
ASSEMBLY BILL NO. 642—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CITY OF RENO)

MARCH 22, 1999

Referred to Committee on Government Affairs

SUMMARY—Authorizes cities to establish special districts to defray cost of providing certain services and improvements. (BDR 21-479)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to cities; authorizing the establishment of special districts in incorporated cities to defray the cost of acquiring, improving, equipping, operating and maintaining certain projects within the district; providing for the levy of assessments within such a district to pay those costs; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 268 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 8, inclusive, of this act.
3 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless the*
4 *context otherwise requires, the words and terms defined in sections 3, 4*
5 *and 5 of this act have the meanings ascribed to them in those sections.*
6 **Sec. 3.** *“Council” means the city council or other governing body of*
7 *an incorporated city.*
8 **Sec. 4.** *“Project” means any project that the council of an*
9 *incorporated city may acquire, improve, equip, operate and maintain*
10 *pursuant to NRS 268.730.*
11 **Sec. 5.** *“Special district” means a special district created pursuant to*
12 *the provisions of sections 2 to 8, inclusive, of this act to defray the cost of*
13 *acquiring, improving, equipping, operating or maintaining a project*
14 *within the district.*

1 **Sec. 6. 1.** *The council of an incorporated city may create a special*
2 *district within the boundaries of the city to acquire, improve, equip,*
3 *operate or maintain a project within the area of the proposed district. The*
4 *formation of such a district must be initiated by a resolution adopted by*
5 *the council.*

6 **2.** *A resolution adopted pursuant to subsection 1 must include a*
7 *general description of the boundaries of the proposed special district or*
8 *the territory to be included therein, with such certainty as to enable an*
9 *owner of property to determine whether his property is located within the*
10 *proposed special district.*

11 **3.** *Upon the adoption of such a resolution, the council shall require*
12 *the city manager to prepare, in writing, general standards describing the*
13 *project to be acquired, improved, equipped, operated or maintained in the*
14 *proposed special district. The general standards must include an estimate*
15 *of the cost of the project.*

16 **Sec. 7. 1.** *After the adoption of a resolution pursuant to section 6*
17 *of this act, the council shall:*

18 **(a)** *Hold a public hearing on the creation of the proposed special*
19 *district.*

20 **(b)** *At least 20 days before the scheduled date of the hearing:*

21 **(1)** *Mail to each owner of real property located within the proposed*
22 *special district; and*

23 **(2)** *Cause to be published in at least one newspaper of general*
24 *circulation in the city,*
25 *a notice of the time, date and place of the public hearing, the purpose for*
26 *which the proposed special district is being created, and a general*
27 *description of the boundaries of the proposed special district or the*
28 *territory to be included therein as set forth in the resolution adopted*
29 *pursuant to section 6 of this act. If there is not a newspaper of general*
30 *circulation in the city, the notice must be posted in at least five*
31 *conspicuous places within the city.*

32 **2.** *Any person who owns property that is located within the proposed*
33 *special district may, on or before the date specified in the notice for the*
34 *public hearing, file a written protest against the establishment of the*
35 *district with the city clerk. If, at or before the date specified in the notice*
36 *for the public hearing, written protests are filed that are signed by the*
37 *owners of property located within the proposed special district who will*
38 *be required to pay 51 percent or more of the total assessment proposed to*
39 *be levied pursuant to section 8 of this act, the special district may not be*
40 *established.*

41 **3.** *At the time, date and place specified for the public hearing in the*
42 *notices given pursuant to subsection 1 or at any subsequent time to which*
43 *the hearing may be adjourned, the council shall give full consideration to*

1 *all protests against the establishment of the proposed special district and*
2 *shall hear all persons wishing to be heard. A protest may be made orally*
3 *or in writing.*

4 *4. Except as otherwise provided in subsection 2, after the public*
5 *hearing, the council may adopt an ordinance establishing the special*
6 *district. The ordinance must set forth:*

7 *(a) A general description of the boundaries of the district or the*
8 *territory to be included therein, with such certainty as to enable an owner*
9 *of property to determine whether his property is within the district.*

10 *(b) General standards describing the project to be acquired, improved,*
11 *equipped, operated or maintained in the special district.*

12 **Sec. 8. 1.** *After the creation of a special district, the council shall*
13 *annually ascertain and include in its budget the total amount of money to*
14 *be derived from assessments required to acquire, improve, equip, operate*
15 *or maintain the project within the special district.*

16 **2.** *The total amount of money to be derived from assessments for the*
17 *next ensuing fiscal year must be apportioned among the individual*
18 *property owners in the special district based upon the relative special*
19 *benefit received by each property using an apportionment method*
20 *approved by the council. On or before April 20 of each year, a notice*
21 *specifying the proposed amount of the assessment for the next ensuing*
22 *fiscal year must be mailed to each property owner. The council shall hold*
23 *a public hearing concerning the assessments at the same time and place*
24 *as the hearing on the tentative budget. The council shall levy the*
25 *assessments after the hearing, but not later than June 1.*

26 **3.** *The assessments levied pursuant to subsection 2 must be paid in*
27 *quarterly installments on or before the dates specified for installments*
28 *paid pursuant to subsection 4 of NRS 361.483. Any installment payment*
29 *that is not paid on or before the date on which it is due, together with any*
30 *interest or penalty and the cost of collecting any such amounts, is a lien*
31 *upon the property upon which it is levied equal in priority to a lien for*
32 *general taxes and may be collected in the same manner.*