

**BILL NO. 2018-04**

**NYE COUNTY ORDINANCE NO. 529**

**SUMMARY:** AN ORDINANCE AMENDING NYE COUNTY CODE TITLE 15 BUILDING AND CONSTRUCTION, CHAPTER 15.32 PAHRUMP REGIONAL PLANNING DISTRICT IMPACT FEES, PERTAINING TO THE IMPACT FEE DEFERRAL OPTION AND THE EARLY PAYMENT INCENTIVE; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

**TITLE:** AN ORDINANCE AMENDING NYE COUNTY CODE TITLE 15 BUILDING AND CONSTRUCTION, CHAPTER 15.32 PAHRUMP REGIONAL PLANNING DISTRICT IMPACT FEES, PERTAINING TO THE IMPACT FEE DEFERRAL OPTION AND THE EARLY PAYMENT INCENTIVE; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, pursuant to NRS 244.119, the Nye County Board of Commissioners (Board) is authorized to amend the Nye County Code; and

**WHEREAS**, pursuant to NRS 278.020, for the purpose of promoting the health, safety and the general welfare of the residents of Nye County, the Board is authorized and empowered to regulate and restrict the improvement of land and to control the location and soundness of structures; and

**WHEREAS**, any such regulation, restriction and control must take into account the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment; and

**WHEREAS**, pursuant to NRS 278B.230, the Board may, by ordinance, determine that impact fees are to be collected at the same time as the fee for issuance of a building permit for the service unit; and

**WHEREAS**, the Board finds these changes to be appropriate and an improvement to the regulations;

**NOW, THEREFORE**, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain (NRS 244.110):

**15.32.080: TIME OF PAYMENT:**

The impact fee shall be determined and shall be paid at the same time as the fee for issuance of a building permit. The applicant for a building permit shall pay the impact fee.

**SEVERABILITY.** If any provision of this ordinance or amendments thereto, or the application 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 7<sup>th</sup> day of May, 2018.

Proposed on the 12<sup>th</sup> day of March, 2018.

Proposed by: Commissioner Schinhofen.

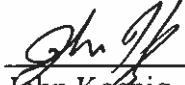
Adopted on the 17<sup>th</sup> day of April, 2018

Vote: Ayes: Commissioners: Koenig, Schinhofen, Wichman

Nays: Commissioners: Borasky, Cox

Absent: Commissioners: Ø

BY:

  
John Koenig, Chairman  
Nye County Board of  
County Commissioners

ATTEST:

  
Sandra L. Merlino  
Clerk and Ex-Officio  
Clerk of the Board