

4. The county commissioners may, for the purpose of illustrating, exhibiting and advertising the resources of their counties, maintain permanent exhibits at suitable places either in this state or elsewhere, but they shall not expend for the maintenance of such permanent exhibit more than \$25 in any 1 month. Nothing in this subsection shall be so construed as to conflict in any way with subsections 1, 2 or 3.

[1:34:1903; RL § 3937; NCL § 7007] + [2:34:1903; RL § 3938; NCL § 7008] + [3:34:1903; RL § 3939; NCL § 7009] + [4:34:1903; RL § 3940; NCL § 7010]

### **NRS 244.375 Tax for exhibits at expositions.**

1. After March 20, 1911, the county commissioners of the various counties are empowered to levy a special tax for the purpose of displaying the products of the county at expositions.

2. The county commissioners are authorized to use their discretion in the levying of the tax to cover the legitimate expenses incurred in the display of any products at an exposition; but in no case shall such tax levy exceed 4 cents on each \$100 in any 1 year.

[1:123:1911; RL § 3935; NCL § 7005] + [2:123:1911; RL § 3936; NCL § 7006]

## MUSEUMS, ART CENTERS AND HISTORICAL SOCIETIES

### **NRS 244.377 Tax levy; payment of proceeds to and use by nonprofit organization; exemption from limitation.**

1. The board of county commissioners of any county may include in the annual budget of the county items to cover the expense of maintaining a county museum, art center or historical society.

2. The expenditures so budgeted may be met by including them in the annual tax levy of the county, but in no case may the tax levy for such purposes in any 1 year exceed 5 cents on each \$100 of the assessed valuation of the property of that county.

3. The proceeds of the tax levy may be paid under contract to a nonprofit historical society, nonprofit museum board or other nonprofit board, committee or organization for their use in paying salaries of museum or art center personnel, in building and maintaining exhibits, in purchasing cabinets, in displaying items and in conducting activities related to a museum or art center, but in no case may such an organization or board make capital improvements without the express approval of the board of county commissioners.

4. The proceeds of the tax levied pursuant to this section are exempt from the limitation imposed by [NRS 354.59811](#) and may be excluded in determining the allowed revenue from taxes ad valorem for the county.

(Added to NRS by [1969, 166](#); A [1975, 140](#); [2003, 480](#))

**NRS 244.378 Sale, trade or exchange of duplicate or unwanted items.** Except as otherwise provided by county ordinance, the director of the department designated to operate a county museum, art center or historical society may sell, trade or exchange duplicate or unwanted museum items with any other museum, nonprofit organization or educational institution.

(Added to NRS by [1989, 1055](#))

## ADVERTISING OF COUNTY'S RESOURCES AND ADVANTAGES

### **NRS 244.380 Tax levy; contracts for promotion of county.**

1. Annually, the boards of county commissioners of the several counties may include in their respective county budgets items to cover the expense of exploiting, promoting and publishing to homeseekers and the public at large, by any means in their judgment calculated to accomplish this purpose, the agricultural, mining and other resources, progress and advantages of their respective counties.

2. Such expenditures as may be by the board of county commissioners be decided upon shall be met by including them in the annual tax levy of and for that county; provided:

(a) That the tax levy shall not in any 1 year exceed 3 cents on each \$100 of the assessed valuation of the property in that county.

(b) That in counties having a population of 100,000 or more, the county commissioners of those counties may levy a tax of 2 cents on each \$100 of the assessed valuation of property in that county.

(c) That pending the accumulation and setting aside of the fund for the purposes authorized by this section, the boards of county commissioners are authorized and empowered to pledge their respective counties for those purposes to an amount not exceeding the sum to be raised as in this section provided, and to be paid out of the fund raised and set aside therefor as herein authorized.

3. The boards of county commissioners may enter into contracts with any person, group, corporation, agency or commission to carry out the purposes of this section and are authorized to pay over to any such person, group, corporation, agency or commission, pursuant to such contracts, any moneys derived from the tax levy provided for in subsection 2.

[1:181:1937; 1931 NCL § 1929.21] + [2:181:1937; 1931 NCL § 1929.22] — (NRS A 1959, 772; [1979, 514](#))

## MEDICAL SCHOLARSHIPS

### **NRS 244.382 Legislative findings.** The Legislature finds that:

1. Many of the less populous counties of the State have experienced shortages of physicians, surgeons, anesthetists, dentists, other medical professionals and physician assistants.

2. Some of the more populous counties of the State have also experienced shortages of physicians, surgeons, anesthetists, dentists, other medical professionals and physician assistants in their rural communities.

3. By granting county scholarships to students in such medical professions who will agree to return to the less populous counties or the rural communities of the more populous counties for residence and practice, these counties can alleviate the shortages to a degree and thereby provide their people with needed health services.

(Added to NRS by [1973, 632](#); A [1995, 104](#); [2001, 779](#))

**NRS 244.3821 Establishment of medical scholarship program; appropriation of money; acceptance of contributions.**

1. In addition to the powers elsewhere conferred upon all counties, except as otherwise provided in subsection 2, any county may establish a medical scholarship program to induce students in the medical professions to return to the county for practice.
2. Any county whose population is 100,000 or more may only establish a medical scholarship program to induce students in the medical professions to return to the less populous rural communities of the county for practice.
3. Students in the medical professions for the purposes of [NRS 244.382](#) to [244.3823](#), inclusive, include persons studying to be physician assistants licensed pursuant to [chapter 630](#) or [633](#) of NRS.
4. The board of county commissioners of a county that has established a medical scholarship program may appropriate money from the general fund of the county for medical scholarship funds and may accept private contributions to augment the scholarship funds.

(Added to NRS by [1973, 632](#); A [1979, 515](#); [1995, 104](#); [2001, 779](#); [2007, 1852](#))

**NRS 244.3822 Prerequisites to grant of scholarship.**

1. If a medical scholarship fund is created, the board of county commissioners may grant individual scholarships but shall first require each recipient to:
  - (a) Show the recipient's financial need for the scholarship.
  - (b) Execute a written agreement that, after completing his or her studies and achieving professional certification, the recipient will, except as otherwise provided in subsection 2, return to the county and practice the profession for a number of years to be specified by the board, not fewer than the number of years during which he or she received the county's assistance for his or her education.
2. If a recipient of a scholarship executes a written agreement with a county pursuant to subsection 2 of [NRS 244.3821](#), the recipient shall return to a less populous rural community of that county and practice the profession for a number of years to be specified by the board, not fewer than the number of years during which he or she received the county's assistance for his or her education.

(Added to NRS by [1973, 632](#); A [1995, 105](#))

**NRS 244.3823 Criteria for selection of recipients.** In awarding individual medical scholarships, the board of county commissioners may:

1. Require applicants to obtain a prior review of their qualifications and approval thereof by the board of hospital trustees of the public hospital in the county or of a designated public hospital.
2. Give preference to applicants whose residence and personal ties in the local community indicate the likelihood of a return to permanent residency and practice in the community.
3. Determine the amount and duration of payments and other matters involved in scholarship grants.
4. Contract with the recipient concerning the terms of any repayment of moneys awarded.

(Added to NRS by [1973, 633](#))

## WILDLIFE AND NATURAL RESOURCES

**NRS 244.386 Preservation of endangered species or subspecies in county whose population is 700,000 or more: General powers; fee for construction or grading of land in unincorporated areas; creation of enterprise fund.**

1. In a county whose population is 700,000 or more and in which exists a species or subspecies that has been declared endangered or threatened pursuant to the federal Endangered Species Act of 1973, as amended, the board of county commissioners may by ordinance establish, control, manage and operate or provide money for the establishment, control, management and operation of an area or zone for the preservation of species or subspecies. In addition, the board, in cooperation with the responsible local, state and federal agencies, may encourage in any other manner the preservation of those species or subspecies or any species or subspecies in the county which have been determined by the board of county commissioners, to be likely to have a significant impact upon the economy and lifestyles of the residents of the county if listed as endangered or threatened, including the expenditure for this purpose of money collected pursuant to subsection 2 or [NRS 268.4413](#) or the participation in an agreement made pursuant to [NRS 503.589](#). The board may purchase, sell, exchange or lease real property, personal property, water rights, grazing permits and other interests in such property for this purpose, pursuant to such reasonable regulations as the board may establish. If any such property, rights or other interests are purchased from a nonprofit organization, the board of county commissioners may reimburse the organization for its cost of acquisition, not to exceed its appraised value, and any interest, carrying costs, direct expenses and reasonable overhead charges.

2. The board of county commissioners may, by ordinance, impose a reasonable fee of not more than \$550 per acre on the construction of a structure or the grading of land in the unincorporated areas of the county for the expense of carrying out the provisions of subsection 1. The fee must be collected at the same time and in the same manner as the fee for the issuance of a building permit collected pursuant to [NRS 278.580](#).

3. If a fee is imposed pursuant to subsection 2 or [NRS 268.4413](#), the board of county commissioners shall create an enterprise fund exclusively for fees collected pursuant to subsection 2 and [NRS 268.4413](#). Any interest or other income earned on the money in the fund, after deducting any applicable charges, must be credited to the fund. The money in the fund may only be used to pay the actual direct costs of the program or programs established pursuant to subsection 1.

(Added to NRS by [1991, 289](#); A [1995, 124](#); [1997, 1198](#); [2011, 1115](#); [2013, 779](#))

**NRS 244.387 Removal of wild horses from private property.**

1. If a wild horse or horses stray onto land which is privately owned, an owner of the land may:
  - (a) Inform the appropriate federal authority; and
  - (b) Request the authority to remove the wild horse or horses from the land, in the manner and form required by the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331 et seq., and the regulations adopted pursuant thereto.
2. If the appropriate federal authority fails to remove the wild horse or horses from the land within a reasonable amount of time after receiving a request pursuant to subsection 1, the landowner may:
  - (a) Notify the board of county commissioners in the county in which the land is located of the failure; and
  - (b) Request the county to institute an action in federal court on his or her behalf requesting a writ of mandamus ordering the appropriate federal authority to remove the wild horse or horses from the land.
3. Upon receiving a notification and request pursuant to subsection 2, the county may institute an action in a federal court of competent jurisdiction on behalf of the landowner requesting the court to issue a writ of mandamus directing the appropriate federal authority who was notified pursuant to subsection 1 to remove the wild horse or horses from the land. The county shall:
  - (a) Determine whether it will institute such an action; and
  - (b) Notify the landowner of its determination, as soon as practicable after receiving the request.
4. A motion filed pursuant to subsection 3 must include a request that the court authorize the county, the State Department of Agriculture or a representative of the county or the State Department of Agriculture to remove the wild horse or horses from the land if the appropriate federal authority is unable or unwilling to do so.
5. As used in this section "appropriate federal authority" means a federal agency or officer who is charged with the duties of:
  - (a) Receiving notices from landowners requesting the removal of wild horses from land which is privately owned; and
  - (b) Arranging to have wild horses removed from land which is privately owned,

È pursuant to the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331 et seq., or regulations adopted pursuant thereto.  
(Added to NRS by [1999, 984](#))

**NRS 244.388 Establishment, use and operation of wetlands mitigation bank.**

1. The board of county commissioners of a county may by ordinance establish, use and operate a wetlands mitigation bank in accordance with the guidelines set forth in Federal Guidance for the Establishment, Use and Operation of Mitigation Banks, as issued by the United States Army Corps of Engineers, Environmental Protection Agency, National Resources Conservation Service, Fish and Wildlife Service and National Marine Fisheries Service in 60 Federal Register 58,605 on November 28, 1995.

2. A board of county commissioners that establishes a mitigation bank pursuant to subsection 1 may enter into a cooperative agreement with a public agency or nonprofit organization for the operation of the mitigation bank.

3. As used in this section:

(a) "Hydric soil" means soil that, in its undrained condition, is saturated, flooded or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation.

(b) "Hydrophytic vegetation" means a plant growing in:

(1) Water; or

(2) A substrate that is at least periodically deficient in oxygen during a growing season as a result of excessive water content.

(c) "Mitigation bank" means a system in which the creation, enhancement, restoration or preservation of wetlands is recognized by a regulatory agency as generating compensatory credits allowing the future development of other wetland sites.

(d) "Public agency" has the meaning ascribed to it in [NRS 277.100](#).

(e) "Wetland" means land that:

(1) Has a predominance of hydric soil;

(2) Is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and

(3) Under normal circumstances does support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

(Added to NRS by [1999, 159](#))

**OFFICE OF COORDINATOR OF SERVICES FOR VETERANS**

**NRS 244.401 Creation of office by ordinance; appointment and duties of coordinator; creation of office by two or more counties.**

1. The board of county commissioners of any county may create by ordinance the office of coordinator of services for veterans. If such an office is created, the board shall appoint a qualified veteran to hold the office and the board shall establish the coordinator's compensation.

2. The coordinator of services for veterans shall:

(a) Assist a veteran or the veteran's spouse or dependent, if the person requesting assistance is a resident of the county, in preparing, submitting and pursuing any claim that the person has against the United States, or any state, to establish the person's right to any privilege, preference, care or compensation to which he or she believes that he or she is entitled;

(b) Aid, assist and cooperate with the Director and Deputy Director of the Department of Veterans Services and with the Nevada Veterans Services Commission;

(c) Disseminate information relating to veterans' benefits in cooperation with the Director and Deputy Director of the Department of Veterans Services; and

(d) Perform such other services related to assisting a veteran, or the veteran's spouse or dependent, as requested by the board of county commissioners.

3. Two or more counties jointly may create one office of coordinator of services for veterans to serve those counties.

(Added to NRS by [1997, 1318](#); A [1997, 2592](#); [1999, 577, 2478](#))

**NRS 244.406 Financial support of office.**

1. Except as otherwise provided in this section, the office of coordinator of services for veterans must be supported from money in the county general fund and from any gifts or grants received by the county for the support of the office.

2. The board of county commissioners of a county that creates the office of coordinator of services for veterans is authorized to accept funds from the Director of the Department of Veterans Services pursuant to subsection 8 of [NRS 417.090](#) for the support of the office.

3. The board of county commissioners of a county that creates the office of coordinator of services for veterans may enter into an agreement with the Division of Public and Behavioral Health of the Department of Health and Human Services for the purpose of obtaining federal matching funds to contribute to the salaries and expenses of the office of coordinator of services for veterans for its activities which are reasonably related to the programs of the Division of Public and Behavioral Health and which benefit or result in cost avoidance for the Division.

(Added to NRS by [1997, 1319](#); A [1997, 2592](#); [1999, 2479](#); [2013, 1619, 2508](#))

**AIRCRAFT NOISE**

**NRS 244.412 "Committee" defined.** As used in [NRS 244.412](#) to [244.418](#), inclusive, unless the context otherwise requires, "committee" means an advisory committee on aircraft noise established pursuant to [NRS 244.414](#).

(Added to NRS by [2001, 1721](#))

**NRS 244.414 Advisory committee on aircraft noise: Establishment in county whose population is 700,000 or more; members; vacancies; chair; compensation; meetings.**

1. The board of county commissioners of each county whose population is 700,000 or more may establish by ordinance an advisory committee on aircraft noise.

2. If a board of county commissioners establishes a committee, the board shall appoint to the committee 11 members as follows:

(a) Four members who live in neighborhoods affected by aircraft noise;

(b) One member who lives in a neighborhood that is adjacent to an airport;

(c) One member who represents commercial operators of helicopters;

(d) One member who represents general aviation;

(e) One member who represents the division of Air Traffic Services of the Federal Aviation Administration;

(f) One member who represents a business that is affected by aircraft noise or is adjacent to an airport;

(g) One member who represents the department of aviation of the county; and

(h) One member who represents the board of county commissioners of the county.

3. The members of the committee shall serve terms of 2 years. Members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the membership of the committee must be filled in the same manner as the original appointment.

4. The board of county commissioners shall appoint one of the members as chair of the committee, who shall serve as chair for a term of 1 year. If a vacancy occurs in the position of chair, the vacancy must be filled in the same manner as the original selection for the

remainder of the unexpired term.

5. The members of the committee serve without compensation.

6. The committee shall:

(a) Meet upon the call of the chair; and

(b) Comply with the provisions of [chapter 241](#) of NRS.

(Added to NRS by [2001, 1721](#); A [2011, 1116](#))

**NRS 244.416 Advisory committee on aircraft noise: Powers.**

1. Except as otherwise provided in subsection 2, the committee may:

(a) Examine and assess laws and any other information related to problems of aircraft noise in the county, including, without limitation, existing and proposed flight paths for aircraft;

(b) Promote increased communication regarding aircraft noise among relevant public entities and between those entities and the general public; and

(c) With due regard for the safety and efficiency of the aviation industry, advise and consult with the Federal Aviation Administration, the board of county commissioners and all other relevant federal, state and local governmental agencies, bodies and officials regarding new and existing programs and approaches for abating aircraft noise.

2. The provisions of this section do not authorize the committee to take any action with respect to any aircraft that is operated:

(a) In commercial aviation pursuant to 14 C.F.R. Part 121 or 14 C.F.R. Part 135, or both;

(b) As an air ambulance, as that term is defined in [NRS 450B.030](#); or

(c) By or in cooperation with a law enforcement agency.

(Added to NRS by [2001, 1722](#))

**NRS 244.418 Establishment of toll-free telephone number in county whose population is 700,000 or more to report alleged violations of rules or regulations pertaining to aircraft noise; maintenance of record of complaints.**

1. Except as otherwise provided in subsection 2, the board of county commissioners of each county whose population is 700,000 or more shall enact and enforce ordinances requiring the county airport to:

(a) Establish a toll-free telephone number for persons to report information regarding alleged violations of rules or regulations pertaining to aircraft noise, including, without limitation, deviations from established flight paths; and

(b) Compile and maintain a record of each complaint that alleges a violation of a rule or regulation pertaining to aircraft noise.

2. An ordinance enacted pursuant to this section must not apply to any aircraft that is operated:

(a) As an air ambulance, as that term is defined in [NRS 450B.030](#); or

(b) By or in cooperation with a law enforcement agency.

(Added to NRS by [2001, 1722](#); A [2011, 1116](#))

### APPROVED YOUTH SHELTERS

**NRS 244.421 Definitions.** As used in [NRS 244.421](#) to [244.429](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 244.423](#) to [244.427](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [2001, 1151](#); A [2011, 791](#))

**NRS 244.423 “Necessary services” defined.** “Necessary services” means:

1. Food and access to overnight shelter.

2. Counseling to address immediate emotional crises or problems.

3. Outreach services to locate and assist runaway or homeless youths.

4. Screening for basic health needs and referrals to public and private agencies for health care.

5. Referrals to assistance and services offered by public and private agencies.

6. Long-term planning, placement and follow-up services.

(Added to NRS by [2001, 1151](#))

**NRS 244.424 “Runaway or homeless youth” defined.** “Runaway or homeless youth” means a youth who:

1. Is under 18 years of age; and

2. Lives in a situation described in 42 U.S.C. § 11434a(2)(B)(ii)-(iii) with or without the consent or knowledge of his or her parent, guardian or custodian.

(Added to NRS by [2001, 1151](#); A [2007, 246](#))

**NRS 244.426 “Youth” defined.** “Youth” means a child who is:

1. Twelve years of age or older;

2. Unemancipated; and

3. Mentally competent.

(Added to NRS by [2001, 1152](#))

**NRS 244.427 “Youth shelter” defined.** “Youth shelter” means an entity which is not operated for profit and which provides, at a minimum, necessary services to runaway or homeless youths who qualify for such services.

(Added to NRS by [2001, 1152](#))

**NRS 244.429 Immunity from civil liability.** A youth shelter and its director, employees, agents or volunteers are immune from civil liability based upon any act or failure to act while admitting, releasing or caring for a runaway or homeless youth, unless the act or failure to act was the result of the gross negligence or intentional or reckless misconduct of the youth shelter or its director, employees, agents or volunteers.

(Added to NRS by [2001, 1153](#); A [2011, 791](#))