

STAFF REPORT

Date: December 6, 2017

To: Mayor and City Council

Thru: Sabra Newby, City Manager

Subject: **J.3. Staff Report (For Possible Action): Presentation, discussion and potential direction to staff to amend Reno Municipal Code, Title 8, "Public Peace, Safety and Morals", Chapter 8.22, entitled "Nuisances", to revise nuisance definition and enforcement and adopt special assessments for cost recovery; together with other matters properly relating thereto. This item was continued from the November 15, 2017 City Council meeting.**

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", Chapter 8.22 "Nuisances", to address issues identified by staff, clarify language and definitions, and to address recent legislative amendments to certain sections of the Nevada Revised Statutes (NRS) pertaining to special assessments for administrative fees owed the City of more than \$5,000 after proper notice was provided, and more than 12 months have elapsed.

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

Background: The Code Enforcement Division has tracked observations made by staff, recipients of enforcement notices, and other forms of public contact. 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: Reno Police, City Attorney's Civil and Criminal Divisions, and Code Enforcement staff continuously work together to identify different processes and approaches to facilitate enforcement of the code. Staff expects to continue encountering new violations, different and new circumstances, continuing input from the public, and future amendments to Chapter 268 of the NRS (Powers and Duties of Cities). As a result, staff will continue to amend the code as required to ensure it is up to date to deal with issues that affect the Reno community.

In addition to general maintenance of the RMC, NRS 268.4122(5) and (6) allow a governing body to use special assessments to recover costs of abatement and civil penalties of over \$5,000

and for conditions that have remained unabated for over 12 months. Staff also seeks to adopt this collection method into the RMC.

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.