

SENATE BILL NO. 354—SENATOR SCHNEIDER

MARCH 25, 2005

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing municipal solid waste management systems. (BDR 40-1153)

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 sanitation; revising the provisions governing the fees and charges levied by a municipality which has an approved plan for the management of solid waste; providing that any such unpaid fee or charge constitutes a lien against the property served; providing for the foreclosure of such a lien; 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 444.520 is hereby amended to read as follows:
2 444.520 1. The governing body of any municipality which
3 has an approved plan for the management of solid waste may, by
4 ordinance, provide for the levy and collection of other or additional
5 fees and charges and require such licenses as may be appropriate
6 and necessary to meet the requirements of NRS 444.460 to 444.610,
7 inclusive.
8 2. The fees authorized by this section are not subject to the
9 limit on the maximum allowable revenue from fees established
10 pursuant to NRS 354.5989.
11 3. *Until paid, any fee or charge levied pursuant to subsection*
12 *1 constitutes a perpetual lien against the property served, superior*
13 *to all liens, claims and titles other than liens for general taxes and*
14 *special assessments. The lien is not extinguished by the sale of any*
15 *property on account of nonpayment of any other lien, claim or*



1 *title, except liens for general taxes and special assessments. The*
2 *lien may be foreclosed in the same manner as provided for the*
3 *foreclosure of mechanics' liens.*

4 *4. A lien against the property served is not effective until a*
5 *notice of the lien, separately prepared for each lot affected, is:*

6 *(a) Mailed to the last known owner at his last known address*
7 *according to the records of the county in which the property is*
8 *located;*

9 *(b) Delivered to the office of the county recorder of the county*
10 *in which the property is located;*

11 *(c) Recorded by the county recorder in a book kept by him for*
12 *the purpose of recording instruments encumbering land; and*

13 *(d) Indexed in the real estate index as deeds and other*
14 *conveyances are required by law to be indexed.*

