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BILL NO. 2010-20

NYE COUNTY ORDINANCE NO. ____

SUMMARY: A Bill proposing to amend Nye County Code Chapter 16.28, Division of Land within the Pahrump Regional Planning District, by amending section 16.28.170 H.1, Parcel Map Procedure, by amending water rights requirements, and other matters properly related thereto.

TITLE: A BILL PROPOSING TO AMEND NYE COUNTY CODE CHAPTER 16.28, DIVISION OF LAND WITHIN THE PAHRUMP REGIONAL PLANNING DISTRICT, BY AMENDING SECTION 16.28.170 H.1, PARCEL MAP PROCEDURE, BY AMENDING WATER RIGHTS REQUIREMENTS, AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, pursuant to NRS 278.020, for the purpose of promoting the health, safety, morals or the general welfare of the residents of Nye County, the Nye County Board of County Commissioners 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 278.326, the Board of County Commissioners is required to enact ordinance(s) prescribing regulations which, in addition to--but not in conflict with--the provisions of NRS 278.010 to 278.630, inclusive, govern matters of improvements, mapping, accuracy, engineering and other subjects related to the division of land within Nye County;

NOW, THEREFORE, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

NYE COUNTY CODE CHAPTER 16.20 is hereby amended as follows:

H. FORM AND CONTENT OF A PARCEL MAP: A parcel map, at the time application is first made pursuant to this Title, shall be in essentially the same form, and contain the same information as required pursuant to NRS 278.466. (Ord. 215, 1998)

1. ADDITIONAL REQUIREMENTS:

- a. Water Rights. Because of concerns over water in the District, certificated water rights in the amount of two (2) acre feet for each additional parcel created

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excluding the existing parcel (i.e., 5 acres divided into 4 parcels requires 3 water rights, or 3 x 2 AF) that is under five (5) acres gross in area shall be ~~transferred~~ relinquished through to the Nevada State ~~Water~~ Engineer's office ~~to Nye County~~, Division of Water Resources. The costs associated with water rights transfers shall be borne by the applicant. Because of the costs involved with water rights transfers, this requirement shall be made a condition of approval of a parcel map.

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

_____ day of _____, 20__.

Proposed on the _____ day of _____, 20__.

Proposed by _____

Adopted on the _____ day of _____, 20__.

Vote: Ayes: Commissioners:

 Nays: Commissioners:

 Absent: Commissioners:

BY: _____
Gary Hollis, Chairman
Nye County Board of
County Commissioners

ATTEST: _____
Sandra "Sam" Merlino
Clerk and Ex-Officio
Clerk of the Board