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DESCRIPTION OF LEGAL ADVERTISING	
No. 838	
349008	
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MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
November																									X							
December		X																														

PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

SS.

Alice L. Buffaloe

being first duly sworn, deposes and says: That as the legal clerk of
the RENO GAZETTE-JOURNAL, a daily newspaper published in
Reno, Washoe County, State of Nevada, that the notice of
County Ordinance

of which a copy is hereto attached, was first published in said newspaper in its issue dated the
25 day of Nov., 19 91 and, Dec. 2nd. ,
the full period of 2 days, the last publication thereof being in
the issue of Dec. 2nd. 19 91.

Signed

Subscribed and sworn to before me this

2nd. day of December, 19 91.

Notary Public

JOANNE F. WESSEL
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES NOV. 18, 1992

NOTICE OF COUNTY ORDINANCE
NO. 838

NOTICE IS HEREBY GIVEN that Bill No. 1013, Ordinance No. 838, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ESTABLISHING AN EXCLUSIVE RIGHT TO COLLECT GARBAGE WITHIN PORTIONS OF THE UNINCORPORATED AREA OF THE COUNTY; MANDATING THE USE OF GARBAGE SERVICE WITHIN THOSE AREAS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO." was adopted on November 19, 1991, by Commissioners Larry Beck, Dianne Cornwall, Gene McDowell, Tina Leighton, and Rene Reid. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk.

Judi Bailey, County Clerk
349008—No. 838
Nov 25, Dec 2—ht133

SUMMARY: Establishes exclusive right to collect garbage within portions of unincorporated area of county and mandates use of garbage service within those areas.

BILL NO. 1013

ORDINANCE NO. 838

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ESTABLISHING AN EXCLUSIVE RIGHT TO COLLECT GARBAGE WITHIN PORTIONS OF THE UNINCORPORATED AREA OF THE COUNTY; MANDATING THE USE OF GARBAGE SERVICE WITHIN THOSE AREAS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 90 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as Sections 2 and 3 and amending Section 4 of this ordinance.

SECTION 2.

90.035 Exclusive right to collect garbage.

1. Except as provided in subsection 2, the county, its duly authorized agents, servants, employees or contractees, or the agents or employees of any of those contractees, have the exclusive right to gather, collect and haul garbage within that part of the unincorporated area in which garbage is currently being gathered, collected and hauled and as that area may be expanded or contracted from time to time.

2. The right established pursuant to subsection 1 does not apply to the gathering, collection and hauling of garbage within a general improvement district which is authorized to provide that service unless the board of trustees of the district has contracted with the county to gather, collect and haul garbage on behalf of the district and within the district's boundaries.

SECTION 3.

90.037 Mandatory use of garbage service.

1. Every owner of real property who accumulates or causes the accumulation of garbage as defined in this chapter upon any premises in the area described in section 90.035 must subscribe to the collection, hauling and disposal of garbage pursuant to the provisions of this chapter.

2. For purposes of determining whether garbage service must be subscribed, it is presumed that every single-family dwelling, any building containing rooms for sleeping and overnight accommodations, every building or dwelling unit with a kitchen facility, and every business which permits food and drink to be sold, served or consumed upon the premises is accumulating or causing the accumulation of garbage upon the premises. Any owner or occupant of dwelling units or business establishments desiring to be exempt from garbage service, or claiming that garbage is not being accumulated upon the premises, must have the written approval of the district health officer, which approval shall not be granted except upon the showing that garbage, as defined by this chapter, is not being accumulated upon the premises and that no attempt is being made to haul, bury or otherwise dispose of garbage in violation of Chapter 90.

SECTION 4.

90.060 Establishing residential rates.

1. For residential services, the franchise holder shall be entitled to collect a garbage collection fee based upon the following criteria:

(a) The charge for collection of garbage for residential areas shall be a weekly basis and shall include one "designated container." A "designated container" shall be equal to a container not to exceed a capacity of 32 gallons and 75 pounds in weight, or be a container approved by the franchise holder. The rate for residential service includes one designated container for garbage. The residential rate for each "designated container" shall include, at no additional cost, the removal of one cubic yard of rubbish or waste matter provided that the same is secured in boxes, bundles, disposable plastic bags, and other such disposable containers which do not exceed 75 pounds in weight.

(b) When requested, the franchise holder shall provide more frequent collections on a regular basis, and the rate for such additional collections shall be agreed to in the same manner as commercial rates.

(c) The residential rate charged by the franchise holder shall require that the designated container with the permissible amount of rubbish or waste matter be placed behind the curb or on the edge of the alley by 7:00 a.m., on the regular collection day. The franchise holder shall be entitled to collect an additional charge for any additional containers of garbage, rubbish or waste matter which would be in addition to the regular residential service.

(d) All multiple dwelling buildings, including, but not limited to, duplexes, apartments, condominiums, cooperatives, mobile homes and trailer parks, and any other building or businesses containing multiple dwelling units which buildings are not a single-family dwelling shall be charged the residential rate for each dwelling unit, and an additional charge for each dwelling unit requesting additional containers or services; provided, however, an owner of a multiple dwelling building or business, by using dumpsters or equivalent containers may make application to the franchise holder to be charged in accordance with the rates for business establishments.

(e) There shall be a twenty (20) percent reduction in the residential rate for those persons who have been found eligible for a discount or refund by the Washoe County Assessor under the provisions of NRS 361.800 to 361.877, inclusive, and commonly referred to as the "Senior Citizens' Property Tax Assistance Act." Any such person shall be entitled to the reduced rate by making written application to the franchise holder and submitting written proof of the finding of eligibility by the Washoe County Assessor.

Proposed on the 8th day of October, 1991.
Proposed by Commissioners Berk:
Passed on the 18th day of November, 1991.

Vote:

Ayes: Commissioners: Berk, Cornwall, Feighton, McDowell & Reed
Nays: Commissioners: None.
Absent: Commissioners: None.

Jesse Reed
Chairman of the Board

ATTEST:

Judith Bailey
County Clerk

This ordinance shall be in force and effect from and after the 2nd day of December, 1991.