

STAFF REPORT

Date: November 15, 2017

To: Mayor and City Council

Thru: Sabra Newby, City Manager

Subject: J.4. Staff Report (For Possible Action): Presentation, discussion and potential direction to staff to amend Reno Municipal Code, Title 8, “Public Peace, Safety and Morals”, by adding Chapter 8.38, entitled “Odor Nuisances”; together with other matters properly relating thereto.

From: Alex Woodley, Customer and Code Enforcement Services Manager

Summary: This is a request for direction to amend Reno Municipal Code (RMC), Title 8, “Public Peace, Safety and Morals”, by adding Chapter 8.38 “Odor Nuisances”, to address odors that may be deemed a public nuisance, to include potential marijuana odor nuisances.

Previous Council Action: The City Council last approved amendments to the Nuisance section of the RMC in 2012 and 2014, unrelated to this proposed addition.

Background: The Code Enforcement Division continues to amend the nuisance code to ensure the City’s ability to properly address nuisances that may negatively impact our residents and their ability to enjoy their property free of nuisances. The City Council has expressed interest to stay abreast of the new types of nuisances and to ensure the nuisance code is specific to avoid any misinterpretations or inconsistencies in enforcement.

Discussion: During the current process of creating new regulations related to the industry of retail marijuana, and in collaboration with the City Attorney’s Office, Business License Division, Planning Division, and City Manager’s Office, Code Enforcement staff proposes to add a new section to the nuisance chapter of the Reno Municipal Code to mitigate the possible negative impacts of strong odors from businesses. The proposed chapter would provide specific and measurable methods to identify and address odor nuisances, requiring the acquisition of an Olfactometer and all related training. This new chapter would address an odor which may be injurious to health, offensive to the senses of a reasonable person, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

Financial Implications: None.

Legal Implications: None.

Recommendation: Staff recommends Council accept the staff report and direct staff to bring an ordinance forward for a first reading.

Proposed Motion: I move to approve staff recommendation.