

Bill No. 2017-22
NYE COUNTY ORDINANCE NO. 527

SUMMARY: AN ORDINANCE AMENDING TITLE 3 CHAPTER 3.44 OF THE NYE COUNTY CODE BY REMOVING THE ANNUAL SOLICITATION REQUIREMENT AND THE ANNUAL ROTATION OF APPRAISERS REQUIREMENT OF CHAPTER 3.44.040 AND OTHER MATTERS PROPERLY RELATING THERETO.

TITLE: AN ORDINANCE AMENDING TITLE 3 CHAPTER 3.44 OF THE NYE COUNTY CODE BY REMOVING THE ANNUAL SOLICITATION REQUIREMENT AND THE ANNUAL ROTATION OF APPRAISERS REQUIREMENT OF CHAPTER 3.44.040 AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Nye County Board of Commissioners (“Board”) is authorized, pursuant to the provisions of Chapter 244.095 through 244.119 of the Nevada Revised Statutes to enact ordinances and to amend the Nye County Code; and

WHEREAS, NRS 244.2795 requires an ordinance be adopted addressing procedures for creating lists of appraisers for conducting appraisals of county property for sale or lease, the Board believes it is in the best interest of the people of Nye County that the County’s appraisal of county property for sale or lease, Nye County Code Title 3, be amended;

NOW THEREFORE, the Board of Commissioners of the County of Nye, State of Nevada, does hereby ordain Nye County Code Title 3 is hereby amended as follows, with shown in strike-through red font, and additions and modifications shown in underscored blue font as follows:

Chapter 3.44 APPRAISAL OF COUNTY PROPERTY FOR SALE OR LEASE

3.44.010: TITLE:

This chapter shall be known, and may be cited as *APPRAISAL OF COUNTY PROPERTY FOR SALE OR LEASE*. (Ord. 330, 2006)

3.44.020: INTERPRETATION, CONFLICT, SEPARABILITY AND CONSTITUTIONALITY:

A. In their interpretation and application, the provisions of this title shall be held to be the minimum requirements. More stringent provisions may be required if it is demonstrated that such provisions are necessary to promote the public health, safety and welfare.

B. Where the conditions imposed by any provision of this title are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this title or any other applicable law, ordinance, resolution, or rule of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

C. The provisions of this title are separable. If a section, sentence, clause, or phrase of this title is adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the decision shall not affect the remaining portions of this title. (Ord. 330, 2006)

3.44.030: DEFINITIONS:

QUALIFIED APPRAISER: An appraiser qualified to act as a general appraiser in Nye County, Nevada. (Ord. 330, 2006)

3.44.040: PROCEDURES:

A. The following are procedures for developing a list of qualified appraisers:

1. Notices of solicitation shall be placed in appropriate local and state newspapers at intervals deemed appropriate by the Board; and may be placed in other locations such as websites related to property appraisal.
2. Based on responses to the solicitation a list shall be compiled by the purchasing department containing the names of all persons qualified to act as general appraisers for the sale or lease of real property located within Nye County. Qualified responders to the solicitation placed in the "Pahrump Valley Times" and the "Tonopah Times Bonanza" on September 22, 27, and 28, 2006, shall establish the basis for the first list of qualified appraisers.
3. The list shall be organized at random and shall be updated and rotated from time to time.
4. An appraiser chosen to conduct an appraisal shall 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.
5. An appraiser shall not perform an appraisal on any real property for sale or lease by the board if the appraiser or a person related to the appraiser within the first degree of

consanguinity of affinity has an interest in the real property or an adjoining property.
(Ord. 330, 2006)

SEVERABILITY. If any provision of this ordinance or amendments thereto, or the application there to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the 8th day of January, 2018.

Proposed on the 21st day of October, 2017

Proposed by: Commissioner Koenig.

Adopted on the 19th day of December, 2017

Vote: Ayes: Commissioners: Schinhofen, Koenig, Wichman, Borasky, Cox

Nays: Commissioners: Ø

Absent: Commissioners: Ø

BY: 

Dan Schinhofen, Chairman
Nye County Board of
County Commissioners

ATTEST: 

Sandra Medina
Nye County Clerk and
Ex-Officio Clerk of the Board