

ASSEMBLY BILL NO. 131—ASSEMBLYMEN MCCLAIN, PARKS, BACHE,
PRICE, WILLIAMS, ANDERSON, ARBERRY, BUCKLEY, CHOWNING,
CLABORN, DE BRAGA, DINI, FREEMAN, GIUNCHIGLIANI,
GOLDWATER, KOIVISTO, LEE, LESLIE, MANENDO, NEIGHBORS,
NOLAN, OCEGUERA, PARNELL, PERKINS AND SMITH

FEBRUARY 14, 2001

JOINT SPONSORS: SENATORS CARE AND TITUS

Referred to Committee on Government Affairs

SUMMARY—Authorizes governing body of city or county to adopt ordinances for
preservation of neighborhoods. (BDR 22-149)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 local governments; authorizing the governing body of a city or county to
adopt ordinances for the preservation of neighborhoods; 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 278 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 *1. The governing body of a city or county may adopt ordinances to*
4 *preserve the character of neighborhoods within the city or county.*

5 *2. An ordinance adopted pursuant to subsection 1 may include,*
6 *without limitation, prohibitions, requirements, restrictions and standards*
7 *pertaining to:*

8 *(a) The maintenance of the interior and exterior of buildings and*
9 *structures;*

10 *(b) The maintenance of the real property on which buildings and*
11 *structures are situated;*

12 *(c) The maintenance of vacant land;*

13 *(d) The abatement of airborne pollens;*

14 *(e) The prevention, covering and removal of graffiti; and*



* A B 1 3 1 *

1 (f) Any other matter that the governing body determines to be relevant
2 to the preservation of the character of neighborhoods within the city or
3 county.
4 3. If an ordinance adopted pursuant to subsection 1 authorizes a city
5 or county to order an owner of property to take particular action to
6 correct a violation, to seek civil penalties against an owner of property
7 for a violation or to correct a violation on property if the owner of the
8 property fails to correct the violation, the ordinance must:
9 (a) Contain procedures pursuant to which the owner of the property
10 is:
11 (1) Sent a notice, by certified mail, return receipt requested, by the
12 sheriff or other person authorized to issue a citation for the violation that
13 specifies the date by which he must correct the violation to prevent the
14 matter from being submitted to the district attorney for legal action; and
15 (2) Afforded an opportunity for a hearing before a court of
16 competent jurisdiction.
17 (b) Provide that the date specified in the notice by which the owner
18 must correct the violation is tolled for the period during which the owner
19 requests a hearing and receives a decision.
20 (c) Provide the manner in which the city or county will recover money
21 expended for any labor and materials used to correct the violation on the
22 property if the owner fails to correct the violation.
23 4. The powers conferred by this section are in addition and
24 supplemental to, and not in substitution for, and the limitations imposed
25 by this section do not affect the powers conferred by, any other law. No
26 provision of this section repeals or affects any other law or any provision
27 thereof because it is the intent of this section to provide a separate
28 method of accomplishing its objectives, and not an exclusive one.
29 5. The provisions of this section do not authorize the governing body
30 of a city or county to take any action that would contravene a recorded
31 restrictive covenant or any other provision of law.
32 Sec. 2. NRS 278.010 is hereby amended to read as follows:
33 278.010 As used in NRS 278.010 to 278.630, inclusive, *and section 1*
34 *of this act*, unless the context otherwise requires, the words and terms
35 defined in NRS 278.0105 to 278.0195, inclusive, have the meanings
36 ascribed to them in those sections.

