

ASSEMBLY BILL NO. 458—ASSEMBLYMAN PARKS (BY REQUEST)

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Authorizes local governments to impose impact fees on new developments to finance fire station projects, park projects and police station projects. (BDR 22-1000)

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 impact fees; including a fire station project, park project and police station project as capital improvements which a local government may finance by imposing impact fees on new developments; prohibiting a local government from imposing an impact fee for a park project in certain circumstances; revising the definition of “street projects” to include traffic signals; 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 278B of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2.** *“Fire station project” means a facility for a fire station or a*
4 *fire substation. The term does not include:*
5 1. *A facility or portion of a facility that is designed for a use related*
6 *to the administration of a fire department or any other use not directly*
7 *related to fire fighting; or*
8 2. *Any equipment, including, without limitation, vehicles, used for*
9 *fire fighting.*
10 **Sec. 3.** *“Park project” means real property, turf, trees, irrigation,*
11 *playground apparatus, playing fields, areas to be used for organized*
12 *amateur sports, play areas, picnic areas, horseshoe pits, and other*
13 *recreational equipment or appurtenances which are designed to serve*
14 *natural persons, families and small groups and which are used for a park*
15 *that is not larger than 40 acres in area. The term does not include*
16 *auditoriums, arenas, bandstand and orchestra facilities, bathhouses,*
17 *clubhouses, community centers, golf course facilities, greenhouses,*
18 *swimming pools, tennis courts, trails, zoo facilities or similar recreational*
19 *facilities.*



1 **Sec. 4.** *“Police station project” means a facility for a police station*
2 *or a police substation. The term does not include:*

3 1. *A facility or portion of a facility that is designed for a use related*
4 *to the administration of a police department or any other use not directly*
5 *related to the provision of police services, including, without limitation,*
6 *the training of police officers; or*

7 2. *Any equipment, including, without limitation, vehicles, used to*
8 *provide police services.*

9 **Sec. 5.** *A local government shall not impose an impact fee for a park*
10 *project pursuant to this chapter if the local government imposes a*
11 *residential construction tax pursuant to NRS 278.4983 or requires*
12 *dedication of property pursuant to NRS 278.4979.*

13 **Sec. 6.** NRS 278B.010 is hereby amended to read as follows:
14 278B.010 As used in this chapter, unless the context otherwise
15 requires, the words and terms defined in NRS 278B.020 to 278B.140,
16 inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to
17 them in those sections.

18 **Sec. 7.** NRS 278B.020 is hereby amended to read as follows:

19 278B.020 “Capital improvement” means a:

20 1. Drainage project;

21 2. *Fire station project;*

22 3. *Park project;*

23 4. *Police station project;*

24 5. Sanitary sewer project;

25 ~~13-1~~ 6. Storm sewer project;

26 ~~14-1~~ 7. Street project; or

27 ~~15-1~~ 8. Water project.

28 **Sec. 8.** NRS 278B.130 is hereby amended to read as follows:

29 278B.130 “Street project” means the arterial or collector streets or
30 roads which have been designated on the streets and highways plan in the
31 master plan adopted by the local government pursuant to NRS 278.220,
32 including all appurtenances , *traffic signals* and incidentals necessary for
33 any such facilities.

34 **Sec. 9.** NRS 278B.160 is hereby amended to read as follows:

35 278B.160 1. ~~1A-1~~ *Except as otherwise provided in section 5 of this*
36 *act, a* local government may by ordinance impose an impact fee in a
37 service area to pay the cost of constructing a capital improvement or
38 facility expansion necessitated by and attributable to new development.
39 Except as otherwise provided in NRS 278B.220, the cost may include only:

40 (a) The estimated cost of actual construction;

41 (b) Estimated fees for professional services;

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

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

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

48 **Sec. 10.** The act becomes effective on July 1, 2001.

