

NYE COUNTY AGENDA INFORMATION FORM

Action Presentation Presentation & Action

Department: Nye County Licensing Department		Agenda Date:
Category: Timed Agenda Item – 10:00 a.m.		September 15, 2020
Contact: Samantha Tackett		Phone: 775-751-4270
		Continued from meeting of:
Return to:	Location:	Phone:
Action requested: (Include what, with whom, when, where, why, how much (\$ and terms))		
Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2020-14: A Bill Proposing to Amend Nye County Code Title 5 Titled Business Licenses and Regulations, Chapter 5.04 Titled Liquor Regulations, Section 5.04.040, Titled Meetings, by Changing the Number of Members of the Board Constituting a Quorum; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.		
Complete description of requested action: (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures)		
Staff recommends adoption with an effective date of October 3, 2020.		
Any information provided after the agenda is published or during the meeting of the Commissioners will require you to provide 20 copies: one for each Commissioner, one for the Clerk, one for the District Attorney, one for the Public and two for the County Manager. Contracts or documents requiring signature must be submitted with three original copies.		
Expenditure Impact by FY(s): (Provide detail on Financial Form)		
<input checked="" type="checkbox"/> No financial impact		

Routing & Approval (Sign & Date)

1. Dept	Date	6.	Date
2.	Date	7. HR	Date
3.	Date	8. Legal	Verified by MG Date 08-10-20
4.	Date	9. Finance	Date N/A
5.	Date	10. County Manager	<input checked="" type="checkbox"/> Place on Agenda

MG ITEM # 15

NYE COUNTY ORDINANCE NO. _____

SUMMARY: A bill proposing to amend Nye County Code Title 5 titled Business Licenses and Regulations, Chapter 5.04 titled Liquor Regulations, Section 5.04.040, titled Meetings, by changing the number of members of the board constituting a quorum

TITLE: A BILL PROPOSING TO AMEND NYE COUNTY CODE TITLE 5 TITLED BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.04 TITLED LIQUOR REGULATIONS, SECTION 5.04.040, TITLED MEETINGS, BY CHANGING THE NUMBER OF MEMBERS OF THE BOARD CONSTITUTING A QUORUM 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 244.350, 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; and

WHEREAS, pursuant to NRS 244.352, the County License Board and Liquor Board are merged, and shall be known as the Nye County Licensing and Liquor Board; and

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

NYE COUNTY CODE TITLE 5.04.040 IS HEREBY AMENDED AS FOLLOWS, with **Deletions** shown in strike-through red font, and **additions and modifications** shown in underscored blue font:

5.04.040: MEETINGS:

A. The board shall meet as often as its business requires, at scheduled times at the beginning, during or immediately following a meeting of the Board of County Commissioners.

B. **Three (3)A majority of all** members of the board shall constitute a quorum, and each member shall have one vote. A majority vote of the members present shall be necessary to authorize the issuance of any license, or to transact any other business.

C. In the event of a tie vote, the matter being voted upon shall be tabled to the next meeting of the board.

D. Special meetings of the board may be held after notice is given in compliance with the State Open Meeting Law.

E. All members of the board shall serve without additional compensation.

F. The board shall elect a Chairman and Vice Chairman from among its members at the first meeting of each calendar year.

G. The County Clerk shall serve as Clerk of the board. (Ord. 101 § 4, 1983)

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 3rd day of October, 2020.

Proposed on the 18th day of August, 2020.

Proposed by: Commissioner _____.

Adopted on the _____ day of _____, 2020

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

BY: _____

John Koenig, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

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

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John Koenig, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

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