

BILL NO. 2018-13

NYE COUNTY ORDINANCE NO. 533

SUMMARY: An Ordinance amending Nye County Code 12.04.040, the Signage Requirements applicable to the Nye County, by creating an exception related to political signs, providing for the severability, constitutionality and effective date thereof; and other matters properly related thereto.

TITLE: AN ORDINANCE AMENDING NYE COUNTY CODE 12.04.040, THE SIGNAGE REQUIREMENTS APPLICABLE TO THE NYE COUNTY BY CREATING AN EXCEPTION RELATED TO POLITICAL SIGNS, PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATED THERETO.

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

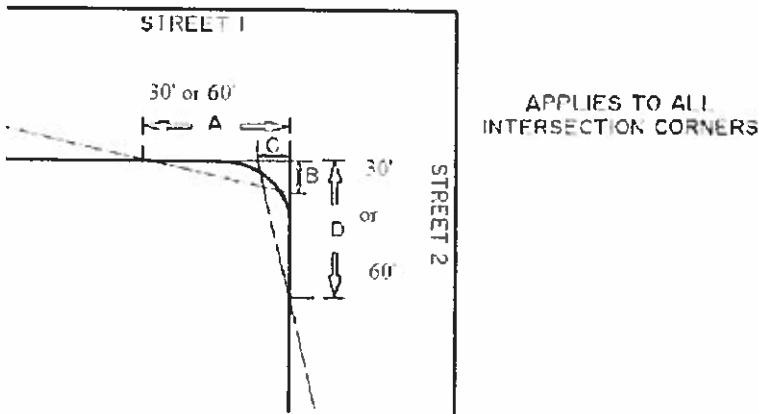
WHEREAS, the Board of County Commissioners has determined that the protection of the public health, safety and welfare through the regulation of political signs is in the best interest of the community and the current regulations do not adequately provide appropriate safeguards for the community.

NOW, THEREFORE, pursuant to NRS 244.110, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

12.04.040: SIGNS OR STANDARDS; PLACEMENT:

- A. Subject to the provisions of this Chapter, signs are authorized to be erected and maintained provided that the supporting standards are located off the County maintained roads or streets and extend no closer than three feet (3') from the right of way, and provided further that the distance between the bottom of the signboard and the normal level of the sidewalk is not less than twelve feet (12'). (Ord. 45(A) § 5, 1964)
- B. Exceptions:
 1. Political signs are allowed, provided the signs are located and removed in accordance with Nevada Revised Statutes and Nye County Code and comply with the following minimum requirements:

- a. Location: If located along a County maintained road and street, political signs must:
 - (1) Be placed a minimum of ten (10) feet off the edge of pavement and appropriately secured to the ground.
 - (2) Be placed a minimum of three (3) feet from the flow line of the bar ditch. (Flow lines of county bar ditches are typically 8 to 10 feet from the edge of pavement).
- b. Sign Size, Area and Height:
 - (1) Maximum sign area shall be 32 square feet, with maximum dimensions of 4 feet tall, excluding frame and supports, by 8 feet wide.
 - (2) Maximum allowed sign height shall be 6 feet, including sign frames and supports.
 - (3) Maximum sign width shall be 8 feet.
 - (4) No sign exceeding 30 inches in height, including frame and supports, shall be placed within the site triangle easement. Site triangle easements must be maintained at all points of ingress and egress to parking areas and driveways and at all 2- and 4-way intersections pursuant to the diagram below.
 - (A) For all roads with a speed limit of less than 45 mph, a 30-foot clear site triangle must be maintained.
 - (B) For all roads with a speed limit of 45 mph or greater, a 60-foot clear site triangle must be maintained.



- c. Timeframe: Political signs are only permitted to be placed a minimum of sixty (60) calendar days prior to the primary election so long as the sign concerns a candidate, party or question for that primary or the ensuing general election. Political signs must be removed within fifteen (15) calendar days after the primary election if the candidate, party or question is not to be voted on at the ensuing general election or the general

election in any other case. Political signs must be removed fifteen (15) calendar days after any general or special election.

d. Compliance: Any such political sign found in violation of the provisions of this section must be brought into conformance immediately upon written notification to the owner of the sign, either by e-mail or mail, return receipt requested. If the violator fails to make appropriate corrections within three (3) business days from receipt of notification, the Code Compliance Office or an authorized designee shall remove any signs in violation and impound those signs. Any signs that have been impounded and not claimed within thirty (30) calendar days of removal will become the property of Nye County and will be disposed of at the discretion of the County.

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 21st day of May, 2018.

Proposed on the 11th day of April, 2018.

Proposed by: Commissioner Schinhofen.

Adopted on the 1st day of May, 2018

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

Nays: Commissioners: Ø

Absent: Commissioners: Ø

BY: JK fjn
John Koenig, Chairman
Nye County Board of
County Commissioners

ATTEST: SLM SLM, Deputy Clerk
Sandra L. Merlino
Clerk and Ex-Officio
Clerk of the Board