

ASSEMBLY BILL NO. 647—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF CLARK COUNTY)

MARCH 26, 2001

Referred to Committee on Transportation

SUMMARY—Authorizes municipality to sell, lease or exchange public land under certain circumstances. (BDR 44-177)

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 municipal airports; authorizing a municipality to sell, lease or exchange public land under certain circumstances; 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.** NRS 496.080 is hereby amended to read as follows:
2 496.080 1. Except as may be limited by the terms and conditions of
3 any grant, loan or agreement pursuant to NRS 496.180, every municipality
4 may, by sale, lease or otherwise, dispose of any airport, air navigation
5 facility, or other property, or portion thereof or interest therein, acquired
6 pursuant to this chapter.
7 2. ~~The~~ *Except as otherwise provided in this subsection and*
8 *subsection 3, the* disposal by sale, lease or otherwise ~~shall~~ *must* be in
9 accordance with the laws of this state, or provisions of the charter of the
10 municipality, governing the disposition of other property of the
11 municipality . ~~I, except that in~~ *In* the case of disposal to another
12 municipality or agency of the state or Federal Government for aeronautical
13 purposes incident thereto, the sale, lease or other disposal may be effected
14 in such manner and upon such terms as the governing body of the
15 municipality may deem in the best interest of the municipality, and except
16 as otherwise provided in subsections 3, 4 and 5 of NRS 496.090.
17 3. *The governing body of a municipality may enter into an*
18 *agreement with a private person to sell, lease or exchange any real*
19 *property it has received or acquired for the development of an airport,*
20 *including real property for the control of airport noise, if the governing*



1 *body of the municipality determines that the sale, lease or exchange of*
2 *the real property is in the best interest of the municipality. If the real*
3 *property is sold, the property must not be sold for less than its appraised*
4 *value, as determined by an appraiser of real estate who is licensed or*
5 *certified pursuant to chapter 645C of NRS and appointed by the*
6 *governing body. If the real property is exchanged, the real property must*
7 *be exchanged for:*

8 *(a) Real property of substantially equal value; or*
9 *(b) Other real property, plus an amount of money equal to the*
10 *difference in the value of the real property.*

11 *4. Each agreement for the sale, lease or exchange of real property*
12 *entered into pursuant to subsection 3 must include:*

13 *(a) A finding by the governing body of the municipality that the use of*
14 *the real property is compatible with the plan for the development and*
15 *operation of the airport;*

16 *(b) A reservation by the municipality of an aviation easement;*

17 *(c) A provision that provides the municipality with immunity from*
18 *civil liability for damages resulting from noise caused by aircraft,*
19 *including an increase in noise caused by a change in:*

20 *(1) The type or frequency of the operations of the airport;*

21 *(2) The layout of the airport;*

22 *(3) The flight patterns of aircraft using the airport; or*

23 *(4) The operation of the airport during the night; and*

24 *(d) Any other provisions the municipality may require.*

25 *5. Before entering into any such contract, lease or other agreement,*
26 *the municipality shall publish a notice of its intention in general terms in*
27 *a newspaper of general circulation within the municipality at least once a*
28 *week for 21 days or three times during a period of 10 days. If there is not*
29 *a newspaper of general circulation published in the municipality, the*
30 *municipality shall post a notice of its intention in a public place at least*
31 *once a week for 30 days. The notice must specify that a regular meeting*
32 *of the governing body will be held, at which meeting any interested*
33 *person may appear. No such contract, lease or other arrangement may be*
34 *entered into by the municipality until after the notice has been given and*
35 *a meeting held as provided in this subsection.*

36 *6. The governing body of a municipality that sells or exchanges real*
37 *property in the manner prescribed in subsection 3 is not required first to*
38 *offer to reconvey the real property to the person from whom the real*
39 *property was received or acquired by donation, dedication, eminent*
40 *domain or purchase under the threat of eminent domain.*

41 **Sec. 2.** This act becomes effective upon passage and approval.

