

# NYE COUNTY AGENDA INFORMATION FORM

Action     
  Presentation     
  Presentation & Action

<b>Department:</b> County Manager		<b>Agenda Date:</b>	
<b>Category:</b> Timed Agenda Item – 10:45 a.m.		<b>September 5, 2017</b>	
<b>Contact:</b> Pam Webster		<b>Phone:</b>	Continued from meeting of:
<b>Return to:</b>	<b>Location:</b>		Phone:
<b>Action requested:</b> (Include what, with whom, when, where, why, how much (\$) and terms) Public Hearing, discussion and deliberation to: 1) Adopt, amend and adopt, or reject Nye County Bill No. 2017-17: a Bill proposing to amend Title 3 of the Nye County Code titled Revenue and Finance by adding Chapter 3.56 titled Miscellaneous and Additional Taxes and Fees; providing for the severability, constitutionality and effective date hereof, and other matters properly relating thereto; and 2) Set and effective date.			
<b>Complete description of requested action:</b> (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures)  Staff recommends adoption with an effective date of September 25, 2017.			
Any information provided after the agenda is published or during the meeting of the Commissioners will require you to provide 20 copies: one for each Commissioner, one for the Clerk, one for the District Attorney, one for the Public and two for the County Manager. Contracts or documents requiring signature must be submitted with three original copies.			
<b>Expenditure Impact by FY(s):</b> (Provide detail on Financial Form)			
			<input type="checkbox"/> No financial impact

**Routing & Approval (Sign & Date)**

1. Dept	Date	6.	Date
2.	Date	7. HR	Date
3.	Date	8. Legal	Date
4.	Date	9. Finance	Date
5.	Date	10. County Manager	Date

Place on Agenda  
  
 ITEM # 13

**BILL NO. 2017-17**

**NYE COUNTY ORDINANCE NO.**

**SUMMARY:** A BILL PROPOSING TO AMEND TITLE 3 OF THE NYE COUNTY CODE TITLED REVENUE AND FINANCE BY ADDING CHAPTER 3.56 TITLED MISCELLANEOUS AND ADDITIONAL TAXES AND FEES; PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE HEREOF, AND OTHER MATTERS PROPERLY RELATING THERETO.

**TITLE:** A BILL PROPOSING TO AMEND TITLE 3 OF THE NYE COUNTY CODE TITLED REVENUE AND FINANCE BY ADDING CHAPTER 3.56 TITLED MISCELLANEOUS AND ADDITIONAL TAXES AND FEES; PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE HEREOF, AND OTHER MATTERS PROPERLY RELATING THERETO.

**WHEREAS**, the Nevada Legislature passed Senate Bill 305 during its 2017 regular session;

**WHEREAS**, Senate Bill 305 will become effective October 1, 2017 and amends provisions of NRS 247 relating to County Recorders;

**WHEREAS**, the Board finds it necessary to amend Title 3 of the Nye County Code to include the relevant provisions of Senate Bill 305;

**WHEREAS**, the Nye County Board of Commissioners (Board) is empowered, pursuant to the provisions of Chapter 244.119 of the Nevada Revised Statutes, to amend the Nye County Code;

**WHEREAS**, the Board is empowered, pursuant to the provisions of Chapter 244.195 of the Nevada Revised Statutes, to perform all acts necessary to discharge its duties for the residents of Nye County;

**NOW THEREFORE**, the Board of Commissioners of the County of Nye, State of Nevada, does hereby adopt, promulgate and order compliance therewith the following ordinances:

**NYE COUNTY CODE IS HEREBY AMENDED AS FOLLOWS**, with ~~Deletions~~ shown in strike-through red font, and additions and modifications shown in underscored blue font:

**3.56.010: DOCUMENT RECORDING FEE:**

The county recorder shall charge and collect a fee of six dollars (\$6.00) for the recording of a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing in the office of the county recorder, except that no fee shall be charged under this section for recording the originally signed copy of a certificate of marriage described in NRS 122.120 or for recording the declaration of value in relation to deeds evidencing a transfer of title to real property described in Nevada.

**3.56.020: REMITTANCE OF FEES:**

On or before the fifth day of each month, the county recorder shall pay the amount of fees collected by him or her pursuant to this subsection to the county treasurer. On or before the fifteenth day of each month, the county treasurer shall remit the money received by him or her pursuant to this subsection to the organization operating the program for legal services for the indigent that receives the fees charged pursuant to NRS 19.031 to be used to provide legal services for abused and neglected children, including, without limitation, to compensate attorneys appointed to represent such children pursuant to NRS 128.100 and 432B.420

SEVERABILITY. If any provision of this chapter or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity of provisions or applications of this chapter or amendments thereto which can be given effect without the invalid provision or application, and to this end the provisions of this chapter and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after passage, approval and publication as required by law.

PROPOSED on the \_\_\_\_ day of \_\_\_\_\_, 2017.

PROPOSED by COMMISSIONER \_\_\_\_\_

PASSED on the \_\_\_\_ day of \_\_\_\_\_, 2017.

VOTE:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF NYE, STATE OF NEVADA

By: \_\_\_\_\_  
DAN SCHINHOFEN, Chairman

ATTEST:

\_\_\_\_\_  
SANDRA L. MERLINO, County Clerk  
and Ex-Officio Clerk of the Board

This ordinance shall be in force and effect from and after the \_\_\_\_ day of the month of \_\_\_\_\_ of the year 2017.

DRAFT