SENATE BILL NO. 457–COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CITY OF LAS VEGAS)

MARCH 17, 1999

Referred to Committee on Government Affairs

SUMMARY—Authorizes local governments to impose impact fees on new developments to finance fire suppression projects and park projects. (BDR 22-540)

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 ~~[omitted material]~~ is material to be omitted.

AN ACT relating to impact fees; including fire suppression projects and park projects as capital improvements which local governments may finance by imposing impact fees on new developments; prohibiting the imposition of an impact fee for a park project by a local government that imposes a residential construction tax; and providing other matters properly relating thereto.

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

Section 1. Chapter 278B of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. ***"Fire suppression project" means any facilities for a municipal fire protection system, including fire stations. The term does not include any facility or portion of a facility designed for a use related to the administration of a fire department or any other use not directly related to fire fighting.***

Sec. 3. ***"Park project" means facilities intended for the recreation of persons who live or work within a service area, including, without limitation, any permanent appurtenances necessary for such facilities. The term does not include a:***

1. Project that is more than 50 acres in size;

2. Golf course; or

3. Recreational trail or bike path, unless the trail or path is located on a parcel of land which has been improved as a park.

Sec. 4. ***A local government shall not impose an impact fee for a park project pursuant to this chapter if a residential construction tax is imposed by the local government pursuant to NRS 278.4983.***

Sec. 5. NRS 278B.010 is hereby amended to read as follows:

278B.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 278B.020 to 278B.140, inclusive, ***and sections 2 and 3 of this act*** have the meanings ascribed to them in those sections.

Sec. 6. NRS 278B.020 is hereby amended to read as follows:

278B.020 "Capital improvement" means a:

1. Drainage project;
2. ***Fire suppression project;***

3. ***Park project;***

4. Sanitary sewer project;

~~[3.]~~ ***5.*** Storm sewer project;

~~[4.]~~ ***6.*** Street project; or

~~[5.]~~ ***7.*** Water project.

Sec. 7. NRS 278B.160 is hereby amended to read as follows:

278B.160 1. ~~[A]~~ ***Except as otherwise provided in section 4 of this act, a*** local government may by ordinance impose an impact fee in a service area to pay the cost of constructing a capital improvement or facility expansion necessitated by and attributable to new development. Except as otherwise provided in NRS 278B.220, the cost may include only:

(a) The estimated cost of actual construction;

(b) Estimated fees for professional services;

(c) The estimated cost to acquire the land; and

(d) The fees paid for professional services required for the preparation or revision of a capital improvements plan in anticipation of the imposition of an impact fee.

2. All property owned by a school district is exempt from the requirement of paying impact fees imposed pursuant to this chapter.

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