



N E V A D A

AGENDA
Regular Meeting
City Council

Wednesday, November 20, 2024 • 5:00 PM

Mayor

Neal E. McIntyre

City Council

Ward 1 - Ryan Hanan

Ward 2 - Felicity Zoberski

Ward 3 - Stan Lau

Ward 4 - Albert Torres

Ward 5 - Joe Mendoza

City Manager

Benjamin Marchant

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/82966343247>, or one tap_mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 829 6634 3247

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/>. To obtain further documentation regarding posting, please contact the City Clerk's Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the City Council may submit public comment through the [online public comment form](#), or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to City Council and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record but may not reach council members before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: City Council and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk's Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk's Office, and on the City's website at www.cityoffernley.org. Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the City Council.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley City Council may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

1.3. Public Forum

1.4. (For Possible Action) Approval of Agenda

2. CONSENT AGENDA

(PLEASE NOTE: ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE, AND MAY BE ACTED UPON BY THE COUNCIL MEMBERS IN ONE MOTION, AND WITHOUT AN EXTENSIVE HEARING. ANY MEMBER OF THE COUNCIL MAY REQUEST THAT AN ITEM BE TAKEN FROM THE CONSENT AGENDA, DISCUSSED, AND ACTED UPON SEPARATELY DURING THIS MEETING.)

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Approval) Approval of Business Licenses

3. REPORTS - THIS ITEM IS FOR VARIOUS PUBLIC ENTITY REPRESENTATIVES TO PROVIDE GENERAL INFORMATION TO THE COUNCIL AND PUBLIC. NO ACTION WILL BE TAKEN.

3.1. Reports by City Staff, City Council, and the Mayor, including but not limited to monthly statistical reports by city departments.

4. PROCLAMATIONS BY THE MAYOR

5. ORDINANCES

5.1. Discussion and First Reading of Bill #358, an Ordinance related to ZMA24004 to change the Zoning of +/-1.741 acres located at the southwest corner of Farm District Road and Westerlund Lane (APNS 021-111-47 and 021-111-48) from SF20 (Single Family Residential, 20,000 square feet minimum) to PF (Public Facility).

6. STAFF REPORTS

6.1. (For Possible Action) Discussion and possible action regarding an appeal by City Councilwoman Fran McKay of the Planning Commission's approval of CUP 24004, a Conditional Use Permit request by Wood Rodgers on behalf of Douglass Development for the construction of a "mini-warehouse" (self-storage) facility on a parcel ±5.00-acres in size and generally located north of Farm District Road between Camille Drive and Jenny's Lane (APN: 020-351-08).

7. PUBLIC HEARINGS

7.1. For Discussion and possible action, a second reading of Bill # 357, regarding proposed amendments to Title 6 – Animals of the Fernley Municipal Code regarding community guidelines, breeder prohibitions, and animal cruelty penalties.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

8.1. Possible Action requesting a future agenda item to look into land, and a building for a future animal shelter. (Councilman Hanan)

8.2. Possible Action requesting a future agenda item to look into establishing a committee for future development of the Community Response and Resource Center. (Councilwoman Zoberski)

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

10. PUBLIC FORUM

11. ADJOURNMENT

Next Meeting: December 4th at 5pm

Report Criteria:

- Detail report.
- Invoice detail records above \$0 included.
- Paid and unpaid invoices included.
- Vendor.Vendor Number = {<>} 2201

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
ALHAMBRA								
4688	ALHAMBRA	7661929102424	water service	10/24/2024	179.36	11/07/2024	510-810-614 Shop Supplies	1024
Total 4688:					179.36			
ANIMAL CARE CENTER								
245	ANIMAL CARE CENTER	160301	CO8798638 Canine Elisa	10/31/2024	39.25		100-525-322 Prof Serv-Other	1024
Total 245:					39.25			
AQUA BACKFLOW, INC								
8934	AQUA BACKFLOW, INC	2024-0301	Backflow Prevention Management Program	11/03/2024	190.00	11/07/2024	510-810-320 Prof Serv-Engineering	1124
Total 8934:					190.00			
ARAMARK (VESTIS)								
1895	ARAMARK (VESTIS)	5980241252	pants service	10/22/2024	84.32	11/07/2024	510-810-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243051	PS rags and rugs	10/29/2024	124.12	11/07/2024	510-840-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243060	shirt contract	10/29/2024	54.19	11/07/2024	100-480-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243061	matt service	10/29/2024	85.56	11/07/2024	100-475-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243062	Clothing/Mats	10/29/2024	75.37	11/07/2024	100-475-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243063	pants service	10/29/2024	84.32	11/07/2024	510-810-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980243065	Floor mats	10/29/2024	191.58	11/07/2024	100-417-420 Outside Services	1024
1895	ARAMARK (VESTIS)	5980244854	SHIRT CONTRACT	11/05/2024	54.19		100-480-420 Outside Services	1124
1895	ARAMARK (VESTIS)	5980244855	Clothing	11/05/2024	75.37	11/07/2024	100-475-420 Outside Services	1124
1895	ARAMARK (VESTIS)	5980244856	pants service	11/05/2024	84.32		510-810-420 Outside Services	1124
Total 1895:					913.34			
AT&T								
13	AT&T	3693245900	07048 WTP Ethernet NOV 24	11/01/2024	429.00		100-417-530 Communications	1124
13	AT&T	81650 OCT 24	775-575-9058 536 7	10/26/2024	518.91	11/18/2024	100-417-530 Communications	1024
13	AT&T	81650 OCT 24	775-575-7187 436 8	10/26/2024	518.91	11/18/2024	100-417-530 Communications	1024
13	AT&T	81650 OCT 24	775 835-8598 165 0	10/26/2024	1,872.81	11/18/2024	100-417-530 Communications	1024
13	AT&T	98670 OCT 24	775-786-2229 867 0 OCT 20 2024- NOV 19 2024	10/20/2024	1,439.11	11/12/2024	100-417-530 Communications	1024
Total 13:					4,778.74			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
AUTO & TRUCK ELECTRIC, INC								
8868	AUTO & TRUCK ELECTRIC, INC	47319	BATTERIES FOR FLEET	10/31/2024	330.00	11/07/2024	100-480-610 Automotive Supplies	1024
Total 8868:					330.00			
BIG R OF FERNLEY								
20	BIG R OF FERNLEY	20737/5	Brackets, Twine, Lights	10/29/2024	46.42	11/07/2024	100-417-600 General Supplies	1024
20	BIG R OF FERNLEY	20743/5	Light/Batteries	10/30/2024	13.97	11/07/2024	100-417-600 General Supplies	1024
20	BIG R OF FERNLEY	20744/5	Hooks	10/30/2024	7.78	11/07/2024	100-417-600 General Supplies	1024
20	BIG R OF FERNLEY	20749/55	Clamps	10/31/2024	35.88	11/07/2024	100-417-600 General Supplies	1024
20	BIG R OF FERNLEY	20772/5	propane	11/04/2024	39.50	11/07/2024	100-475-623 Propane	1124
20	BIG R OF FERNLEY	20778/5	Tape/antifreeze	11/05/2024	49.96	11/07/2024	100-575-600 General Supplies	1124
20	BIG R OF FERNLEY	20783/5	Propane	11/05/2024	310.02	11/07/2024	100-475-623 Propane	1124
20	BIG R OF FERNLEY	20788/5	Propane	11/06/2024	104.94	11/07/2024	100-575-623 Propane	1124
20	BIG R OF FERNLEY	20800/5	Propane	11/07/2024	81.80	11/07/2024	100-575-623 Propane	1124
20	BIG R OF FERNLEY	20804/5	gloves	11/08/2024	14.95		100-575-600 General Supplies	1124
20	BIG R OF FERNLEY	20830/5	Paint Supplies	11/12/2024	10.99		100-417-600 General Supplies	1124
Total 20:					716.21			
BOB'S PRINTING AND SIGNAGE								
6970	BOB'S PRINTING AND SIGNAGE	101424-2	CMO Name plates	10/22/2024	54.80		100-413-550 Printing and Postage	1024
6970	BOB'S PRINTING AND SIGNAGE	101424-2	Planning Tech Name Plate	10/22/2024	27.40		100-610-550 Printing and Postage	1024
6970	BOB'S PRINTING AND SIGNAGE	102224-1	2024 Spooktacular Sponsor Banner	10/29/2024	160.00		100-412-650 Community Support	1024
Total 6970:					242.20			
BUREAU OF SAFE DRINKING WATER - NDEP								
3021	BUREAU OF SAFE DRINKING WATER - NDEP	03690-JK2024	D1 CERT RENEWAL, J. KELLEY	11/06/2024	50.00	11/07/2024	510-810-642 Licenses and Permits	1124
Total 3021:					50.00			
CERRIS SYSTEMS RENO, INC.								
9033	CERRIS SYSTEMS RENO, INC.	6282	PS HVAC Bi-annual service	07/01/2024	4,982.00	11/07/2024	510-840-424 Outside Serv-HVAC	724
Total 9033:					4,982.00			
CHARTER COMMUNICATIONS								
4479	CHARTER COMMUNICATIONS	156824401102124	24401 10/28-11/27/24 355 Cottonwood	10/21/2024	129.98		100-417-530 Communications	1024
4479	CHARTER COMMUNICATIONS	175969701110124	69701 595 Silver Lace NOV 24 11/01-12/31	11/01/2024	1,333.96		100-417-530 Communications	1124
4479	CHARTER COMMUNICATIONS	175970201110124	7020 355 Cottonwood 11/1-11/31/24	11/01/2024	383.96		100-417-530 Communications	1124
Total 4479:					1,847.90			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
CHASE PAYMENTECH MERCHANT SERVICES								
8637	CHASE PAYMENTECH MERCHANT SERVICES	OCT 2024	FINANCE-CREDIT CARD PROCESSING FEES 6291058	10/31/2024	78.14	10/31/2024	100-415-609 Credit Card Fees	1024
8637	CHASE PAYMENTECH MERCHANT SERVICES	OCT 2024	WATER-CREDIT CARD PROCESSING FEES 6181757	10/31/2024	3,589.93	10/31/2024	510-810-609 Credit Card Fees	1024
8637	CHASE PAYMENTECH MERCHANT SERVICES	OCT 2024	FINANCE-CREDIT CARD PROCESSING FEES 6291057	10/31/2024	966.75	10/31/2024	100-415-609 Credit Card Fees	1024
8637	CHASE PAYMENTECH MERCHANT SERVICES	OCT 2024	SEWER-CREDIT CARD PROCESSING FEES 6181757	10/31/2024	3,589.92	10/31/2024	520-810-609 Credit Card Fees	1024
Total 8637:					8,224.74			
CITY OF FERNLEY								
32	CITY OF FERNLEY	30783817 NOV 24	NEW TREATED WATER RESERVOIR WTP	11/01/2024	119.10		510-166100 Construction In Progress	1124
Total 32:					119.10			
CSG FORTE PAYMENTS, INC								
8996	CSG FORTE PAYMENTS, INC	0012736299	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	3.87	11/10/2024	100-575-420 Outside Services	1024
8996	CSG FORTE PAYMENTS, INC	0012736299	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	3.88	11/10/2024	100-417-420 Outside Services	1024
8996	CSG FORTE PAYMENTS, INC	0012736346	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	35.18	11/10/2024	100-605-420 Outside Services	1024
8996	CSG FORTE PAYMENTS, INC	0012736433	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	3.71	11/10/2024	100-417-420 Outside Services	1024
8996	CSG FORTE PAYMENTS, INC	0012736433	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	3.72	11/10/2024	100-575-420 Outside Services	1024
8996	CSG FORTE PAYMENTS, INC	0012736564	FORTE CC MONTHLY STMT AND PROCESS FEES	10/31/2024	508.16	11/10/2024	100-605-420 Outside Services	1024
Total 8996:					558.52			
CUMMING MANAGEMENT GROUP, INC								
8889	CUMMING MANAGEMENT GROUP, INC	157503	CRRC Services October 1 October 31 2024	10/31/2024	34,034.00		220-480-810 ARPA	1024
Total 8889:					34,034.00			
DOWL, LLC								
8931	DOWL, LLC	110124	Surveying	11/01/2024	3,025.00	11/07/2024	100-610-320 Prof Serv-Engineering	1124
8931	DOWL, LLC	110124	Surveying	11/01/2024	1,450.00	11/07/2024	100-228311 Engineering Reimb. (Maps)	1124
Total 8931:					4,475.00			
EMPLOYEES, CITY OF FERNLEY								
8639	EMPLOYEES, CITY OF FERNLEY	103124	REIMB FOR SPOOKTACULAR FOG MACHINE SOLUTION	10/31/2024	52.89	11/07/2024	100-412-650 Community Support	1024
8639	EMPLOYEES, CITY OF FERNLEY	OCT 31 2024	REIMB FOR SPOOKTACULAR CANDY	10/31/2024	377.59		100-412-650 Community Support	1024
Total 8639:					430.48			
EVERON, LLC								
8979	EVERON, LLC	156927280	PS service plan	10/30/2024	74.70	11/07/2024	510-840-420 Outside Services	1024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
Total 8979:					74.70			
FEDEX FREIGHT								
8727	FEDEX FREIGHT	8-669-42565	Oil Sample Freight Charges	11/01/2024	45.04	11/07/2024	510-840-550 Printing and Postage	1124
Total 8727:					45.04			
FERRETTO, ERIN T.								
8958	FERRETTO, ERIN T.	10/30/24	Transcript - Appeal - Civil Infraction - James Gresham 23CR0	10/30/2024	520.30		100-425-322 Prof Serv-Other	1024
Total 8958:					520.30			
FLYERS ENERGY, LLC								
18	FLYERS ENERGY, LLC	24-216761	PS EGEN Fuel	10/31/2024	3,140.00	11/07/2024	510-840-625 Bulk Diesel	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-WD	10/31/2024	1,446.30		510-810-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-FLEET	10/31/2024	94.10		100-480-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-FACILITIES	10/31/2024	452.76		100-417-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-WTP	10/31/2024	125.14		510-840-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-COURT	10/31/2024	116.04		100-425-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-CM	10/31/2024	60.04		100-413-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-PARKS	10/31/2024	536.28		100-575-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-WW	10/31/2024	1,198.61		520-810-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-ANIMAL CONTROL	10/31/2024	363.46		100-525-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-VECTOR	10/31/2024	37.29		100-528-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-STREETS	10/31/2024	996.14		100-475-626 Gasoline	1024
18	FLYERS ENERGY, LLC	CFS-4049245	GASOLINE-BUILDING	10/31/2024	230.37		100-605-626 Gasoline	1024
Total 18:					8,796.53			
FLYNN GIUDICI GOVERNMENT AFFAIRS LLC								
8869	FLYNN GIUDICI GOVERNMENT AFFAIRS LLC	INV-0461	Lobbyist Contract NOV 24	11/01/2024	5,800.00		100-413-322 Prof Serv-Other	1124
Total 8869:					5,800.00			
GRANITE TELECOMMUNICATIONS, LLC								
8838	GRANITE TELECOMMUNICATIONS, LLC	666402050	Communications NOV24	11/01/2024	216.46		100-417-530 Communications	1124
Total 8838:					216.46			
HANNEMAN SERVICE								
70	HANNEMAN SERVICE	111877	Misc. Service Labor	10/23/2024	145.00	11/07/2024	100-605-420 Outside Services	1024
70	HANNEMAN SERVICE	111878	Misc. Service Labor	11/01/2024	145.00		100-605-420 Outside Services	1124
70	HANNEMAN SERVICE	14027	1993 Chevy Corsica Plate 201V99 1015 Foster	11/01/2024	55.00		100-605-420 Outside Services	1124

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
70	HANNEMAN SERVICE	14077	1994 Ford Van 769W59 White from Fall Street	10/23/2024	55.00	11/07/2024	100-605-420 Outside Services	1024
Total 70:					400.00			
HINTON BURDICK, PLLC								
8486	HINTON BURDICK, PLLC	313684	Progress billing audit FY24	10/31/2024	28,500.00		100-415-328 Prof Serv-Auditing	1024
8486	HINTON BURDICK, PLLC	313684	Progress billing single audit FY24	10/31/2024	1,250.00		100-415-328 Prof Serv-Auditing	1024
Total 8486:					29,750.00			
HUNTLEY MOTOR WORLD								
8902	HUNTLEY MOTOR WORLD	N004164	AC Emergency Response trailer	10/22/2024	10,573.25	11/07/2024	100-525-742 Vehicles	1024
Total 8902:					10,573.25			
IBEW Local 1245								
83	IBEW Local 1245	NOV 2024-1	UNION DUES, ONE HALF OF MONTH	11/01/2024	1,300.16	11/01/2024	100-219900 OTHER PAYROLL PAYABLES	1124
Total 83:					1,300.16			
INTERNAL REVENUE SERVICE								
7879	INTERNAL REVENUE SERVICE	NOV 2024-1	FICA TAX PAYABLE, PAYROLL	11/01/2024	378.88	11/01/2024	100-211000 FICA PAYABLE	1124
7879	INTERNAL REVENUE SERVICE	NOV 2024-1	W/HOLD TAX PAYABLE, PAYROLL	11/01/2024	25,459.10	11/01/2024	100-212000 FEDERAL WITHHOLDING PAYAB	1124
7879	INTERNAL REVENUE SERVICE	NOV 2024-1	MED TAX PAYABLE, PAYROLL	11/01/2024	6,959.82	11/01/2024	100-211000 FICA PAYABLE	1124
Total 7879:					32,797.80			
INTERNATIONAL CODE COUNCIL								
617	INTERNATIONAL CODE COUNCIL	1001970559	2021 IRC Book	11/01/2024	179.50		100-605-640 Books and Periodicals	1124
Total 617:					179.50			
INTERSTATE OIL COMPANY								
4329	INTERSTATE OIL COMPANY	861055-IN	OIL FOR FLEET	11/12/2024	198.31		100-480-610 Automotive Supplies	1124
Total 4329:					198.31			
JNA CONSULTING GROUP LLC								
2953	JNA CONSULTING GROUP LLC	2024.073	Series 2024 Bond Issuance Cost	11/06/2024	20,939.31		510-800-861 Bond Issuance Cost	1124
Total 2953:					20,939.31			
JOHNSON CONTROLS FIRE PROTECTION LP								
8667	JOHNSON CONTROLS FIRE PROTECTION LP	24397161	PS BLD 1 fire extinguishers and alarms	10/29/2024	375.00	11/07/2024	510-840-420 Outside Services	1024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
8667	JOHNSON CONTROLS FIRE PROTECTION LP	24397163	PS BLD 4 Fire gas suppression, extinguishers, alarms, sprinkl	10/29/2024	1,863.00	11/07/2024	510-840-420 Outside Services	1024
8667	JOHNSON CONTROLS FIRE PROTECTION LP	24397185	PS BLDG 2 fire alarm, extinguishers	10/29/2024	508.13	11/07/2024	510-840-420 Outside Services	1024
8667	JOHNSON CONTROLS FIRE PROTECTION LP	24423568	Fire System Testing	11/05/2024	321.61	11/07/2024	100-417-420 Outside Services	1124
8667	JOHNSON CONTROLS FIRE PROTECTION LP	24423569	Fire System testing	11/05/2024	685.00	11/07/2024	100-417-420 Outside Services	1124
8667	JOHNSON CONTROLS FIRE PROTECTION LP	52411054	PS BLD 3 extinguishers	10/29/2024	276.00	11/07/2024	510-840-420 Outside Services	1024
8667	JOHNSON CONTROLS FIRE PROTECTION LP	52411090	PS Fire Notifier Battery replacement	10/29/2024	801.30	11/07/2024	510-840-420 Outside Services	1024
Total 8667:					4,830.04			
KOCH ELEVATOR CO.								
8751	KOCH ELEVATOR CO.	36149	Elevator Inspections	11/01/2024	206.48	11/07/2024	100-417-420 Outside Services	1124
Total 8751:					206.48			
KOLVET, BRENT								
8611	KOLVET, BRENT	110424	CONFLICT CASES L. PARALE & R. JENKINS	11/04/2024	198.00	11/07/2024	100-425-335 Prof Serv-Senior Judge	1124
Total 8611:					198.00			
LOWES CREDIT SERVICES								
7650	LOWES CREDIT SERVICES	74441	Anti Freeze	10/29/2024	30.24	11/07/2024	100-575-600 General Supplies	1024
7650	LOWES CREDIT SERVICES	74441	Tape	10/29/2024	18.96	11/07/2024	100-417-600 General Supplies	1024
7650	LOWES CREDIT SERVICES	76446	Misc supplies for winterizing headworks	10/30/2024	71.53	11/07/2024	520-810-614 Shop Supplies	1024
7650	LOWES CREDIT SERVICES	77397	Wood Stakes	10/31/2024	17.06	11/07/2024	100-417-600 General Supplies	1024
7650	LOWES CREDIT SERVICES	78909	shop and service tuck supplies	11/01/2024	324.98		510-810-614 Shop Supplies	1124
7650	LOWES CREDIT SERVICES	79068	Heater/Straps etc.	11/01/2024	97.28	11/07/2024	100-575-600 General Supplies	1124
7650	LOWES CREDIT SERVICES	84666	Extension cords	11/04/2024	227.94	11/07/2024	100-417-600 General Supplies	1124
7650	LOWES CREDIT SERVICES	85622	Paint/paint supplies	11/05/2024	70.20	11/07/2024	100-417-600 General Supplies	1124
7650	LOWES CREDIT SERVICES	86335	Cord covers	11/05/2024	79.75	11/07/2024	100-417-600 General Supplies	1124
7650	LOWES CREDIT SERVICES	87485	Fence posts	11/06/2024	271.40	11/07/2024	100-575-600 General Supplies	1124
Total 7650:					1,209.34			
MARSHALL'S SEPTIC CARE								
8509	MARSHALL'S SEPTIC CARE	121492	Cleaning Service	11/01/2024	118.33	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121493	Cleaning Service	11/01/2024	118.33	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121494	Cleaning Service	11/01/2024	526.65	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121495	Cleaning Service	11/01/2024	210.66	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121496	Cleaning Service	11/01/2024	200.66	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121497	Cleaning Service	11/01/2024	118.33	11/07/2024	100-575-420 Outside Services	1124
8509	MARSHALL'S SEPTIC CARE	121498	Cleaning Service	11/01/2024	113.33	11/07/2024	100-417-420 Outside Services	1124
Total 8509:					1,406.29			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
MIRACLE RECREATION EQUIPMENT CO								
7251	MIRACLE RECREATION EQUIPMENT CO	882847	Slide repair hardware	10/31/2024	431.03		100-575-430 Outside Serv-Repair & Maint	1024
Total 7251:					431.03			
MOBO LAW, LLP								
8906	MOBO LAW, LLP	148039	criminal outside legal	10/31/2024	29.00	11/07/2024	100-414-310 Prof Serv-Legal	1024
Total 8906:					29.00			
MOFFITT ANIMAL CLINIC								
6660	MOFFITT ANIMAL CLINIC	172433	Blue Heeler vaccine 10/15	10/21/2024	44.00		100-525-322 Prof Serv-Other	1024
Total 6660:					44.00			
NAPA AUTO & TRUCK PARTS								
58	NAPA AUTO & TRUCK PARTS	420079	FLEET TIRE SUPPLIES	11/05/2024	94.64	11/07/2024	100-480-610 Automotive Supplies	1124
58	NAPA AUTO & TRUCK PARTS	420099	SHOCKS FOR A/C TRUCK	11/06/2024	329.34		100-480-610 Automotive Supplies	1124
58	NAPA AUTO & TRUCK PARTS	420103	Antifreeze	11/06/2024	29.94	11/07/2024	100-575-600 General Supplies	1124
Total 58:					453.92			
NV ENERGY								
167	NV ENERGY	13818 OCT 24	34596405113818 ACH	10/26/2024	45.95	11/14/2024	100-475-622 Electricity	1024
167	NV ENERGY	26093 NOV 24	34596402626093 ACH	11/04/2024	3,736.19	11/22/2024	100-575-622 Electricity	1124
167	NV ENERGY	26100 NOV 24	34596502626100 ACH	11/05/2024	23,891.56	11/22/2024	510-810-622 Electricity	1124
167	NV ENERGY	26100 NOV 24	34596502626100 ACH	11/05/2024	43.31	11/22/2024	520-810-622 Electricity	1124
167	NV ENERGY	26445 OCT 24	34596505226445 ACH	10/25/2024	5,962.15	11/13/2024	510-840-622 Electricity	1024
167	NV ENERGY	28458 OCT 24	34596505228458 ACH	10/25/2024	14,887.46	11/13/2024	510-840-622 Electricity	1024
167	NV ENERGY	29499 OCT 24	1000213677906929499 ACH	10/30/2024	54.90	11/18/2024	100-475-622 Electricity	1024
167	NV ENERGY	30672 OCT 24	213677908230672 ACH	10/26/2024	44.27	11/14/2024	100-575-622 Electricity	1024
167	NV ENERGY	42683 NOV 24	82190404842683 ACH	11/05/2024	164.99	11/22/2024	100-575-622 Electricity	1124
167	NV ENERGY	42683 NOV 24	82190404842683 ACH	11/05/2024	5,481.78	11/22/2024	520-810-622 Electricity	1124
167	NV ENERGY	42683 NOV 24	82190404842683 ACH	11/05/2024	337.44	11/22/2024	510-810-622 Electricity	1124
167	NV ENERGY	42683 NOV 24	82190404842683 ACH	11/05/2024	62.65	11/22/2024	100-475-622 Electricity	1124
167	NV ENERGY	71493 OCT 24	271223607571493 ACH	10/26/2024	43.77	11/13/2024	100-475-622 Electricity	1024
167	NV ENERGY	97731 OCT 24	213677908197731 ACH	10/26/2024	45.38	11/14/2024	100-575-622 Electricity	1024
167	NV ENERGY	97899 NOV 24	80865904797899 ACH	11/05/2024	11,330.30	11/22/2024	100-475-622 Electricity	1124
Total 167:					66,132.10			
OFFICE DEPOT								
133	OFFICE DEPOT	390016617001	Round Labels for Files	10/24/2024	102.79		100-425-600 General Supplies	1024
133	OFFICE DEPOT	390017666001	Clerk Pens	10/24/2024	79.00		100-425-600 General Supplies	1024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
133	OFFICE DEPOT	392098857001	Orange Court Service Folders	11/02/2024	105.12		100-425-600 General Supplies	1124
133	OFFICE DEPOT	393963320002	Office Supplies-Toner	10/31/2024	308.00	11/07/2024	510-840-601 Office Supplies	1024
133	OFFICE DEPOT	394426751001	Judges Pens	10/31/2024	29.79		100-425-600 General Supplies	1024
133	OFFICE DEPOT	394438950001	Third inbox for clerks work for judge to review/sign - non time	10/31/2024	20.29		100-425-600 General Supplies	1024
133	OFFICE DEPOT	394438951001	Time Sensitive Document Bin	11/01/2024	29.09		100-425-600 General Supplies	1124
Total 133:					674.08			
O'REILLY AUTO PARTS								
6230	O'REILLY AUTO PARTS	3599-307839	wheels for W/T truck	07/11/2024	213.11		100-480-610 Automotive Supplies	724
6230	O'REILLY AUTO PARTS	3599-325672	SEAT COVERS FOR 9002	10/28/2024	77.28	11/07/2024	100-480-610 Automotive Supplies	1024
6230	O'REILLY AUTO PARTS	3599-326889	TOW LIGHTS	11/05/2024	43.99	11/07/2024	100-480-610 Automotive Supplies	1124
6230	O'REILLY AUTO PARTS	3599-326909	SHOCKS FOR W/D 1002	11/05/2024	299.12	11/07/2024	100-480-610 Automotive Supplies	1124
Total 6230:					633.50			
PACIFIC OFFICE AUTOMATION								
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	Clerk	11/05/2024	544.91		100-416-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	CAO	11/05/2024	544.91		100-414-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	Utilities	11/05/2024	272.46		510-810-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	FMC	11/05/2024	544.91		100-425-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	Utilities	11/05/2024	272.45		520-810-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	Main	11/05/2024	544.91		100-417-550 Printing and Postage	1124
8929	PACIFIC OFFICE AUTOMATION	COF-KS25	HR	11/05/2024	544.91		100-413-550 Printing and Postage	1124
Total 8929:					3,269.46			
PDM								
139	PDM	557301-01	STEEL FOR FLEET REPAIRS	11/04/2024	197.35		100-480-610 Automotive Supplies	1124
Total 139:					197.35			
PUBLIC EMPLOYEES BENEFITS PROG								
143	PUBLIC EMPLOYEES BENEFITS PROG	NOV 2024	RETIREE INSURANCE - #819	11/03/2024	590.07		520-219910 OPEB Liability	1124
Total 143:					590.07			
PURCELL TIRE CO								
38	PURCELL TIRE CO	26166966	tires W/W jacub's truck	10/31/2024	981.00	11/07/2024	100-480-610 Automotive Supplies	1024
38	PURCELL TIRE CO	26167120	tire for parks	10/31/2024	221.73	11/07/2024	100-480-610 Automotive Supplies	1024
38	PURCELL TIRE CO	26167261	tires for W/D small service truck	11/04/2024	1,138.92	11/07/2024	100-480-610 Automotive Supplies	1124
Total 38:					2,341.65			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
REDWOOD TOXICOLOGY LABORATORY, INC.								
8886	REDWOOD TOXICOLOGY LABORATORY, INC.	836185	Urine Analysis Tests - Court Services (\$444.48 credit applied t	10/24/2024	112.16		100-425-341 Pretrial Services Program	1024
Total 8886:					112.16			
RENO GAZETTE JOURNAL								
152	RENO GAZETTE JOURNAL	6734822	Annual Chemicals supplier Bid	10/31/2024	146.26	11/07/2024	520-810-540 Advertising	1024
152	RENO GAZETTE JOURNAL	6734822	Annual Chemicals supplier Bid	10/31/2024	146.27	11/07/2024	510-810-540 Advertising	1024
152	RENO GAZETTE JOURNAL	6734822	BILL #354	10/31/2024	101.64	11/07/2024	100-416-540 Advertising	1024
152	RENO GAZETTE JOURNAL	6734822	Annual Chemicals supplier Bid	10/31/2024	146.27	11/07/2024	510-840-540 Advertising	1024
152	RENO GAZETTE JOURNAL	6734873	Advertising	10/31/2024	218.88		100-610-540 Advertising	1024
Total 152:					759.32			
REX MOORE GROUP, INC.								
6461	REX MOORE GROUP, INC.	INV-44648	PS Chemical building Ferric and Citric Lighting Upgrade	10/31/2024	12,142.29		510-840-428 Outside Serv-Electrical	1024
Total 6461:					12,142.29			
SECTRAN SECURITY, INC.								
8629	SECTRAN SECURITY, INC.	24110602	ARMORED SERVICES-WATER	11/07/2024	198.94		510-810-342 Tech Services-Other	1124
8629	SECTRAN SECURITY, INC.	24110602	ARMORED SERVICES-SEWER	11/07/2024	198.94		520-810-342 Tech Services-Other	1124
8629	SECTRAN SECURITY, INC.	24110602	ARMORED SERVICES-GF	11/07/2024	198.94		100-415-322 Prof Serv-Other	1124
Total 8629:					596.82			
SEVENTYFIVEBLUE WATER AND ENVIRONMENTAL								
8884	SEVENTYFIVEBLUE WATER AND ENVIRONMENTAL	24-08	Surface water testing consultation services	11/13/2024	1,500.00		510-810-320 Prof Serv-Engineering	1124
Total 8884:					1,500.00			
SILVER STATE ANALYTICAL LABORATORIES								
7856	SILVER STATE ANALYTICAL LABORATORIES	RN321606	october second round samples	10/23/2024	264.00	11/07/2024	510-810-423 Outside Serv-Analytical	1024
7856	SILVER STATE ANALYTICAL LABORATORIES	RN321789	Influent & Effluent Samples	10/29/2024	502.00	11/07/2024	520-810-423 Outside Serv-Analytical	1024
7856	SILVER STATE ANALYTICAL LABORATORIES	RN321791	Monitoring Well Samples	10/29/2024	665.00	11/07/2024	520-810-423 Outside Serv-Analytical	1024
7856	SILVER STATE ANALYTICAL LABORATORIES	RN321792	PS UCMR5 samples	10/29/2024	1,600.00	11/07/2024	510-840-423 Outside Serv-Analytical	1024
7856	SILVER STATE ANALYTICAL LABORATORIES	RN321801	PS Canal Samples	10/29/2024	1,025.00	11/07/2024	510-840-423 Outside Serv-Analytical	1024
7856	SILVER STATE ANALYTICAL LABORATORIES	RN322126	november first round samples	11/05/2024	286.00		510-810-423 Outside Serv-Analytical	1124
Total 7856:					4,342.00			
SOSU TV CORP								
8909	SOSU TV CORP	WC1445	24 Nov Fernley Focus Videos	11/01/2024	1,500.00		100-413-322 Prof Serv-Other	1124

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
Total 8909:					1,500.00			
SOUTHERN TIRE MART LLC								
8964	SOUTHERN TIRE MART LLC	7590035469-1	tires for streets backhoe and installation.	09/27/2024	537.00	11/07/2024	100-475-610 Automotive Supplies	924
Total 8964:					537.00			
SOUTHWEST GAS CORP								
204	SOUTHWEST GAS CORP	33096 OCT 24	910001133096 ACH	10/24/2024	68.58	11/12/2024	510-810-621 Natural Gas	1024
Total 204:					68.58			
TAGGART & TAGGART LTD								
3275	TAGGART & TAGGART LTD	18405	Water Right Contract FY24/25 OCT	10/31/2024	7,482.35		510-810-698 Water Rights Protection	1024
Total 3275:					7,482.35			
THATCHER COMPANY, INC.								
8646	THATCHER COMPANY, INC.	2024400106016	well 4 chemical delivery	10/18/2024	1,570.50	11/07/2024	510-810-617 Chemical Supplies	1024
8646	THATCHER COMPANY, INC.	2024400106017	chem delivery	10/18/2024	1,009.35	11/07/2024	510-810-617 Chemical Supplies	1024
8646	THATCHER COMPANY, INC.	2024400106018	chem delivery well 13	10/18/2024	2,243.25	11/07/2024	510-810-617 Chemical Supplies	1024
8646	THATCHER COMPANY, INC.	2024400106019	chem delivery well 14	10/18/2024	1,570.50	11/07/2024	510-810-617 Chemical Supplies	1024
8646	THATCHER COMPANY, INC.	2024400106204	PS Sodium Hypochlorite	10/31/2024	9,216.00	11/07/2024	510-840-617 Chemical Supplies	1024
Total 8646:					15,609.60			
TITAN ELECTRICAL CO								
6548	TITAN ELECTRICAL CO	12627	Burned out LED replacement	11/06/2024	399.50	11/07/2024	100-475-422 Outside Serv-Traf Light Maint	1124
Total 6548:					399.50			
USA BLUEBOOK								
464	USA BLUEBOOK	INV00518362	map box	10/21/2024	100.95	11/07/2024	510-840-614 Shop Supplies	1024
464	USA BLUEBOOK	INV00531195	tubing and swift test dispensers	11/01/2024	395.23		510-810-614 Shop Supplies	1124
Total 464:					496.18			
UTILITY DEPOSITS								
2202	UTILITY DEPOSITS	10106309	WATER DEPOSIT REFUND	11/01/2024	13.44	11/07/2024	510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	102428.03	CREDIT REFUND	11/08/2024	115.14		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	10916001	CREDIT REFUND	11/08/2024	136.36		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	109421.05	CREDIT REFUND	11/08/2024	106.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	109669.01	CREDIT REFUND	11/08/2024	106.51		010-115100 Cash Clearing-Utilities	1124

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
2202	UTILITY DEPOSITS	109670.01	CREDIT REFUND	11/08/2024	106.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	11237509	SEWER DEPOSIT REFUND	10/30/2024	55.58	10/31/2024	520-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	11353807	CREDIT REFUND	11/08/2024	207.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	13624516	CREDIT REFUND	11/06/2024	155.00		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	13641507	CREDIT REFUND	11/05/2024	127.00	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	139265.03	CREDIT REFUND	11/06/2024	133.88	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	13926503	SEWER DEPOSIT REFUND	11/01/2024	17.83	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	143069.04	CREDIT REFUND	11/06/2024	118.99	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	14306904	WATER DEPOSIT REFUND	11/01/2024	75.00	11/07/2024	510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	14306904	SEWER DEPOSIT REFUND	11/01/2024	80.00	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	14320920	SEWER DEPOSIT REFUND	11/01/2024	33.47	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	14431312	SEWER DEPOSIT REFUND	11/01/2024	29.56	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	14561703	CREDIT REFUND	11/08/2024	16.81		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	15340603	CREDIT REFUND	11/05/2024	70.20	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	16322338	SEWER DEPOSIT REFUND	11/01/2024	29.56	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	164051.17	CREDIT REFUND	11/05/2024	101.87	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	16435007	CREDIT REFUND	11/08/2024	531.38		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	165507.02	CREDIT REFUND	11/05/2024	98.02	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	16550702	SEWER DEPOSIT REFUND	11/01/2024	80.00	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	16550702	WATER DEPOSIT REFUND	11/01/2024	75.00	11/07/2024	510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	165995.09	CREDIT REFUND	11/08/2024	99.00		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	16613713	SEWER DEPOSIT REFUND	10/31/2024	36.76	11/07/2024	520-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	16806704	SEWER DEPOSIT REFUND	11/01/2024	80.00	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	16806704	WATER DEPOSIT REFUND	11/01/2024	75.00	11/07/2024	510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	16806706	SEWER DEPOSIT REFUND	11/01/2024	37.38	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	16931102	WATER DEPOSIT REFUND	11/04/2024	26.82		510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	16931102	SEWER DEPOSIT REFUND	11/04/2024	80.00		520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	179287.02	CREDIT REFUND	11/08/2024	175.04		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	17939403	CREDIT REFUND	11/08/2024	92.33		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	17941204	SEWER DEPOSIT REFUND	11/08/2024	22.17		520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	17941803	SEWER DEPOSIT REFUND	10/29/2024	54.86	10/31/2024	520-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	17944904	SEWER DEPOSIT REFUND	11/04/2024	39.24	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	18538606	CREDIT REFUND	10/31/2024	185.10	11/07/2024	010-115100 Cash Clearing-Utilities	1024
2202	UTILITY DEPOSITS	19858605	CREDIT REFUND	11/07/2024	112.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	20807809	CREDIT REFUND	11/08/2024	322.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	21.9657.01	CREDIT REFUND	11/08/2024	106.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	21965601	CREDIT REFUND	11/08/2024	106.51		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	21967901	SEWER DEPOSIT REFUND	11/07/2024	80.00		520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	21967901	WATER DEPOSIT REFUND	11/07/2024	7.67		510-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	219723.01	CREDIT REFUND	11/08/2024	98.69		010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	30788233	WATER DEPOSIT REFUND	10/18/2024	1,506.32	10/31/2024	510-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	3172315	SEWER DEPOSIT REFUND	11/01/2024	49.11	11/07/2024	520-228200 Customer Deposits	1124
2202	UTILITY DEPOSITS	4175307	SEWER DEPOSIT REFUND	10/29/2024	39.22	10/31/2024	520-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	6966101	CREDIT REFUND	11/08/2024	90.60		010-115100 Cash Clearing-Utilities	1124

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
2202	UTILITY DEPOSITS	6970501	SEWER DEPOSIT REFUND	10/29/2024	58.77	11/07/2024	520-228200 Customer Deposits	1024
2202	UTILITY DEPOSITS	7507914	CREDIT REFUND	11/01/2024	90.20	11/07/2024	010-115100 Cash Clearing-Utilities	1124
2202	UTILITY DEPOSITS	8115711	SEWER DEPOSIT REFUND	10/31/2024	21.12	11/07/2024	520-228200 Customer Deposits	1024
Total 2202:					6,314.57			
VERIZON WIRELESS								
8495	VERIZON WIRELESS	9977599101	Water Dist	11/23/2024	219.50		510-810-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	Bldg & Safety	11/23/2024	383.81		100-417-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	FMC	11/23/2024	56.13		100-425-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	WTP	11/23/2024	413.76		510-840-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	Council	11/23/2024	168.04		100-413-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	Finance	11/23/2024	64.08		100-415-605 Minor Equipment	1124
8495	VERIZON WIRELESS	9977599101	City Hall/Facilities	11/23/2024	370.72		100-417-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	WW	11/23/2024	293.17		520-810-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	CAO	11/23/2024	1.91-		100-414-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	IT/CRRC	11/23/2024	96.16		100-418-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	WW Router	11/23/2024	51.98		520-810-530 Communications	1124
8495	VERIZON WIRELESS	9977599101	CMO	11/23/2024	56.13		100-413-530 Communications	1124
8495	VERIZON WIRELESS	9977689185	52267 Oct 2-Nov 01 24	11/23/2024	40.03		520-810-530 Communications	1124
Total 8495:					2,211.60			
VOYA FINANCIAL								
8591	VOYA FINANCIAL	NOV 2024-1	DEFERRED COMPENSATION, 457	11/01/2024	3,567.50	11/01/2024	100-215000 457 PAYABLE	1124
8591	VOYA FINANCIAL	NOV 2024-1	ROTH IRA	11/01/2024	210.00	11/01/2024	100-215000 457 PAYABLE	1124
Total 8591:					3,777.50			
WALKER LAKE DISPOSAL								
6118	WALKER LAKE DISPOSAL	530-1	WWTP Dumpster	11/05/2024	297.00	11/07/2024	520-810-412 Utility Serv-Refuse	1124
Total 6118:					297.00			
WASTE MANAGEMENT								
447	WASTE MANAGEMENT	25001 NOV 24	6-82646-25001	11/01/2024	858.00	11/07/2024	100-475-412 Utility Serv-Refuse	1124
447	WASTE MANAGEMENT	33001 NOV 24	11-60772-33001	11/05/2024	145.89	11/07/2024	100-417-412 Utility Serv-Refuse	1124
447	WASTE MANAGEMENT	33005 NOV 24	11-60745-33005	11/05/2024	24.88	11/07/2024	510-840-412 Utility Serv-Refuse	1124
447	WASTE MANAGEMENT	33009 NOV 24	11-60774-33009	11/05/2024	119.37		510-810-412 Utility Serv-Refuse	1124
447	WASTE MANAGEMENT	43003 NOV 24	11-60760-43003	11/05/2024	59.68		520-810-412 Utility Serv-Refuse	1124
447	WASTE MANAGEMENT	65007 NOV 24	6-82641-65007	11/01/2024	255.18	11/07/2024	100-575-412 Utility Serv-Refuse	1124
Total 447:					1,463.00			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
WESTERN INDUSTRIAL PARTS, INC.								
8571	WESTERN INDUSTRIAL PARTS, INC.	2410-105821	Gloves and safety glasses	10/24/2024	467.28	11/07/2024	510-810-616 Safety Supplies	1024
8571	WESTERN INDUSTRIAL PARTS, INC.	2411-106979	BRASS KEY TAGS FOR FLEET	11/07/2024	98.00		100-480-610 Automotive Supplies	1124
Total 8571:					565.28			
WESTERN NEVADA SUPPLY CO.								
195	WESTERN NEVADA SUPPLY CO.	11484117	Sensus iperl 3/4 1000 gal water meters	11/01/2024	4,573.20		510-166100 Construction In Progress	1124
195	WESTERN NEVADA SUPPLY CO.	11484118	bin stock	11/04/2024	477.32		510-810-613 Meter Service Supplies	1124
195	WESTERN NEVADA SUPPLY CO.	11486470	N.E. Booster repair	10/21/2024	9,823.21	11/07/2024	510-810-605 Minor Equipment	1024
Total 195:					14,873.73			
WHITE CAP, L.P.								
8852	WHITE CAP, L.P.	50028979601	insulation blankets for Headworks	10/30/2024	193.98	11/07/2024	520-810-614 Shop Supplies	1024
Total 8852:					193.98			
WOOD RODGERS, INC.								
2454	WOOD RODGERS, INC.	185716	Federal Lands Bill Services thru 09/30/2024	09/30/2024	10,635.00		100-413-322 Prof Serv-Other	924
Total 2454:					10,635.00			
XPRESS BILL PAY LLC								
2468	XPRESS BILL PAY LLC	OCT 2024	CREDIT CARD PROCESSING FEES- WATER	10/31/2024	2,049.23	10/31/2024	510-810-609 Credit Card Fees	1024
2468	XPRESS BILL PAY LLC	OCT 2024	CREDIT CARD PROCESSING FEES- SEWER	10/31/2024	2,049.23	10/31/2024	520-810-609 Credit Card Fees	1024
Total 2468:					4,098.46			
XYLEM WATER SOLUTIONS USA, INC.								
8939	XYLEM WATER SOLUTIONS USA, INC.	3556D47217	MAS 801 pump controls install	10/21/2024	3,649.60	11/07/2024	520-810-430 Outside Serv-Repair & Maint	1024
8939	XYLEM WATER SOLUTIONS USA, INC.	3556D47219	East Lift Controls	10/21/2024	4,866.00	11/07/2024	520-810-430 Outside Serv-Repair & Maint	1024
8939	XYLEM WATER SOLUTIONS USA, INC.	3556D47220	East Lift Controls tech per diem	10/21/2024	765.00	11/07/2024	520-810-430 Outside Serv-Repair & Maint	1024
Total 8939:					9,280.60			
Grand Totals:					355,605.03			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
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Dated: _____

Mayor: _____

City Treasurer: _____

Report Criteria:
Detail report.
Invoice detail records above \$0 included.
Paid and unpaid invoices included.
Vendor.Vendor Number = {<>} 2201

Report Criteria:

License.Status = "Active"

Business.Origination date = 10/31/2024-11/13/2024

Business Name	DBA	Name	Location	City	State	Zip	Business Tel	Description	Occupation
Dan O Construction		Jason D. Homer	3815 Arnold Way	Fallon	NV	89406	775-745-1658	Contractor	Concrete & General Engi
Thomas Cole Construction		John Strong	3700 Nye Dr.	Washoe Valley	NV	89704	702-750-7233	Contractor	General Contractor/new r
DR Horton Inc - NNV		DR Horton Inc - NN	4531 Mifflin St.	Fernley	NV	89408	775-856-8450	Contractor	Residential/Commercial
A&G Events		Georjan Kavanaugh	904 Jill Marie Ln	Fernley	NV	89408	775-993-4545	Business Specific Prof	Event planning/consulting
Lehr Upfitters Opco LLC		Jim Stommel	9240 Prototype Drive	Reno	NV	89521	916-403-7876	Business Specific Prof	Emergency vehicle upfitt
CPP Painting & Construction LLC		John Avila	5340 Broken Spur Rd	Reno	NV	89510	408-807-6108	Contractor	Painting & Residential/Co
Desert Lizard Lawn Care		Brian Comly	809 Brittany Ct	Fernley	NV	89408	307-760-3498	Lawn Care & Tree Ser	Lawn care, yard cleanup
Fernley Trailer Rentals LLC		Victoria Solberg	814 G Street	Fernley	NV	89408	775-235-6694	Equipment Rentals, S	Trailer rentals, home offic
Grand Totals:									8

Report Criteria:

License.Status = "Active"

Business.Origination date = 10/31/2024-11/13/2024



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: November 20, 2024

REPORT TO: Mayor and City Council

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED:

AGENDA ITEM:

Discussion and First Reading of Bill #358, an Ordinance related to ZMA24004 to change the Zoning of +/-1.741 acres located at the southwest corner of Farm District Road and Westerlund Lane (APNS 021-111-47 and 021-111-48) from SF20 (Single Family Residential, 20,000 square feet minimum) to PF (Public Facility).

AGENDA ITEM BRIEF:

The designated land use for this parcel is Residential Single-family (SF20, SF12, SF9, SF6). The proposed land use is Public Facility (PF). The zoning districts are complementary to one another, whereas the uses in the PF district aim to elevate the quality of life for residents.

On November 13, 2024 the Planning Commission voted to recommend approval of this zoning change.

RECOMMENDED MOTION:

N/A

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

N/A

BACKGROUND:

In conjunction with the zoning map amendment the applicant is also proposing to expand the existing senior living community, Golden Years Castle Group Home Care (GYCGHC). The senior living community has five locations throughout the state of Nevada, within the cities of Fernley, Hidden Valley, and Reno. Golden Years Castle Group Home Care has been operating since 2003, with their Fernley location becoming operational in 2019. GYCGHC's Fernley location has a unique business model that is based on providing a senior living community to private residents and residents on Medicaid. GYCGHC is the only business offering services to Medicaid recipients and has resulted in a shortage of room availability. Thus, The Nevada Aging and Disability Services Division (ADSD) provided the receipt with a grant to expand their business operation. However, existing zoning limits the density to 2.2 units per acre. As such, an alternative zoning designation would be required to accommodate any expansions. The existing land use designated as "life care or continuing care services" is an allowable use in the PF zone, whereas, it is not allowed in the SF 20 zone, thus making the land use legal nonconforming. Furthering the need for a zone amendment to allow for the expansion of a legal nonconforming use.

Uses permitted in the PF zone that are not permitted in the SF20 zone are as follows: life care or continuing care services, automated teller machine, stand alone, mobile vendor, office, event center/ banquet hall, fraternal club/ lodge/ community service facility, childcare facility, college, technical school, personal instructional services, correctional institutions, public maintenance facility, public safety facility, hospital, cultural institution, entertainment facility/ theater, heliport/ miscellaneous air transportation, and transportation passenger terminal.

The applicant has submitted an Administrative Review application for approval of the actual building expansion. This application will be reviewed by staff as outlined in the Development Code.

ANALYSIS:

Staff contends that a zoning map amendment from SF20 to PF is appropriate for this site given that the northern portion of the project site has been used as a senior living community since 2019. Furthermore, the senior living community is compatible with the adjacent residential uses. By expanding their operation, Golden Years Castle Group Home Care (GYCGHC), will be utilizing a currently underdeveloped portion of land south of the existing senior family living facility. Additionally, on July 17, 2024, the City of Fernley approved a Master Plan Amendment changing the land use designation from Residential to Public Facility. The proposed zoning map amendment would change the zone to be consistent with the city's Master Plan. Additionally, the facility's use classification as a "life care or continuing care services" is consistent with the Public Facility Zone.

FINDINGS:

1. Consistent with the city's master plan and otherwise consistent with state and federal law.

This finding can be made. The proposed zone Public Facility (PF) is consistent with the recent master plan amendment, changing the designated land use from residential to public facility. The applicant suggests that the

proposed zone change supports the master plan community goals and action strategies regarding, Population, Housing, and Employment (HP) and Land Use (LU) listed below, and staff concurs.

HP.1.5 – Increase the opportunity for affordable, high-quality housing for seniors.

The proposed development will expand the existing senior living community, with the construction of 10 units, providing additional housing opportunities for seniors. Additionally, Golden Years Castle Group Home Care (GYCGHC) is one of the few communities to provide housing opportunities for seniors on Medicaid.

LU.1.1 – Encourage and plan for new development in areas where adequate public services and facilities can be provided efficiently.

This would be an infill development in an existing neighborhood. Adequate public services and facilities already exist in this area.

LU.1.3 – Provide a balanced distribution of employment and population.

This development would bring job opportunities to fill any opening for new staff to accommodate the additional residents. The proposed development would attract and better service elderly members of the community while being situated in a single-family residential area, creating a balanced population demographic. Furthermore, the allowed land uses in the PF zone are predominately community orientated, thus new developments under this zone would be for the surrounding residents while creating employment opportunities.

2. Consistent with the surrounding land uses.

This finding can be made for a zoning map amendment from SF20 to PF. The uses permitted in the PF zone are generally compatible with single-family and rural residential neighborhoods. The PF zone should be limited to the area approved under the city's Master Plan Amendment.

3. Public notice was given, and a public hearing held per the requirements of the development code and Nevada revised statutes.

This finding can be made. Staff certifies that public notice was given in accordance with Title 32 of Fernley Municipal Code and Nevada Revised Statutes and a public hearing was held as part of the proceedings of the November 13, 2024, Planning Commission meeting. A public notice was placed in the Reno Gazette Journal and 71 individual letters were mailed to all homeowners and renters within a 500-foot radius of the subject parcel. Additional public hearings will be held once this item moves forward to City Council.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#)

Planning and Zoning [Fernley Municipal Code \(FMC\), Title 32](#) - Development Code
[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.260](#) – Determination, establishment, enforcement and amendment of zoning regulations.

[FMC §32.03.040\(e\)](#) – Zoning map amendments (rezoning)

[FMC §32.06.070](#) – Zoning Districts, Residential - Single-family (SF20, SF12, SF9, SF6)

[FMC §32.06.120](#) – Zoning Districts, Public facility (PF)

[FMC §32.09](#) – Unlisted uses and use table

Note: These links are for quick reference and not all-inclusive. The Planning Department will monitor these references through November 13, 2024, Planning commission meeting, but does not guarantee link operation or applicability after that date.

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. Bill #358

When recorded, mail to:
City Clerk
City of Fernley
595 Silver Lace Boulevard
Fernley, NV 89408

**BILL #358
CITY OF FERNLEY
ORDINANCE # _____**

A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT, ASSOCIATED WITH ZMA24004, TO CHANGE THE ZONING OF ±1.741 ACRES LOCATED AT THE SOUTHWEST CORNER OF FARM DISTRICT ROAD AND WESTERLUND LANE (APNS: 021-111-47 AND 021-111-48) FROM SF20 (SINGLE FAMILY RESIDENTIAL, 20,000 SQUARE FEET MINIMUM) TO PF (PUBLIC FACILITY).

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council”, DO HEREBY ORDAIN:

Section 1: The zoning of that certain real property totaling ±1.741 acres, more or less, situated in the City of Fernley, Nevada, and owned by Golden Years Castle Home of Fernley, LLC, being more particularly described on Exhibit “A” attached hereto and depicted on “Exhibit A-1” attached hereto is hereby reclassified from SF20 (Single-Family Residential) to PF (Public Facility).

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the same certified herein as provided by law.

Section 4: This ordinance shall become effective upon passage, approval, and publication.

Section 5: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of public health, safety, welfare, and convenience.

Section 6: If any subsection, phrase, sentence, or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 7: The Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL #358 BEING HEREBY PROPOSED this 20th day of November 2024.

BILL #358 BEING HEREBY PASSED, APPROVED, AND ADOPTED this ____ day of ____ 2024, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____ Date: _____
Neal E. McIntyre, Mayor

Attest By: _____ Date: _____
Kimberly Swanson, City Clerk

Exhibit A
Legal Description

To Be Provided by Applicant Prior to Adoption

Exhibit B
Plat Map

To Be Provided by Applicant Prior to Adoption



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: November 20, 2024

REPORT TO: Mayor and City Council

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible action regarding an appeal by City Councilwoman Fran McKay of the Planning Commission's approval of CUP 24004, a Conditional Use Permit request by Wood Rodgers on behalf of Douglass Development for the construction of a "mini-warehouse" (self-storage) facility on a parcel ±5.00-acres in size and generally located north of Farm District Road between Camille Drive and Jenny's Lane (APN: 020-351-08).

AGENDA ITEM BRIEF:

At the City Council meeting of October 2, 2024, the City Council approved ZMA 24003 to change the zoning on the subject property from C1 (Neighborhood Commercial) to C2 (General Commercial) in anticipation of a forthcoming Conditional Use Permit. Councilwoman Fran McKay requested that the CUP be brought forward to the Council for review after the Planning Commission made their decision. On October 9, 2024, the Planning Commission approved CUP24004 in a unanimous vote of 7-0.

RECOMMENDED MOTION:

I move to uphold the Planning Commission approval of CUP 24004 with no changes.

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

I move to uphold the Planning Commission approval of CUP 24004 with the following changes: _____.
I move to overrule the Planning Commission approval of CUP 24004 and deny the application based on the following: _____.

BACKGROUND:

Section 32.03.090(e)(2) of the City of Fernley Development Code states that “the mayor or any member of the city council may request review of a planning commission action or decision with a written notice to the city clerk or orally at a meeting of the city council”.

Conditional Use Permit 24004 was approved at the Planning Commission meeting of October 9, 2024. Prior to this approval, at the October 2, 2024 City Council meeting, City Councilwoman Fran McKay expressed concern over the project, and requested that the City Council review the Condition of Approval if it was approved.

At the Planning Commission meeting, there was no public opposition to this proposed mini-storage project and the Planning Commission vote to approve the Conditional Use Permit was unanimous. Prior to the Planning Commission meeting, residents of the adjoining properties on George Lane expressed their support of the project at a scheduled neighborhood meeting.

For detailed information on the project itself, please review the attached Planning Commission staff report and exhibits.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

City of Fernley Development Code Section 32.03.090(e)(2) - Appeals

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. Complete PC Report
2. Conditions of Approval (as approved by PC)



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: October 9, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding a conditional use permit application (CUP24004) request by Wood Rodgers on behalf of Douglass Development for the construction of a "mini-warehouse" (self-storage) facility on a parcel ± 5.00 -acres in size and generally located north of Farm District Road between Camille Drive and Jenny's Lane (APN: 020-351-08).

AGENDA ITEM BRIEF:

During the public hearing for ZMA24003, City Council approved a zoning map amendment from C1 to C2 of this parcel, subject to the conditions of approval suggested by Planning Commission. Council was further concerned about design details, and moved that they be the final decision authority for this conditional use permit. As such, Planning Commission is asked to make a recommendation to City Council rather than take final action.

RECOMMENDED MOTION:

Approval

"I move to recommend City Council approve the conditional use permit associated with CUP24004, and adopt required findings a-f as addressed in staff's presentation, subject to the suggested conditions of approval 1-24."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

"I move to recommend City Council deny the conditional use permit associated with CUP24004. Based on information received in written materials and public hearings on this matter, I am unable to make the following required findings:"

"I am unable to make finding _____ as it pertains to _____. " *(Repeat for each applicable finding.)*

Note

Though no further language has been provided, all motions consistent with City of Fernley Planning Commission bylaws and rules of procedure are appropriate.

BACKGROUND:

In April 2005, City of Fernley approved a 10-acre project named "Farm District Commercial" that allowed the uses retail, office, and restaurant. Though infrastructure for this project was constructed east of Jenny's Lane at Farm District Road, the project was ultimately abandoned due to the recession of 2008. The initial project approval is long expired. The current applicant, Douglass Development, purchased this 5-acre portion of the former project in May of 2023; the remaining 5-acres of the former project are owned by a separate investor.

CURRENT PROJECT APPLICATION BACKGROUND:

- A zoning map amendment was submitted alongside this conditional use permit application on June 18, 2024.
- Staff agendaized a public hearing for the zoning map amendment at the August 14, 2024 Planning Commission meeting. Several neighboring property owners were present to voice opposition to the project. Due to neighborhood concern, staff and the developer jointly requested a continuation in order to hold a neighborhood meeting.
- The developer held a neighborhood meeting on August 27, 2024 to explain their development plans. Feedback was mixed, but the majority seemed to prefer a self-storage to other uses that would already be possible in the C1 zone.
- At the September 11, 2024 meeting, Planning Commission voted unanimously to direct staff to insert conditions of approval into the bill that will not allow the zoning map amendment to take effect until construction of the site begins. They further recommended that City Council approve the bill with said conditions incorporated.
- The first reading and introduction of the bill associated with the zoning map amendment occurred at the September 18, 2024 City Council meeting.
- At their October 2, 2024 meeting, Council voted unanimously to approve the bill associated with the zoning map amendment (with the suggested conditions incorporated). They further voted to request this conditional use permit application come to them for final approval.

FINDINGS:

Below are the applicable findings for conditional use permits. The applicant addressed each finding in their attached report (pp 10-11), and staff generally concurs. Staff will have a more thorough explanation of compliance with the applicable findings during the presentation section of the scheduled public hearing.

- a. The proposed conditional use will be in compliance with the comprehensive plan.
- b. The proposed conditional use will be in compliance with the existing or permitted uses of adjacent properties.
- c. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impacts.
- d. The availability and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.

- e. The conditional use permit has been conditioned to address identified impacts.
- f. Public notice has been given, and a public hearing held per the requirements of the Development Code and Nevada Revised Statutes.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#) - Planning and Zoning

[Fernley Municipal Code \(FMC\), Title 32](#) - Development Code

[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.315](#) - Granting of ... conditional use permits

[FMC §32.03.050\(b\)](#) - Conditional use permit

[FMC §32.06.100](#) - Commercial (C1, C2, and TC)

[FMC §32.06.150](#) - Unlisted uses and use table

[FMC §32.07.280](#) - Mini-warehouse

[FMC §32.09](#) - Development standards

Note

These links are for quick reference and not all-inclusive. Planning Department will monitor these references through the October 9, 2024 Planning Commission meeting, but does not guarantee link operation or applicability after that date.

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. CUP24004 Suggested Conditions of Approval
2. Applicant Report
3. Traffic Generation Letter
4. Maps

Conditions of approval for CUP24004

CONDITIONAL USE PERMIT

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

THIS CONDITIONAL USE PERMIT (CUP) IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY PLANNING COMMISSION AS A NEW CUP APPLICATION. ALTERNATIVELY, SUBSTANTIVE CHANGES MAY BE ADDRESSED BY AMENDMENT TO THIS CUP IF/WHEN CITY OF FERNLEY ADOPTS AN AMENDMENT PROCEDURE.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO AN APPROXIMATELY 94,433 SQUARE-FOOT “MINI-WAREHOUSE” (SELF-STORAGE) FACILITY WITH AN ADDITIONAL 1,200 SQUARE-FOOT “OFFICE” ON A PARCEL ±5.00-ACRES IN SIZE AND GENERALLY LOCATED NORTH OF FARM DISTRICT ROAD, BETWEEN CAMILLE DRIVE AND JENNY’S LANE (APN: 020-351-08).

3. EXPIRATION DATE:

THE CUP SHALL EXPIRE WITHIN TWO YEARS OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED, OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. DUE TO THE UNIQUE COMPLEXITIES INTRODUCED BY THE ZONING MAP AMENDMENT, THIS TWO-YEAR TIME PERIOD INCLUDES A PRE-APPROVAL OF THE EXTENSION OF TIME ALLOWED BY FMC §32.03.050(b)(9)e. THIS ITEM WILL NOT BE ELIGIBLE FOR ANY ADDITIONAL EXTENSION OF TIME.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2024-008, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN “CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES” AS UPDATED MARCH 2024, “CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION” AS UPDATED JULY 2022, “CITY OF FERNLEY ACCESS MANAGEMENT POLICY” AS WRITTEN SEPTEMBER 2022, AND “CITY OF FERNLEY COMPREHENSIVE MASTER PLAN” AS UPDATED JULY 2024.

REGULATORY AGENCIES

5. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

6. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: BUREAU OF RECLAMATION (BOR), NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP)—TO INCLUDE THE NDEP BUREAUS OF AIR POLLUTION CONTROL, WATER POLLUTION CONTROL, AND SAFE DRINKING WATER—NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA PUBLIC UTILITIES COMMISSION (PUCN), NEVADA STATE ENVIRONMENTAL COMMISSION, TRUCKEE CARSON IRRIGATION DISTRICT (TCID), THE FERNLEY POSTMASTER, THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, AND THE CITY OF FERNLEY PROFESSIONAL LAND SURVEYOR.

Conditions of approval for CUP24004

CONDITIONAL USE PERMIT

DESIGN STANDARDS

7. GENERAL:

THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE STANDARDS IN FMC CHAPTER 32.09 (DEVELOPMENT STANDARDS), FMC §32.06.100 (ZONING DISTRICTS, COMMERCIAL), AND FMC §32.07.280 (USE STANDARDS, MINI-WAREHOUSE) TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

8. PARKING:

AS LISTED IN FMC TABLE 32.09.120-2, THE 1,200 SQUARE-FOOT OFFICE REQUIRES 1 PARKING SPACE PER 800 SQUARE-FEET AND THE 94,433 SQUARE-FOOT MINI-WAREHOUSE REQUIRES 1 PARKING SPACE PER 2,000 SQUARE-FEET.

AS INDICATED BY FMC §32.09.120(a)(11), THE ADMINISTRATOR MAY APPROVE AN ALTERNATE PARKING PLAN WHEN SUPPORTED BY AN ANALYTICAL STUDY OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE). THE ITE PARKING GENERATION MANUAL (6TH EDITION) RECOMMENDS ONE PARKING SPACE PER 10,000 SQUARE FEET FOR THEIR EQUIVALENT OF THE MINI-WAREHOUSE USE. PLANNING COMMISSION APPROVES SUBSTITUTION OF THE ITE PARKING REQUIREMENT FOR THE MINI-WAREHOUSE PORTION OF THE DEVELOPMENT.

THE PROPOSED 1,200 SQUARE-FEET OFFICE SHALL HAVE 1.5 PARKING SPACES. THE PROPOSED 94,433 SQUARE-FOOT MINI-WAREHOUSE USE SHALL HAVE 9.5 PARKING SPACES. THIS FACILITY SHALL HAVE A TOTAL OF 11 PARKING SPACES; AT LEAST 2 OF THE 11 REQUIRED SPACES SHALL BE AVAILABLE TO PARK IN FRONT OF THE OFFICE AND BE ACCESSIBLE OUTSIDE OF THE PERIMETER WALL. IN NO CASE SHALL THE REQUIRED MINIMUM PARKING SPACES BE AVAILABLE FOR RENT TO STORE RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES.

IF THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN DESIGNATED DRIVE AISLES OF THE MINI-WAREHOUSE, ALL FIRE LANES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, FIRE MARSHAL, AND PUBLIC WORKS DIRECTOR.

9. PERIMETER WALL:

IN ACCORDANCE WITH FMC §32.06.100 AND §32.07.280, THE PERIMETER OF THE MINI-WAREHOUSE FACILITY SHALL BE SCREENED BY A SOLID (OPAQUE) MASONRY WALL. MATERIALS VISUALLY SIMILAR TO MASONRY MAY BE SUBSTITUTED BY APPROVAL OF THE ADMINISTRATOR. THE WALL SHALL INCORPORATE AT LEAST ONE OF THE FOLLOWING EVERY 50 LINEAR FEET: AT LEAST A TWO-FOOT CHANGE IN PLANE FOR AT LEAST 10 FEET; A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST 10 FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS, ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE WALL, PROVIDED ALL EXTERIOR WALLS ARE EITHER THE SAME HEIGHT AROUND THE PERIMETER OR GRADUALLY TRANSITION FROM ONE HEIGHT TO ANOTHER, TO THE APPROVAL OF THE ADMINISTRATOR.

10. STREETS:

A 15-FOOT MINIMUM DEPARTURE CURB RADIUS AND A 25-FOOT MINIMUM APPROACH CURB RADIUS SHALL BE PROVIDED FOR THE ENTRY/EXIT DRIVEWAY PER THE CITY OF FERNLEY'S ACCESS MANAGEMENT POLICY. THIS CONDITION IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

11. SEWER SERVICE:

THE PROPOSED LIFT STATION SHALL BE OWNED AND MAINTAINED BY THE COMMERCIAL PROPERTY OWNER OR COMMERCIAL OWNER'S ASSOCIATION IN PERPETUITY. PRIVATE LIFT STATIONS SHALL BE EQUIPPED WITH DUPLEX PUMPS, EMERGENCY STORAGE, AND EMERGENCY OVERFLOWS AND/OR BACKUP POWER.

ALL ON-SITE SEWER SHALL BE SIMILARLY PRIVATELY OWNED AND MAINTAINED. THE WET WELL AND EQUIPMENT SHALL BE ADEQUATELY PROTECTED FROM PUBLIC ACCESS AND ACCIDENTAL VEHICLE IMPACT. THIS INCLUDES SIX-FOOT CHAIN LINK FENCES, CONTROL PANEL INTRUSION SWITCHES, REMOTE ALARM CAPABILITIES, AND AASHTO HS-20 RATED VAULTS (WHERE LIFT STATION IS LOCATED WITHIN TEN FEET OF A ROAD FRONTAGE). REFERENCE CITY DESIGN STANDARDS AND NDEP TECHNICAL DOCUMENT #WTS-14 FOR ADDITIONAL PRIVATE LIFT STATION REQUIREMENTS. THIS CONDITION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

12. WATER SERVICE:

THE WATER SERVICE SHALL BE A NEW HOT TAP INTO THE MAIN WITH JENNY'S LANE RATHER THAN TO THE EXISTING AIR RELEASE VALVE LATERAL. THE IMPROVEMENT PLANS SHALL INCLUDE RELOCATION OF THE AIR RELEASE VALVE LATERAL, AS REQUIRED. THE NEW COMMERCIAL WATER CONNECTION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND SHALL BE PERMITTED BY NDEP BUREAU OF SAFE DRINKING WATER.

13. WATER AND SEWER SERVICE:

ALL APPLICATIONS FOR WATER AND SEWER IMPROVEMENTS SHALL INCLUDE TENTATIVE DEMANDS FOR WATER AND SEWER FOR THE BUILDOUT OF THE PROJECT. ANY REQUIRED IMPROVEMENTS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. NO PUBLIC LIFT STATIONS WILL BE ACCEPTED.

THE DEVELOPER SHALL COMPLY WITH ALL RULES AND REGULATIONS REGARDING ADDITIONAL CONNECTIONS/DEMANDS TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING, BUT NOT LIMITED TO: ASSOCIATED FEES, DESIGN STANDARDS, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS. THIS CONDITION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

REQUIREMENTS FOR GRADING AND CIVIL PERMITS

14. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE REQUIREMENTS OF FMC FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO ISSUE OF A GRADING PERMIT OR BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

15. GRADING PERMIT:

PRIOR TO ISSUE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN FMC, AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY RELATED TO SURFACE AREA DISTURBANCE.

THE DEVELOPER SHALL PROVIDE VERIFICATION OF A STORM WATER DISCHARGE PERMIT FROM NDEP AS WELL AS A SURFACE AREA DISTURBANCE PERMIT, PRIOR TO ISSUE OF ANY GRADING, CIVIL IMPROVEMENT, OR BUILDING PERMIT FOR THE DEVELOPMENT. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

16. STORM WATER TREATMENT AND DRAINAGE:

PRIOR TO ISSUE OF ANY CIVIL PERMIT, THE DEVELOPER SHALL PROVIDE AN UPDATED HYDROLOGICAL REPORT MATCHING FINAL CIVIL IMPROVEMENTS FOR THE PROJECT—IN CONFORMANCE WITH FMC AND THE PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES AND STANDARD DETAILS—FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. RETENTION OF THE 100-YEAR, 24-HOUR STORM SHALL BE PROVIDED DUE TO THE HYDROGRAPHIC BASIN THE PROJECT IS LOCATED WITHIN.

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL. DESIGN AND CONSTRUCTION OF ALL DRAINAGE CONVEYANCE FACILITIES IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

ALL STORM DRAIN INFRASTRUCTURE FOR THE PROJECT SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER OR COMMERCIAL OWNER'S ASSOCIATION. ALL PRIVATELY OWNED RETENTION BASINS SHALL HAVE PERIMETER FENCING FOR SAFETY.

REQUIREMENTS FOR BUILDING PERMITS

17. OFFSITE STREET IMPROVEMENTS:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, JENNY'S LANE HALF-STREET IMPROVEMENTS SHALL BE DEVELOPED TO CITY STANDARDS, INCLUDING CURB, GUTTER, AND 5-FOOT SIDEWALKS. THE DEVELOPER SHALL FURTHER PROVIDE A MUTCD-COMPLIANT "NO ENTRY" / "NO THROUGH TRAFFIC" / OR SIMILAR SIGN AT THE ENTRANCE OF GEORGE LANE AS PROMISED DURING THE NEIGHBORHOOD MEETING BY REQUEST OF THE RESIDENTS OF GEORGE LANE. THE PROPOSED SIGN SHALL BE MAINTAINED BY THE PROPERTY OWNER OR COMMERCIAL OWNER'S ASSOCIATION IN PERPETUITY. THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

18. WATER RIGHTS:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, IN ORDER TO BE SERVED BY THE CITY'S MUNICIPAL WATER SYSTEM, THE DEVELOPER SHALL DEDICATE THE APPROPRIATE AMOUNT OF WATER RIGHTS, AS CALCULATED BY THE CITY ENGINEER—AND RECEIVE A WILL-SERVE FROM CITY COUNCIL. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, THE CITY ENGINEER, AND THE PUBLIC WORKS DIRECTOR.

19. WATER AND SEWER SERVICE:

PRIOR TO ISSUE OF ANY BUILDING PERMIT FOR THE PROJECT, THE DEVELOPER SHALL PERMIT THE WATER AND SEWER SYSTEM MODIFICATIONS IN CONFORMANCE WITH FMC AND THE PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

20. WATER AND SEWER SYSTEM MODELING:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING AND CONSTRUCT ANY IMPROVEMENTS IDENTIFIED AS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

COMPLETION OF WATER AND SEWER SYSTEM MODELING FULFILLS THE REQUIREMENT OF A FINAL SANITARY WASTE ANALYSIS AS REQUIRED BY FMC §32, APPENDIX A-4, ITEM 62.

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

REQUIREMENTS DURING CONSTRUCTION PHASE

21. CONSTRUCTION DEBRIS:

ALL CONSTRUCTION SITES SHALL HAVE APPROVED TRASH RECEPTACLE(S) OR AN APPROVED TRASH REMOVAL PLAN IN PLACE AT THE TIME OF THE FIRST INSPECTION AND DURING CONSTRUCTION, UNTIL THE CERTIFICATE OF OCCUPANCY IS ISSUED. THE RECEPTACLE(S) SHALL BE USED APPROPRIATELY TO MAINTAIN A CLEAN WORKSITE.

22. CONSTRUCTION HOURS:

PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITY, THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE. THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF SEVEN AM AND SEVEN PM, SEVEN DAYS PER WEEK. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

23. PROJECT CONTACT:

PRIOR TO ISSUE OF A GRADING PERMIT, THE DEVELOPER SHALL DESIGNATE (TO THE ADMINISTRATOR) A PROJECT CONTACT PERSON WHO WILL BE AVAILABLE FOR THE DURATION OF THE CONSTRUCTION PERIOD. THE CONTACT PERSON SHALL BE AUTHORIZED TO, AND RESPONSIBLE FOR, CORRECTING ANY PROJECT-RELATED COMPLICATIONS ON A 24-HOUR, SEVEN-DAY-PER-WEEK BASIS.

REQUIREMENTS FOR CERTIFICATE OF OCCUPANCY

24. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO CITY OF FERNLEY FOR MAINTENANCE OF ALL PUBLIC INFRASTRUCTURE INSTALLED ON PRIVATE PROPERTY. A PUBLIC ACCESS EASEMENT WILL BE REQUIRED AT THE NORTHWEST INTERSECTION OF JENNY'S AND FARM DISTRICT ROAD TO PROVIDE CONNECTIVITY TO THE EXISTING PEDESTRIAN RAMP FROM THE NEW JENNY'S LANE SIDEWALK. THE EASEMENTS SHALL INCLUDE CITY OF FERNLEY'S STANDARD EASEMENT LANGUAGE—SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR—AND SHALL BE RECORDED WITH LYON COUNTY PRIOR TO ISSUE OF A CERTIFICATE OF OCCUPANCY.

PROJECT SUMMARY

Project Name:	Farm District Storage Zoning Map Amendment and Conditional Use Permit
Site Location:	The subject parcel is 5.0± acres in size located at the northwest corner of Farm District Road and Jennys Lane in Fernley, Nevada
APN Numbers:	020-351-08
Applicant:	Dan Douglass
Applicant’s Representative:	Wood Rodgers, Inc.; Eric Hasty
Owner:	Douglass Development LLC
Proposed Action:	This is a request for: 1) A zoning map amendment on parcel APN 020-351-08 (±5.0 acres) from Neighborhood Commercial (C1) to General Commercial (C2), and 2) A Conditional Use Permit (CUP) for a ±95,633 square foot mini-warehouse/office facility
Land Use Classification:	Commercial (C)
Current Zoning:	C1
Proposed Zoning:	C2
Flood Zone Designation:	Zone X
Gross Site Area	5.0± acres

PROJECT ANALYSIS

Background and Existing Conditions

The 5.0± acre parcel (APN 020-351-08) is located at the northwest corner of Farm District Road and Jennys Lane (project site) on vacant land with utilities adjacent to the property. The subject site has been master planned and zoned commercial for the past two decades. The adjacent parcel to the east had an active commercial development at one point prior to the recession, and still has some improvements that remain on the site. Jennys Lane, located along the eastern boundary, is paved and will provide access into the site. George Lane is a dirt road to the north of the site and separates the site from existing residential (refer to Vicinity and Aerial Maps in Section 2 of this submittal packet). Fernley continues to see growth and specifically along Farm District Road there has been a recent increase in housing development. As the housing demand increases the need for personal storage also increases. Personal storage is typically a great commercial neighbor adjacent to residential given the low traffic generation, typically quiet facilities, and tend to be low impact compared to other commercial uses. Given their low impact, most jurisdictions allow them to be located in neighborhood commercial areas (C1 zoning equivalent in Fernley) similar to the project site. However, City of Fernley code limits their use to general commercial (C2) zoning with a Conditional Use Permit (CUP). As the project site is zoned C1, the applicant is providing both the zoning map amendment to C2 and the CUP for the proposed personal storage use.

Project Request

This application requests to:

- 1) Change the zoning of ±5.0 acres of APN 021-351-08 from Neighborhood Commercial (C1) to General Commercial (C2).
- 2) Approve a Conditional Use Permit (CUP) for a ±95,633 square foot mini-warehouse/office facility on APN 021-351-08.

Comprehensive Master Plan and Zoning Designations

The subject parcel has a Comprehensive Master Plan (Master Plan) designation of Commercial (C) and a zoning designation of Neighborhood Commercial (C1). The Master Plan designation of Commercial would allow for the proposed C2 as a compatible zoning designation. The proposed C2 zoning would allow the proposed personal storage facility included in the CUP portion of this application, which are less intense than some of the uses that are currently allowed within the C1 designation. The majority of higher intense uses in both C1 and C2 would require a CUP and given the surrounding area would require residential adjacency standards to be met. Therefore, the proposed C2 zoning would remain compatible with the other surrounding zoning designations (refer to Master Plan and Existing Zoning Map in Section 2 of this submittal packet).

Surrounding properties and uses	Current Zoning District	Comprehensive Plan Land Use Designation
North Single family detached	RR1	Single Family Residential (SFR)
West Single family detached	RR1	Single Family Residential (SFR)
East Vacant Commercial	C1	Commercial (C)
South Rural residential, single family detached subdivision	RR5, SF20, SF6	Single Family Residential (SFR)

Zoning Map Amendment Justification

The proposed zoning of C2 is allowed within the subject parcel's Master Plan designation of Commercial (C). The proposed change from C1 to C2 will maintain conformance with the Master Plan and will allow for the proposed personal storage facility in an area where adequate public services and facilities can be provided efficiently.

Most of the uses that would be allowed in the C2 zoning designation are already allowed in the current C1 zoning. While the C2 zoning will allow some additional commercial uses when compared to C1, most of these uses would not fit within the project site due to the size constraints and residential adjacency standards that would apply to the project site. Specifically, the residential adjacency standards, which include a one-foot setback for each foot in building height adjacent to a residential use applies to the north, and west boundary of the project site, which will limit the amount of developable land even further. Finally, a majority of the uses that are associated with the C2 zoning would require a Conditional Use Permit (CUP) prior to approval further ensuring that any future use would be compatible with the

surrounding uses. It should also be noted that there are some uses only allowed in the C2, such as personal storage, that are less intense than many of the uses permitted by right in the C1 zoning.

The proposed zoning map amendment is being submitted with the CUP request to allow a mini-warehouse/personal storage facility on the project site, and is further detailed below.

CONDITIONAL USE PERMIT ANALYSIS

Overview

The current request is to develop a personal storage facility with $\pm 94,433$ square feet of storage space enclosed within the personal storage buildings and one office building ($\pm 1,200$ square feet) with supporting on site improvements. Pending the proposed zoning map amendment, the regulatory zoning within the project site is General Commercial (C2) allowing for a personal storage facility with a CUP. There are no existing structures on the site. Proposed improvements include site access, drainage and grading improvements, and the extension of utilities including water, sewer and electric to the development from the adjacent roadways. Primary access to the site will be provided via gated entry from Jennys Lane, and gated emergency access will be provided from Farm District Road. All interior drive aisles will be a minimum of 24 feet wide.

As the proposed development will be adjacent to existing single-family residences to the north and west, the buildings will be screened according to the design standards of Section 32.06.100 of the Zoning Code. The facility will serve as a buffer between Farm District Road, an arterial roadway, and the residences to the north and west. The parcels east of the project site are undeveloped and zoned for commercial uses. The subdivision to the south is separated from the proposed project by Farm District Road and will be further screened by proposed landscaping along the project's street frontage.

Conditional Use Permit: Site Plan Design Standards

The site plan has been designed to comply with the standard requirements of the C2 zoning district (pending approval of zoning map amendment). The project parcel is greater than the required 6,000 square foot minimum lot size and 50-foot minimum lot width. All building heights and setbacks will conform with the development standards of the C2 zone.

Building Design

The proposed project includes a mix of $\pm 94,433$ square feet of personal storage space with varying sizes subject to change and a $\pm 1,200$ square foot office. There will not be a facility manager who lives on-site, the manager will only be present during office hours. The buildings along the southern boundary will be setback 45-feet from Farm District Road and the buildings along the eastern boundary are proposed to be setback 8-feet from the property line along Jennys Lane which is in accordance with the C2 zoning designations. The buildings along the north and west boundary are setback 10-feet from the property line to accommodate the residential adjacency setbacks which require one foot of setback for every one foot of building height adjacent to residential.

The buildings are proposed to be a mix of materials and colors that will meet the building design standards outlined in Section 20.02.007 of the Fernley Municipal Code. This will include a combination of horizontal, diagonal, and vertical articulation with a combination of popouts, staggered parapets,

horizontal and vertical wall offsets, use of different colors, and material/texture changes. The buildings along the project boundary will be blended with the perimeter fence and walls using similar materials and colors to create a cohesive look without the use of large blank unbroken walls. Conceptual renderings of the proposed buildings have been included with this submittal and are subject to change at final design:



Figure 1: Main Entrance Along Jenny's Lane



Figure 2: Aerial View Looking Northwest from Farm District Road and Jennys Lane

Grading

The project site is a ± 5.0 acre site that is vacant and undisturbed. The site is generally flat with a majority of the site has slopes less than 10%, therefore Section 32.09.130 does not apply. Site grading has been designed to protect the adjacent roadways and the existing residential properties to the west and north as well as direct sheet flow toward a retention pond in the south and northwest corner to capture onsite flows. All finish grad slopes are proposed to be less than 10% with the exception of the 3:1 slopes for the retention pond and grading down to the site from the road shoulder on Farm District Road to the property line which is proposed to be at a $\pm 20\%$ grade.

Drainage

Onsite drainage is proposed to slope to one of the two retention ponds proposed to the southeast along Farm District Road or to the northwest corner of the property. This includes a total of $\pm 12,390$ square feet between the two retention ponds. The site will have valley gutters within the drive isles to capture onsite flows and direct them to the retention ponds. Additional swales located within the landscape area along Farm District Road, and the north and western boundary will also direct onsite flows from the landscape areas to the valley gutters. The retention ponds will have 3:1 slopes and will blend with the landscape with a rock mulch ground cover (*refer to Section 4 of this Submittal Packet for the Preliminary Hydrology Letter*).

Water, Sewer, and Utilities

Overhead power lines and communications are present on north, south, and east property lines and are stubbed on-site at the proposed project entrance along Jennys Lane which will be extended into the site. An existing two-inch gas main is available on the west shoulder of Jennys Lane along the project site east property line as well as an existing four-inch gas main on the north shoulder of Farm District Road and can be extended into the site. Power is operated by NV Energy, natural gas by Southwest Gas, communications/cable TV/internet by Charter and AT&T.

Sanitary sewer exists on the north shoulder of Farm District Road adjacent to the south property line. Wastewater generated by the office is proposed to gravity flow to an exterior wet well with a grinder and sewage pump, which will route wastewater via low pressure force main to an existing gravity sewer manhole in Jennys Lane at its intersection with Farm District Road. Sewer will be provided by the City of Fernley.

Water is stubbed on-site at the proposed project entrance from an existing water main in Jennys Lane on the east property line. A domestic water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance and extended into the site. A reclaimed water main exists on the north shoulder of Farm District Road and an irrigation water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance. Water service will be provided by the City of Fernley. A Utility Site Plan and Preliminary Sewer Report identifying the extension and demand of all utilities has been included with this submittal (*reference the Site Plan and the Preliminary Sewer and Hydrology Letter in Section 4 of this Submittal Packet*).

Traffic and Circulation

The proposed access to the project is via Jennys Lane, an existing public street. The street extends north and south of Farm District Road, an arterial roadway immediately south of the project site. The intersection of Jennys Lane and Farm District Road has two-way stop control and marked crosswalks.

The main entry to the project site will be gated to provide security for the personal storage facility. Three parking spaces will be available outside of the gate for visitors, and one employee parking space will be provided inside the gated area. The gate will be setback 60-feet from Jennys Lane to allow for stacking while guests wait for the gate to open. Internal drive aisles range from a minimum of 24-feet wide to a maximum of 45-feet wide to provide sufficient space for vehicle movement. The perimeter lanes are a minimum of 30-feet wide, which will allow firetruck and emergency vehicle circulation on-site.

Pedestrian access will be provided by a sidewalk along Jennys Lane along the western boundary and will tie into the existing crosswalk which provides a pedestrian crosswalk across Jennys Lane to the east and then to a crosswalk across Farm District Road to the south and the existing multi-use path. No pedestrian sidewalk is proposed along Farm District Road since a multi-use path is provided along the southern boundary.

Traffic generated from the project is not anticipated to have a significant impact to the surrounding area including Jennys Lane or Farm District Road as personal storage facilities are very low traffic generators. A Trip Generation Letter was performed by a licensed Engineer as part of this request and is included in Section 4 of the application packet. The letter concludes that the proposed personal storage facility, which is one of the lowest traffic generating uses, is only anticipated to generate a total of 9 AM and 14 PM peak hour trips, with a total of 139 average daily trips. Traffic generation from this request is under the threshold required to trigger a traffic study and is anticipated to have minimal impact to the existing roadways which serve the proposed project.

Parking

As part of the CUP request, a parking reduction from the City of Fernley standard of 1 space per 2,000 square feet of building gross floor area is requested. The minimum parking required according to City of Fernley would require a total of 48 spaces, which is not reflective of the actual amount of parking typically required for a personal storage facility. When referring to the *ITE Parking Generation Manual (6th Edition)* the use of mini-warehouse, defines peak parking demand as 0.10 spaces per 1,000 square feet of gross floor area. For the project's proposed ±95,633 square feet of gross floor area, 10 parking spaces are required. The project proposes a total of 3 parking spaces near the office accessed from the front entrance. The remaining 7 parking spaces can be accommodated by allowing parking to occur in front of the storage units. The 24 to 45 foot wide drive aisles are able to accommodate a parallel parked vehicle for loading/unloading with enough width for another vehicle to maneuver around.

This design, along with the parking reduction using the minimum spaces when referring to the *ITE Parking Generation Manual*, will provide adequate parking for the proposed use even during peak use periods which are not anticipating more than 2-3 users at a time. Due to the nature of the use, a majority of the users will be accessing their personal storage units and will not need to utilize parking spaces in front of the office. The guest parking proposed in front of the office is intended for new customers or customers managing their accounts. Therefore, the proposed parking should be adequate and is typical for the amount of parking provided at similar facilities.

Landscaping

The project includes landscaping located along Farm District Road and Jennys Lane and a minimum 10-foot landscape strip along the north and western boundaries adjacent to residential that will provide trees to help screen the buildings and walls. All landscaping will be designed in accordance with City of Fernley Code requirements and will include drought-tolerant plants and street trees to encourage water-efficient irrigation.

Per Section 32.09.090 of the Zoning Code, a minimum of 15% of the site must be landscaped in the C2 zone. The project site is ± 5.0 acres, which means a minimum of 0.75 acres is required to be landscaped. The proposed site plan includes ± 0.89 acres of landscape area or 17.7% of the site and will exceed the minimum requirements. The Zoning Code requires a minimum of 1 street per 500 square feet, which means a total of 65 trees is required. Additionally, the Zoning Code requires 1 shade tree for every 7 parking spaces. The project is proposing 4 parking spaces which would require a total of 66 trees. A minimum 10-foot landscape strip is required between parking areas and street frontages. One tree shall be planted in each of these landscape strips for every 30 feet of street frontage.

Ground covering will be provided in all landscape areas per Zoning Code requirements. Ground covering may include living plants such as shrubs, turf grasses, vines, or other living ground covers. Decorative rock, pavers, mulch, decomposed granite, or other non-living materials may also be used. Non-permeable materials will not be used for more than 20 percent of the total landscape area, excluding areas of temporary coverage allowed for plants to reach maturity.

Buffering is required to provide landscaped separation and screening between residential and nonresidential uses. The project site borders residential uses to the north and west. The project is proposing a minimum 10-foot-wide landscape buffer along the northern and western boundary. Although this area has a portion of which will provide onsite detention, trees and shrubs will also be located within this buffer. Per the Zoning Code, buffering requirements include planting evergreen trees no further apart than 30 feet on center to help provide a visual barrier between the project and residential uses to the north and west.

Walls/Screening

The project will provide a solid wall/fence to screen the property from neighboring residential uses to the north and south and create privacy, consistent with Section 32.06.100 of the Zoning Code. The buildings located along property boundaries will be incorporated into the wall. The primary entrance and gated emergency access will be fenced with open view fencing. The applicant is proposing to use a metal type wall with panels varying in color and orientation to address the code for solid screening fence as depicted in the conceptual renderings above.

Signage

Any signage proposed in the future will conform with the sign standards found in Section 32.10 of the City of Fernley Zoning Code. It is anticipated small monument style signs and signage on the building would be provided near the front of the office and near the intersection of Farm District and Jenny's Lane.

Police and Fire Service

The project site is located in an area already served by police and fire services. Police services will be provided by the Lyon County Sheriff’s Department and fire service will be provided by the North Lyon County Fire Protection District. The closest fully staffed fire station is the North Lyon County Fire Protection District Station 62, located approximately 2.5 miles east near the intersection of Red Rock Road and Farm District Road. The main access to the site where police and fire will enter the development is located on Jennys Lane. An additional emergency access point is accessible from Farm District Road.

Development Statistics Summary

The following is a summary of the development statistics of the site:

- Total Site Area:..... ±5.0 acres
- Total Number of Buildings: 9 buildings (8 storage and 1 office)
- Lot Coverage: ±43.9%
- Total Building Square Footage: 95,633± square feet (43.9%)
 - Storage Area: 94,433± square feet
 - Office Area: 1,200± square feet
- Total Paving and Concrete: 76,710± square feet (35.2%)
- Storm Water Retention Pond: 12,390± square feet (5.7%)

- Minimum Landscape Area Required:..... 0.75 acres (15%)
- Total Landscape Area Proposed: 0.89± acres (17.7%)
- Minimum Parking Required: 10 spaces
- Total Parking Spaces: 3 visitor spaces + 7 parallel parking along drive isles

ZONING MAP AMENDMENT FINDINGS

A zoning map amendment is committed to the city council's legislative discretion.

1. The zoning map amendment may be approved if it is consistent with the city's Master Plan and otherwise consistent with state and federal law.

Response: The proposed zoning of C2 is allowed within the subject parcel's Master Plan designation of Commercial (C). Regardless of C1 or C2, residential adjacency will need to be addressed with a future project to ensure compatibility with the surrounding area. See the below excerpts and comments from the Master Plan demonstrating the alignment of the goals and policies to this zoning map amendment request.

Commercial Master Plan Policies

LU.1.1 Encourage new development in areas where adequate public services and facilities can be provided efficiently.

Comment:

Sewer, Water, and Utilities

Overhead power lines and communications are present on north, south, and east property lines and are stubbed on-site at the proposed project entrance along Jennys Lane which will be extended into the site. An existing two-inch gas main is available on the west shoulder of Jennys Lane along the project site east property line as well as an existing four-inch gas main on the north shoulder of Farm District Road and can be extended into the site. Power is operated by NV Energy, natural gas by Southwest Gas, communications/cable TV/internet by Charter and AT&T.

Sanitary sewer exists on the north shoulder of Farm District Road adjacent to the south property line. Wastewater generated by the office is proposed to gravity flow to an exterior wet well with a grinder and sewage pump, which will route wastewater via low pressure force main to an existing gravity sewer manhole in Jennys Lane at its intersection with Farm District Road. Sewer will be provided by the City of Fernley.

Water is stubbed on-site at the proposed project entrance from an existing water main in Jennys Lane on the east property line. A domestic water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance and extended into the site. A reclaimed water main exists on the north shoulder of Farm District Road and an irrigation water meter and backflow assembly will be tapped from the existing water stub at the proposed site entrance. Water service will be provided by the City of Fernley. A Utility Site Plan and Preliminary Sewer Report identifying the extension and demand of all utilities has been included with this submittal (reference the Map Pocket of this Submittal Packet).

Schools

The proposed project will not result in new student generation.

Police and Fire Service

The project site is located in an area already served by police and fire services for commercial uses. Police services will be provided by the Lyon County Sheriff's Department and fire service will be provided by the North Lyon County Fire Protection District. The closest fully staffed fire station is the North Lyon County Fire Protection District Station 62, located approximately 2.5 miles east near the intersection of Red Rock Road and Farm District Road. The proposed emergency access is located on Farm District Road.

LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category.

Comment: The subject parcel has a Master Plan designation of Commercial (C). The proposed zoning designation (C2) is in conformance with the land use category. The proposed development will provide a new business to serve local residents and is located in an area with excellent connectivity and access to existing municipal services and amenities.

2. The zoning map amendment may be approved if it is consistent with the surrounding land uses.

Response: The subject parcel is located immediately adjacent to C1 zoning to the east, which could be developed in the future with similar intensity as the proposed C2. The proposed personal storage use is less intense than other potential uses allowed by right in the existing C1 zone. City of Fernley only allows personal storage facilities in the C2 zoning designation. Regardless of C1 or C2 zoning a future project in either would be subject to residential adjacency to ensure compatibility with the surrounding land uses. The proposed zoning map amendment will facilitate the addition of a new commercial business to serve local residents and promote development within the existing community of Fernley. It is consistent with the Master Plan designation and fulfills goals and policies for future growth in the community.

3. The zoning map amendment may be approved if public notice was given, and a public hearing held per the requirements of the development code and Nevada Revised Statutes.

Response: Throughout the entitlement process, the applicant will follow all requirements of the development code and Nevada Revised Statutes for noticing the public, holding meetings, and attending public hearings.

Conditional Use Permit Findings**1. The approving agency must make findings that the proposed conditional use will be in compliance with the Master Plan.****Response:**

This project proposes a C2 zoning designation, which is in conformance with the Master Plan Commercial (C) designation assigned to the site.

2. The conditional use will be compatible with the existing or permitted uses of adjacent properties.

Response:

The proposed personal storage facility is compatible with the surrounding residential and commercial land uses on adjacent properties. The proposed use will not generate excessive noise or traffic. The buildings will be screened from neighboring properties, and landscaping along Farm District Road will provide an additional buffer between the subdivision to the south and the proposed project.

- 3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment.**

Response:

The proposed project is not anticipated to generate significant demand on natural resources. The project's site is in an area surrounded by development and is considered infill. The site has been previously disturbed and there are existing utilities adjacent to the property and will be extended into the site.

- 4. The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.**

Response:

The proposed project does not include a residential component. The parcel is designated for commercial use, and the proposed development is commercial.

- 5. The conditional use permits impacts have been conditioned to address identified impacts.**

Response:

The site has been designed to meet all applicable City of Fernley Municipal Code standards as described above. The applicant understands that further conditions may be added to address identified impacts.

- 6. Public notice has been given and a public hearing held per the requirements of the development code and the Nevada Revised Statutes.**

Response:

Throughout the entitlement process, the applicant will follow all requirements of the development code and Nevada Revised Statutes for noticing the public, holding meetings, and attending public hearings.

Memorandum



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

To: Dan Douglass
Douglass Development, LLC
11050 Vincent Lane
Reno, NV 89511

From: Pranesh Tarikere, PE
Bryan Gant, PE

Date: June 18, 2024

Subject: Vaquero Storage Trip Generation Analysis

INTRODUCTION

This memorandum has been prepared to present the results of Trip Generation Analysis performed for the proposed 95,633 square foot mini-warehouse (Project). The results of the analysis include an estimate of the weekday daily, AM peak hour, and PM peak hour trips anticipated to be generated by the Project.

PROJECT DESCRIPTION

The Project consists of a 95,633 square foot (sf) self-storage facility, identified as a mini-warehouse under the City of Fernley Municipal Code, located at the northwest corner of the Jennys Lane & Farm District Road intersection in the City of Fernley (City) in Lyon County, Nevada. The Project includes construction of a new 94,433 sf storage area and 1,200 sf office area.

Access to the project will be provided via full access gated driveway on N Jennys Lane on the east via Farm District Road or right only gated exit driveway on Farm District Road on the south.

A Project site plan is included at the end of this memorandum as **Attachment A**.

TRIP GENERATION ANALYSIS

ITE TRIP GENERATION

Trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, with Mini-Warehouse (ITE Code 151) rates used for the Project.

Trip generation rates based on ITE are summarized in **Table 1**.

Table 1. Project Trip Generation Rates

Land Use ¹	ITE Code	Units	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Rate	In	Out	Rate
Mini-Warehouse	151	KSF ²	1.45	59%	41%	0.09	47%	53%	0.15
<i>Notes:</i> ¹ Trip rates are based on ITE Trip Generation Manual (11th Edition) average rates. ² KSF = 1,000 square feet									

Applying these rates, the trips anticipated to be generated by the Project are summarized in **Table 2**.

Table 2. Project Trip Generation Summary

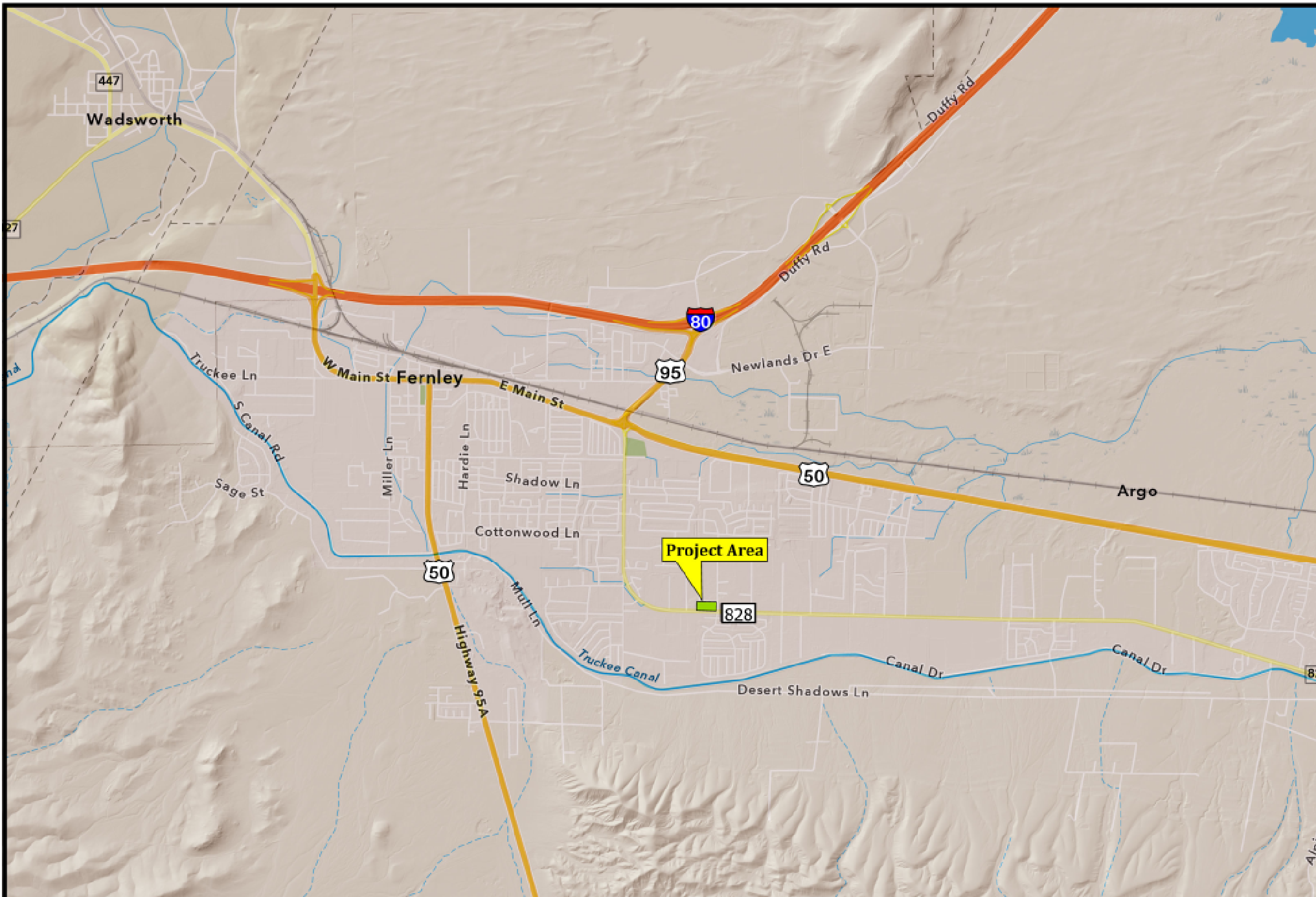
Land Use	Quantity	Units	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Mini-Warehouse	113.47	KSF ²	139	5	4	9	7	7	14
Total Primary Trips			139	5	4	9	7	7	14
<i>Notes:</i> ¹ Trip generation estimates are calculated based on ITE Trip Generation Manual (11th Edition) average rates. ² KSF = 1,000 square feet									

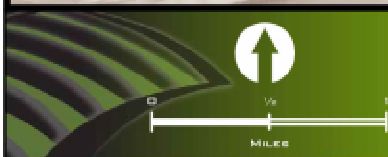
The Project is expected to generate a total of 139 daily trips with 9 AM peak hour trips (5 Inbound, 4 Outbound) and 14 PM peak hour trips (7 Inbound, 7 Outbound).

The trips generated by the Project is not significant and not anticipated to create new traffic impacts to the adjacent street network.

ATTACHMENTS:

Attachment A: Project Site Plan





0 1/2 1
Miles

Vicinity Map

Vaquero Storage

June 2024



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1361 Corporate Boulevard
Reno, NV 89502
Tel: 775.823.4068
Fax: 775.823.4066



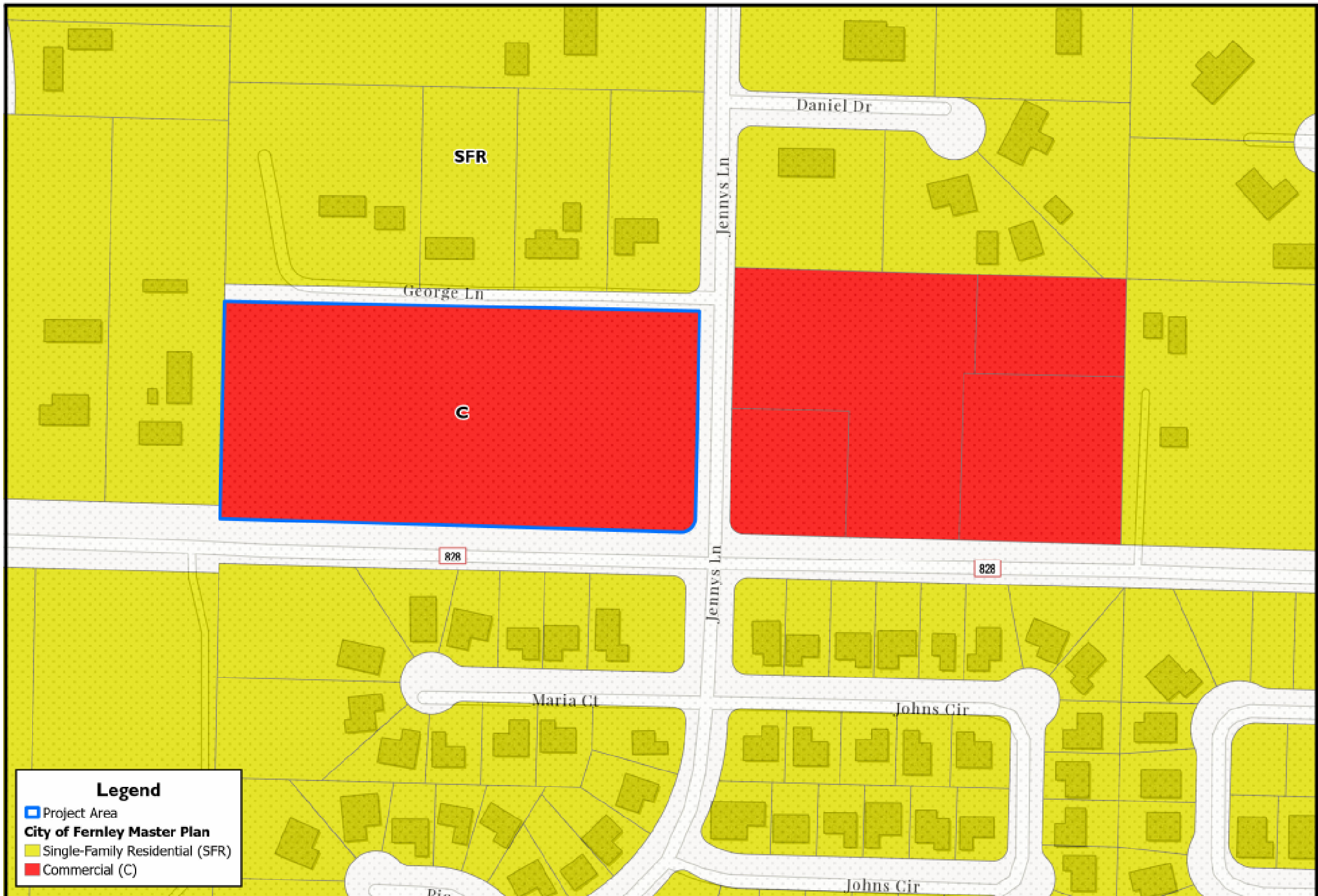

0 105 210
Feet

Aerial Map

Vaquero Storage

June 2024


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1361 Corporate Boulevard
Reno, NV 89502
Tel: 775.823.4068
Fax: 775.823.4066



Master Plan **Vaquero Storage** **June 2024**

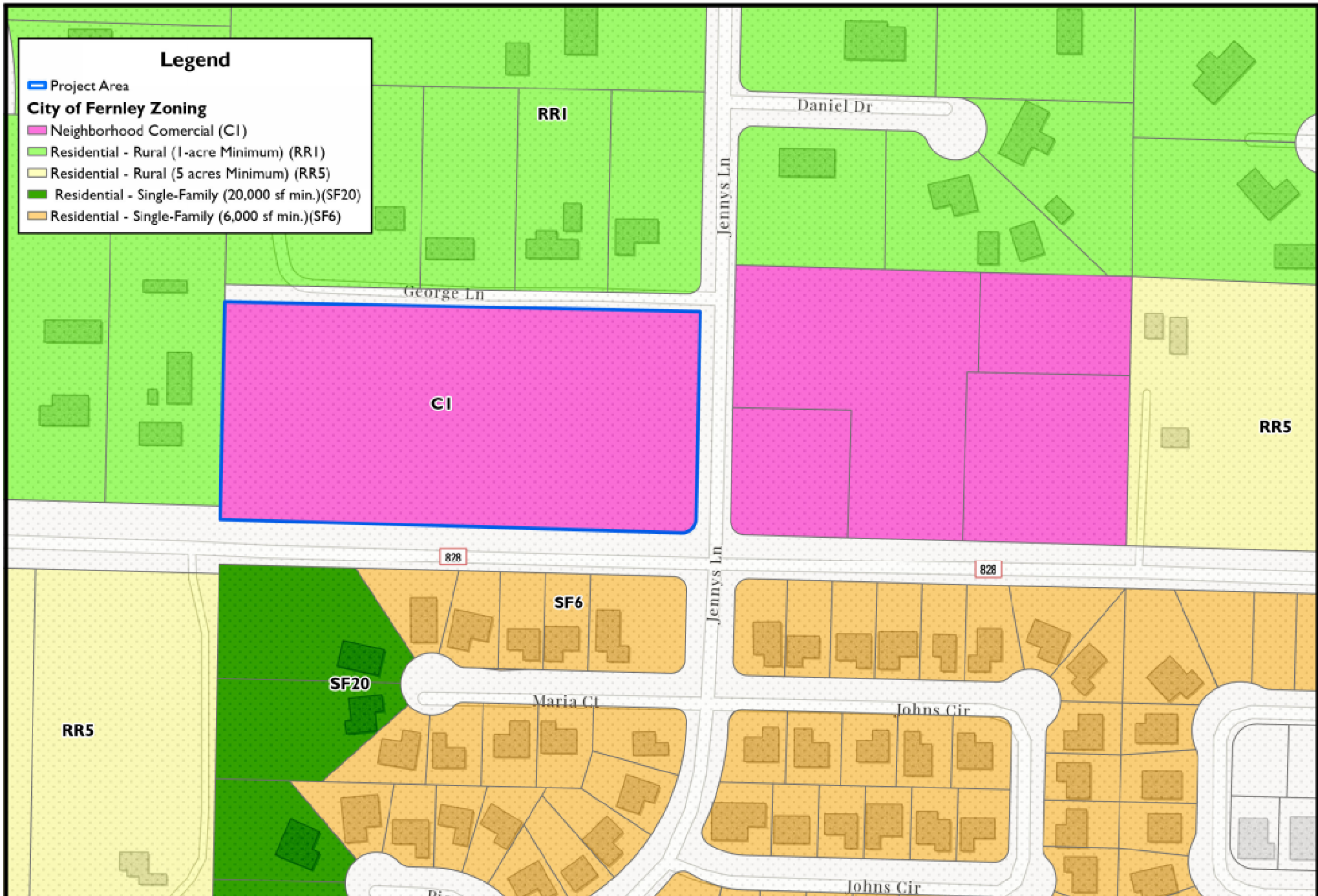
WOOD RODGERS
 BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
 1361 Corporate Boulevard
 Reno, NV 89502
 Tel: 775.823.4068
 Fax: 775.823.4066

Legend

 Project Area

City of Fernley Zoning

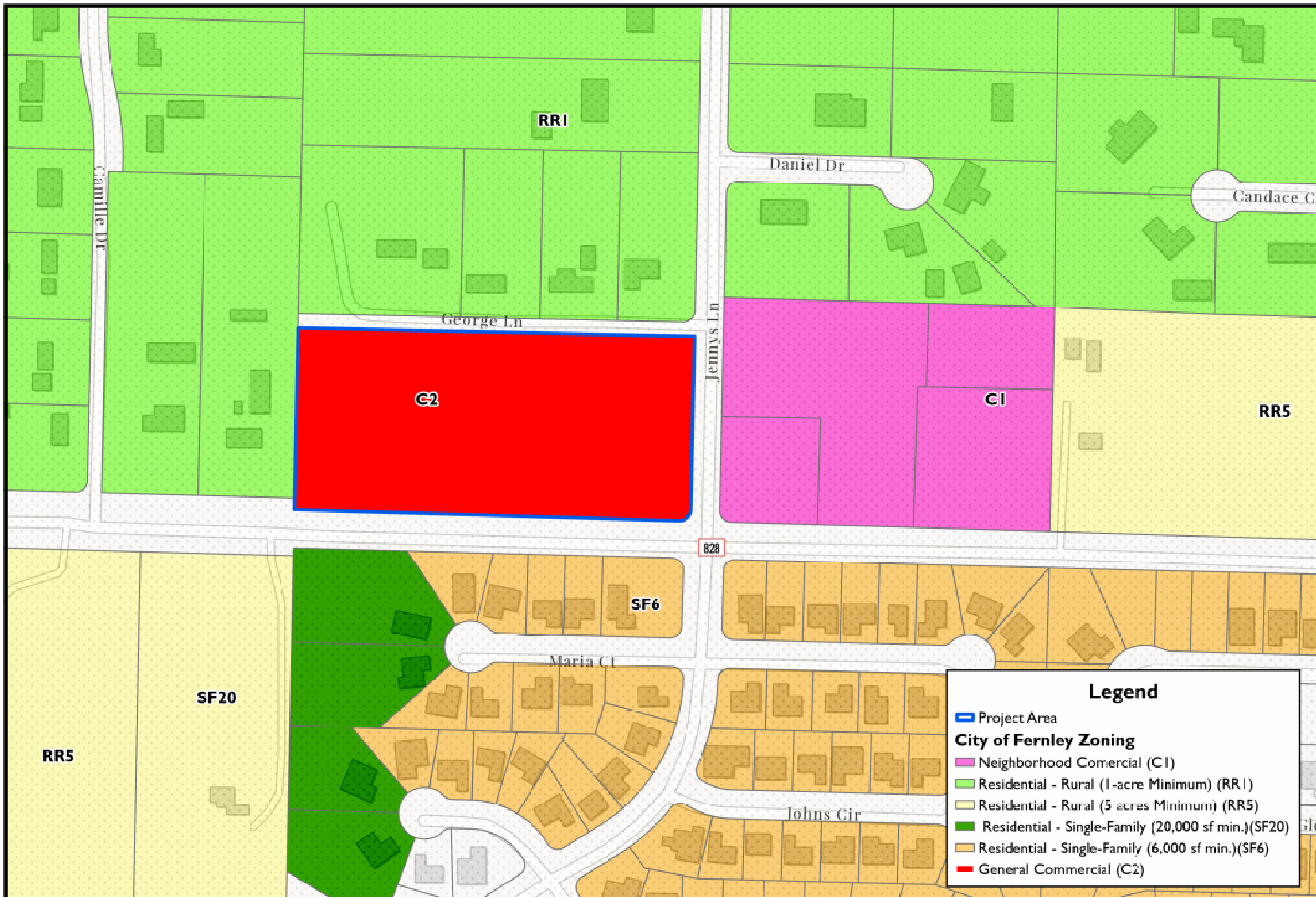
-  Neighborhood Commercial (CI)
-  Residential - Rural (1-acre Minimum) (RR1)
-  Residential - Rural (5 acres Minimum) (RR5)
-  Residential - Single-Family (20,000 sf min.)(SF20)
-  Residential - Single-Family (6,000 sf min.)(SF6)



Existing Zoning Vaquero Storage June 2024



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Reno, NV 89502 Fax: 775.823.4068





Vaquero Storage Illustrative

Zoning Map Amendment and CUP

June 2024



WOOD RODGERS

BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

1361 Corporate Boulevard

Reno, NV 89502

Tel: 775.823.4068

Fax: 775.823.4066

JUNE 2024

FARM DISTRICT STORAGE ZMA / CUP



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME

1981 Corporate Boulevard
Reno, NV 89502

Tel 775.823.4068
Fax 775.823.4068

VAQUERO STORAGE - CONDITIONAL USE PERMIT

EXISTING CONDITIONS

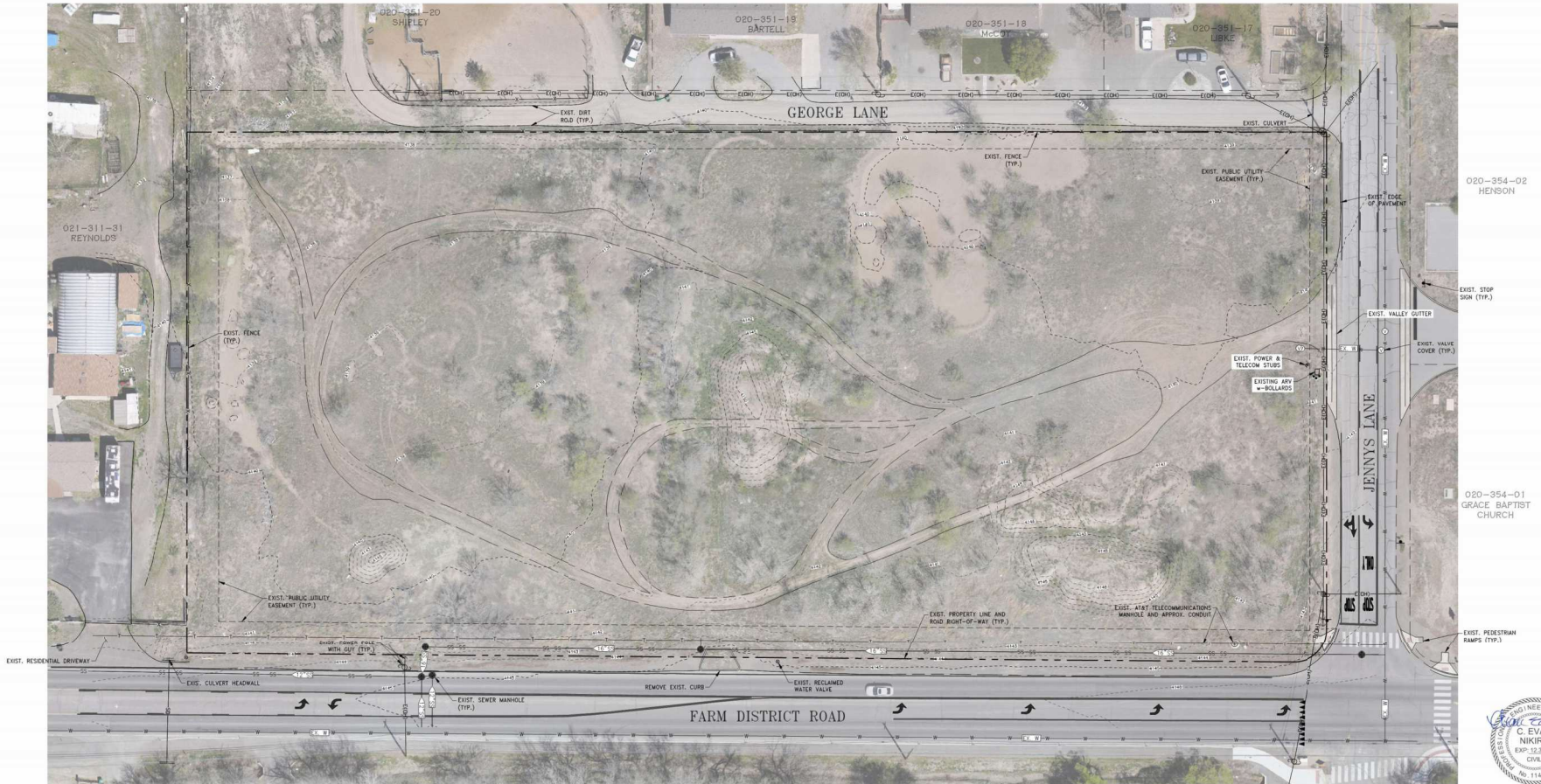
DOUGLAS DEVELOPMENT, LLC

FERNLEY

NEVADA

JUNE 2024

FARM DISTRICT STORAGE ZMA / CUP



WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
1951 Corporate Boulevard Reno, NV 89502
Tel 775.823.4058 Fax 775.823.4056

TOPOGRAPHIC BASE MAP PREPARED BY WOOD RODGERS, INC. (RENO, NV). AERIAL PHOTOGRAPHY DATED APRIL 22, 2024.

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

SCOPE AND DURATION OF APPROVAL

Updated 10/8/24

1. APPROVAL:

THIS CONDITIONAL USE PERMIT (CUP) IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY PLANNING COMMISSION AS A NEW CUP APPLICATION. ALTERNATIVELY, SUBSTANTIVE CHANGES MAY BE ADDRESSED BY AMENDMENT TO THIS CUP IF/WHEN THE CITY OF FERNLEY ADOPTS AN AMENDMENT PROCEDURE.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO AN APPROXIMATELY 95,080 SQUARE-FOOT "MINI-WAREHOUSE" (SELF STORAGE) FACILITY WITH AN ADDITIONAL 780 SQUARE-FOOT "OFFICE" ON A PARCEL ±5.0 ACRES IN SIZE AND GENERALLY LOCATED NORTH OF FARM DISTRICT ROAD, BETWEEN CAMILLE DRIVE AND JENNY'S LANE (APN: 020-351-08).

3. EXPIRATION DATE:

DUE TO THE UNIQUE COMPLEXITIES INTRODUCED BY THE ZONING MAP AMENDMENT THE CUP SHALL EXPIRE WITHIN TWO YEARS OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED, OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. THE DEVELOPER MAY REQUEST UP TO A ONE YEAR EXTENSION AS ALLOWED BY FMC §32.03.050(b)(9)e.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2024-008, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" AS UPDATED MARCH 2024, "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" AS UPDATED JULY 2022, "CITY OF FERNLEY ACCESS MANAGEMENT POLICY" AS WRITTEN SEPTEMBER 2022, AND "CITY OF FERNLEY COMPREHENSIVE MASTER PLAN" AS UPDATED JULY 2024.

REGULATORY AGENCIES

5. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

6. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: BUREAU OF RECLAMATION (BOR), NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA PUBLIC

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

UTILITIES COMMISSION (PUCN), NEVADA STATE ENVIRONMENTAL COMMISSION, TRUCKEE CARSON IRRIGATION DISTRICT (TCID), THE FERNLEY POSTMASTER, THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, AND THE CITY OF FERNLEY PROFESSIONAL LAND SURVEYOR.

DESIGN STANDARDS

7. GENERAL:

THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE STANDARDS IN FMC CHAPTER 32.09 (DEVELOPMENT STANDARDS), FMC §32.06.100 (ZONING DISTRICTS, COMMERCIAL), AND FMC §32.07.280 (USE STANDARDS, MINI-WAREHOUSE) TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

8. PARKING:

AS LISTED IN FMC TABLE 32.09.120-2, THE 780 SQUARE FEET OF OFFICE SPACE REQUIRES 1 PARKING SPACE PER 800 SQUARE FEET AND THE 95,080 SQUARE FEET OF MINI-WAREHOUSE REQUIRES 1 PARKING SPACE PER 2,000 SQUARE FEET.

AS INDICATED BY FMC §32.09.120(a)(11), THE ADMINISTRATOR MAY APPROVE AN ALTERNATE PARKING PLAN WHEN SUPPORTED BY AN ANALYTICAL STUDY OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE). THE ITE PARKING GENERATION MANUAL (6TH EDITION) RECOMMENDS ONE PARKING SPACE PER 10,000 SQUARE FEET FOR THEIR EQUIVALENT OF THE MINI-WAREHOUSE USE. PLANNING COMMISSION APPROVES SUBSTITUTION OF THE ITE PARKING REQUIREMENT FOR THE MINI-WAREHOUSE PORTION OF THE DEVELOPMENT.

THEREFORE, THE PROPOSED MINI-WAREHOUSE FACILITY SHALL HAVE 10 PARKING SPACES. AT LEAST 2 OF THE 10 PARKING SPACES SHALL BE AVAILABLE TO PARK IN FRONT OF THE OFFICE, OUTSIDE OF THE PERIMETER WALL. IN NO CASE SHALL THE REQUIRED MINIMUM PARKING SPACES BE AVAILABLE FOR RENT TO STORE RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES.

IF THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN DESIGNATED DRIVE AISLES OF THE MINI-WAREHOUSE, ALL FIRE LANES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, FIRE MARSHAL, AND PUBLIC WORKS DIRECTOR.

9. PERIMETER WALL:

IN ACCORDANCE WITH FMC §32.07.280 AND §32.06.100, THE PERIMETER OF THE MINI-WAREHOUSE FACILITY SHALL BE SCREENED BY A SOLID (OPAQUE) MASONRY WALL. MATERIALS VISUALLY SIMILAR TO MASONRY MAY BE SUBSTITUTED BY APPROVAL OF THE ADMINISTRATOR. THE WALL SHALL INCORPORATE AT LEAST ONE OF THE FOLLOWING EVERY 50 LINEAR FEET: AT LEAST A TWO-FOOT CHANGE IN PLANE FOR AT LEAST 10 FEET; A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST 10 FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS, ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE WALL, PROVIDED ALL EXTERIOR WALLS ARE EITHER THE SAME

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

HEIGHT AROUND THE PERIMETER OR GRADUALLY TRANSITION FROM ONE HEIGHT TO ANOTHER, TO THE APPROVAL OF THE ADMINISTRATOR.

10. STREETS:

A 15-FOOT MINIMUM DEPARTURE CURB RADIUS AND A 25-FOOT MINIMUM APPROACH CURB RADIUS SHALL BE PROVIDED FOR THE ENTRY/EXIT DRIVEWAY PER THE CITY OF FERNLEY'S ACCESS MANAGEMENT POLICY. THIS CONDITION IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

11. SEWER SERVICE:

THE PROPOSED LIFT STATION SHALL BE OWNED AND MAINTAINED BY THE COMMERCIAL PROPERTY OWNER OR COMMERCIAL OWNER'S ASSOCIATION IN PERPETUITY. PRIVATE LIFT STATIONS SHALL BE EQUIPPED WITH DUPLEX PUMPS, EMERGENCY STORAGE, AND EMERGENCY OVERFLOWS AND/OR BACKUP POWER.

ALL ON-SITE SEWER SHALL BE SIMILARLY PRIVATELY OWNED AND MAINTAINED. THE WET WELL AND EQUIPMENT SHALL BE ADEQUATELY PROTECTED FROM PUBLIC ACCESS AND ACCIDENTAL VEHICLE IMPACT. THIS INCLUDES SIX-FOOT CHAIN LINK FENCES, CONTROL PANEL INTRUSION SWITCHES, REMOTE ALARM CAPABILITIES, AND AASHTO HS-20 RATED VAULTS (WHERE LIFT STATION IS LOCATED WITHIN TEN FEET OF A ROAD FRONTAGE). REFERENCE CITY DESIGN STANDARDS AND NDEP TECHNICAL DOCUMENT #WTS-14 FOR ADDITIONAL PRIVATE LIFT STATION REQUIREMENTS. THIS CONDITION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

12. WATER SERVICE:

THE WATER SERVICE SHALL BE A NEW HOT TAP INTO THE MAIN WITH JENNY'S LANE RATHER THAN TO THE EXISTING AIR RELEASE VALVE LATERAL. THE IMPROVEMENT PLANS SHALL INCLUDE RELOCATION OF THE AIR RELEASE VALVE LATERAL, AS REQUIRED. THE NEW COMMERCIAL WATER CONNECTION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND SHALL BE PERMITTED BY NDEP BUREAU OF SAFE DRINKING WATER.

13. WATER AND SEWER SERVICE:

ALL APPLICATIONS FOR WATER AND SEWER IMPROVEMENTS SHALL INCLUDE TENTATIVE DEMANDS FOR WATER AND SEWER FOR THE BUILDOUT OF THE PROJECT. ANY REQUIRED IMPROVEMENTS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. NO PUBLIC LIFT STATIONS WILL BE ACCEPTED.

THE DEVELOPER SHALL COMPLY WITH ALL RULES AND REGULATIONS REGARDING ADDITIONAL CONNECTIONS/DEMANDS TO THE CITY'S SANITARY SEWER AND POTABLE WATER SYSTEMS, INCLUDING, BUT NOT LIMITED TO: ASSOCIATED FEES, DESIGN STANDARDS, DEVELOPMENT CODE REQUIREMENTS, AND STATE REQUIREMENTS. THIS CONDITION IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

REQUIREMENTS FOR GRADING AND CIVIL PERMITS

14. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE REQUIREMENTS OF FMC FOR REVIEW AND APPROVAL BY THE CITY

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

ENGINEER PRIOR TO ISSUE OF A GRADING PERMIT OR BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

15. GRADING PERMIT:

PRIOR TO ISSUE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN FMC, AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY RELATED TO SURFACE AREA DISTURBANCE.

THE DEVELOPER SHALL PROVIDE VERIFICATION OF A STORM WATER DISCHARGE PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS WELL AS A SURFACE AREA DISTURBANCE PERMIT, PRIOR TO ISSUE OF ANY GRADING, CIVIL IMPROVEMENT, OR BUILDING PERMIT FOR THE DEVELOPMENT. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

16. STORM WATER TREATMENT AND DRAINAGE:

PRIOR TO ISSUE OF ANY CIVIL PERMIT, THE DEVELOPER SHALL PROVIDE AN UPDATED HYDROLOGICAL REPORT MATCHING FINAL CIVIL IMPROVEMENTS FOR THE PROJECT – IN CONFORMANCE WITH FMC AND THE PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES AND STANDARD DETAILS – FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. RETENTION OF THE 100-YEAR, 24-HOUR STORM SHALL BE PROVIDED DUE TO THE HYDROGRAPHIC BASIN THE PROJECT IS LOCATED WITHIN.

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL. DESIGN AND CONSTRUCTION OF ALL DRAINAGE CONVEYANCE FACILITIES IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

ALL STORM DRAIN INFRASTRUCTURE FOR THE PROJECT SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER OR COMMERCIAL OWNER'S ASSOCIATION. ALL PRIVATELY OWNED RETENTION BASINS SHALL HAVE PERIMETER FENCING FOR SAFETY.

17. PROJECT CONTACT:

PRIOR TO ISSUE OF A GRADING PERMIT, THE DEVELOPER SHALL DESIGNATE (TO THE ADMINISTRATOR) A PROJECT CONTACT PERSON WHO WILL BE AVAILABLE FOR THE DURATION OF THE CONSTRUCTION PERIOD. THE CONTACT PERSON SHALL BE AUTHORIZED TO, AND RESPONSIBLE FOR, CORRECTING ANY PROJECT-RELATED COMPLICATIONS ON A 24-HOUR, SEVEN-DAYS-PER-WEEK BASIS.

REQUIREMENTS FOR BUILDING PERMIT

18. OFFSITE STREET IMPROVEMENTS:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, JENNY'S LANE HALF-STREET IMPROVEMENTS SHALL BE DEVELOPED TO CITY STANDARDS, INCLUDING CURB, GUTTER, AND 5-FOOT SIDEWALKS. THE DEVELOPER SHALL FURTHER PROVIDE A MUTCD-COMPLIANT "NO ENTRY" / "NO THROUGH TRAFFIC" / OR SIMILAR SIGN AT THE ENTRANCE OF GEORGE LANE AS PROMISED DURING THE NEIGHBORHOOD MEETING BY REQUEST OF THE RESIDENTS OF GEORGE LANE. THE PROPOSED SIGN SHALL BE MAINTAINED BY THE PROPERTY OWNER OR

Conditions of approval for CUP24004
CONDITIONAL USE PERMIT

COMMERCIAL OWNER'S ASSOCIATION IN PERPETUITY. THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

19. WATER RIGHTS:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, IN ORDER TO BE SERVED BY THE CITY'S MUNICIPAL WATER SYSTEM, THE DEVELOPER SHALL DEDICATE THE APPROPRIATE AMOUNT OF WATER RIGHTS, AS CALCULATED BY THE CITY ENGINEER—AND RECEIVE A WILL-SERVE FROM CITY COUNCIL. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, THE CITY ENGINEER, AND THE PUBLIC WORKS DIRECTOR.

20. WATER AND SEWER SERVICE:

PRIOR TO ISSUE OF ANY BUILDING PERMIT FOR THE PROJECT, THE DEVELOPER SHALL PERMIT THE WATER AND SEWER SYSTEM MODIFICATIONS IN CONFORMANCE WITH FMC AND THE PUBLIC WORKS DESIGN MANUAL TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

21. WATER AND SEWER SYSTEM MODELING:

PRIOR TO SUBMITTAL OF A VERTICAL BUILDING PERMIT, THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING AND CONSTRUCT ANY IMPROVEMENTS IDENTIFIED AS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

COMPLETION OF WATER AND SEWER SYSTEM MODELING FULFILLS THE REQUIREMENT OF A FINAL SANITARY WASTE ANALYSIS AS REQUIRED BY FMC §32, APPENDIX A-4, ITEM 62.

REQUIREMENTS DURING CONSTRUCTION PHASE

22. CONSTRUCTION DEBRIS:

ALL CONSTRUCTION SITES SHALL HAVE APPROVED TRASH RECEPTACLE(S) OR AN APPROVED TRASH REMOVAL PLAN IN PLACE AT THE TIME OF THE FIRST INSPECTION AND DURING CONSTRUCTION, UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED. THE RECEPTACLE(S) SHALL BE USED APPROPRIATELY TO MAINTAIN A CLEAN WORKSITE.

23. CONSTRUCTION HOURS:

PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITY, THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE. THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF SEVEN AM AND SEVEN PM, SEVEN DAYS PER WEEK. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

REQUIREMENTS FOR CERTIFICATE OF OCCUPANCY

24. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO CITY OF FERNLEY FOR MAINTENANCE OF ALL PUBLIC INFRASTRUCTURE INSTALLED ON PRIVATE PROPERTY. A PUBLIC ACCESS EASEMENT WILL BE REQUIRED AT THE NORTHWEST INTERSECTION OF JENNY'S LANE AND FARM DISTRICT ROAD TO PROVIDE CONNECTIVITY TO THE EXISTING PEDESTRIAN RAMP FROM THE NEW JENNY'S LANE SIDEWALK. THE EASEMENTS SHALL INCLUDE CITY OF FERNLEY'S

Conditions of approval for CUP24004

CONDITIONAL USE PERMIT

STANDARD EASEMENT LANGUAGE – SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR – AND SHALL BE RECORDED WITH LYON COUNTY PRIOR TO ISSUE OF A CERTIFICATE OF OCCUPANCY.



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: November 20, 2024

REPORT TO: Mayor and City Council

REPORT FROM: Lydia Altick, Deputy City Manager

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: X No:

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Ordinance

AGENDA ITEM:

For Discussion and possible action, a second reading of Bill # 357, regarding proposed amendments to Title 6 – Animals of the Fernley Municipal Code regarding community guidelines, breeder prohibitions, and animal cruelty penalties.

AGENDA ITEM BRIEF:

Amendment to 6.01 Definitions, 6.04 Dogs, 6.05 Prohibited Acts, and 6.13 Permit revocation conditions. Establishing the addition to the code regarding 6.17 Retail Sale of Dogs and Cats in Commercial Establishments Prohibited, 6.18 Taking possession of the animal being treated cruelly notice to owner; lien for cost of care; disposition of animal; liability of peace officer or animal control officer; limitations and procedure when animal is located on agricultural land, 6.19 Right to request hearing; timing of hearing, 6.20 Determinations of court, 6.21 Recovery of costs for care and shelter, and 6.22 License required for breeder kennels.

RECOMMENDED MOTION:

I move to approve Bill #357, an Ordinance amending Title 6 Animals of the Fernley Development Code as presented by staff.

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Council may choose to not change the Code as proposed.

BACKGROUND:

The current municipal code doesn't have any structure for prohibited barking times and doesn't quantify the amount of nuisance barking. For enforcement and prosecution reasons, we need to give a clearer explanation of the violation. Animal Abandonment- Needs to include instances of owners failing to reclaim their pets from the shelter, leaving their pets behind in a residence after vacating it, leaving an animal in an extremely hot or cold vehicle, and leaving an animal in public without any sustenance or water.

In joining similar municipal laws passed in the Cities of Reno, Mesquite, and Las Vegas, it is in the best interest of the animals in this City to ban the commercial sale of dogs, puppies, cats and kittens, in retail stores. These businesses have been shown nationally to be involved in puppy mill practices and frequently, there are horror stories in the news of sick animals being sold. By banning these business practices before applications are received, we can ensure that proper breeding and disease abatement protocols are followed by ethical breeders.

In 2024, ten animals have been seized due to animal cruelty-related crimes. These dogs have been held in the shelter pending the outcome of their cases in the Fernley Municipal Court. The average time spent in the shelter was 112 days. This has placed an undue burden on the already overcapacity shelter as these dogs cannot be adopted or transferred until the adjudication of the case. The proposed changes would allow for due process to be offered to the defendant to request a hearing before the judge, concerning the outcome for the dog, and will expedite the process to ensure that victims of animal cruelty are not held in the shelter for extended periods, unnecessarily.

The court may award the seized animal(s) to animal control or may return the pet to the owner under supervision. The judge is also able to require all animals owned by the defendant to be forfeited and to prohibit further animal ownership. Currently, the costs for care of these victims of animal cruelty fall on the City and County for veterinary care, impoundment, continued medical care in the shelter, and transportation.

Defendants, upon conviction receive fines and are required to pay restitution, but frequently do not comply.

The new process would require owners of animals being held according to a hearing to place a bond to defer the costs of housing, medical, care, and time. After the case, the owner will be returned any excess funds, if applicable.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

Nevada Statutes: NRS 361A.030, NRS 574.070, NRS 574.100, NRS 574.201, NRS 574.203, and NRS574.204

Fernley Municipal Code: Fernley Municipal Code Title 6

FINANCIAL IMPLICATIONS:

There are none

ATTACHMENTS:

1. 2024 AC Code Changes_Track Changes 2024.11.6_Exhibit A
2. BILL #357 Amending the Code 2024.11.6_Exhibit B

Sec. 6.01. - Definitions.

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal: Any living creature besides plants and other than a human being.

Animal Rescue Organization: An animal rescue organization means an animal control center, animal shelter, or nonprofit organization that has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is the rescue and placement of animals in permanent homes. This term does not include an entity that breeders or brokers animals or obtains animals from breeders or brokers in exchange of payment or compensation.

Animal services officer means the person or persons hired by the city for the purpose of enforcement of the provisions of this title.

At large means any place within the incorporated limits of the City, off of the premises of the owner or person having custody and control of a dog and not accompanied by and under the control of the owner or any other responsible person by physical restraint or signal command or voice command.

Big game animal means any species of animal classified as a “Big Game Mammal” by the Nevada Board of Wildlife Commissioner, or successor entity.~~prong-horned antelope, bear, deer, mountain goat, mountain lion, bighorn sheep or elk which runs free in the wild.~~

Bite means the act of an animal using its teeth and jaws to press down or cut into the flesh or clothing of a person or another animal.

Board means the Board of County Commissioners for Lyon County.

City means the City of Fernley, an incorporated municipality of the State of Nevada

County means Lyon County, a political subdivision of the State of Nevada.

Custodian means the person, firm, corporation or any other entity owning or otherwise having the care, custody or control of any livestock or animal.

Estray horse means any horse running at large upon public or private lands in the county whose owner is unknown in the section where the animal is found.

Kennel.

Breeder's kennel means any enclosure, premises, building, structure, lot or area where more than three dogs of a recognized registered breed over six months of age are kept, harbored or maintained as follows:

- (1) For breeding;
- (2) For showing in recognized dog shows, field or obedience trials;
- (3) For working or hunting; or
- (4) For improving the variety or breed in temperament or conformation with a view to exhibition in shows or trials or for use as working dogs in hunting.

Commercial kennel means any enclosure, premises, building, structure, lot or area where more than three dogs over six months of age are kept, harbored or maintained for commercial purposes.

Leash means any long, thin piece of rope, nylon, or leather used to tether a dog.

Licensed veterinarian means a ~~Doctor~~doctor of ~~Veterinary~~veterinary ~~M~~medicine currently licensed in Nevada to practice veterinary medicine pursuant to NRS 638.090 to 638.134 inclusive, as amended.

Livestock means:

- (1) all cattle or animals of the bovine species
- (2) all horses, mules, burros and asses or animals of the equine species
- (3) all swine or animals of the porcine species
- (4) all goats or animals of the caprine species
- (5) all sheep or animals of the ovine species, and
- (6) all alternative livestock such as alpacas and llamas

~~all cattle or animals of the bovine species; all horses, mules, burros and asses or animals of the equine species; all swine or animals of the porcine species; all goats or animals of the caprine species; all sheep or animals of the ovine species; all poultry or domesticated fowl or birds; and all alternative livestock such as alpacas and llamas.~~

Owner means any person owning, keeping, ~~or~~ harboring or having charge of or having the care, custody, or control of a dog or cat or any other animal regulated by this title or any person permitting any dog, cat, or other animal to be, or remain on, or be lodged or fed within such person's house, yard or premises. "Owner" does not include a veterinarian or kennel operator maintaining a dog, cat or other animal on their premises for a period of less than thirty (30) days.

Person means and includes any form of business or social organization and any other nongovernmental legal entity including, but not limited to ~~firm or~~ corporation, partnership, association, trust or unincorporated organization, a natural person and the masculine gender as used includes the feminine. The term does not include a government, governmental agency or political subdivision of a government.

Pound means any facility designated by the Board, including any facility designated by the City Council, used for receiving and holding dogs or any other animal regulated by this title. Also referred to as a Shelter.

Premises means the property upon which the custodian keeps or maintains his or her livestock, whether such property is owned, rented, leased, or otherwise made available to the custodian for his or her livestock.

Rabies control authority means the person(s) designated by the board to administer the rabies control provisions of this title.

Run or running means being present and does not refer solely to the actual activity of rapid movement.

Wild horse means any horse, mare or colt which is unbranded and unclaimed and lives on public land.

(Prior Code, § 6.01.01)

Sec. 6.02. - Jurisdiction.

The terms of this title shall apply to all incorporated areas within the city.

(Prior Code, § 6.01.02)

Sec. 6.03. - Animal services officer.

(a) Authority. The animal services officer is empowered to:

(1) Enforce all provisions of this title, including the power to issue misdemeanor citations for violations of this title and related matters.

(2) Take up, impound and safely keep any animal found to be in violation of the provisions of this title.

(3) Remove from any property any dog when necessary for the protection of the dog or the general public.

(b) Interference with animal services officer. No person shall interfere with or resist any animal services officer while engaged in the performance of their duties pertaining to the enforcement of this title. All such officers and employees are hereby empowered to enforce all of the provisions of this title.

(c) Consult with state veterinary society. In the performance of their duties, city animal services and the animal services officers will consult with the state board of veterinary medicine or its representatives concerning the type and method of use of tranquilizer drugs to be utilized.

(Prior Code, § 6.01.03)

Sec. 6.04. - Dogs.

(a) License requirements. Except for dogs being used for the purpose of herding livestock or the protection of livestock against predators on farm or ranch property designated as greenbelt by

the assessor, kennels or animal hospitals operated by a licensed veterinarian, every dog over the age of six months shall be licensed.

(1) Dog licenses.

- a. License and tag. Upon presentation of a certificate of rabies vaccination and the payment of the license fee, the city animal services division or a designated representative shall issue to the owner a license receipt and metallic tag for each dog licensed. Said metallic tags shall be worn by the licensed dog on a visible collar. Registered show dogs and working dogs while in the field are exempt from wearing the tag.

~~a.b.~~ License fees. The fees for dog licenses and tags, other than dogs housed in a kennel, shall be established and modified by resolution of the council.

- ~~(b) No penalty shall be imposed if the license is obtained within 30 days after July 1 or within 30 days after the owner comes into ownership or possession of the dog. If the dog license is not purchased within such period, the owner shall pay, in addition to the regular license fee, a penalty of 100 percent.~~

(b) Number of dogs.

- (1) Number of dogs restricted. It is unlawful, except as otherwise provided herein, for any single-family unit or residence to keep or harbor more than three dogs over the age of six months. No dogs may be kept or harbored on any property unless the owner or responsible party of said dogs resides upon that property.

The above limitation does not apply to:

- a. Dogs being used for the purpose of herding livestock or the protection of livestock against predators on zoned farm or ranch property;
- b. Licensed kennels;
- c. Animal hospitals operated by a licensed veterinarian; or
- d. Approved holders of the additional dog permit

(2) Application for exception. Animal control shall have the authority to approve an exception allowing for a maximum of one additional dog to be kept at the residence. Any person who wishes to harbor more than three dogs shall fill out the additional dog permit application form which shall be granted or denied by animal control. Any exception granted by the animal control may be revoked by animal control if good cause is found. Good cause shall, but is not limited to:

- a. Seizure of animals in connection with suspicion of or conviction of a violation of NRS 574.100, animal cruelty/neglect.
- b. Accumulation of five or greater points on the "Scoring Chart for Excessive Dogs."
- c. Dogs harbored in excess of the number granted in the exception.
- d. Failure to comply with rabies license requirement.
- e. Harboring more than permitted number of dogs.

(3) Security dogs. Up to three dogs for security of an ongoing authorized and licensed use may be kept upon commercial or industrial property without the owner or responsible party of said dogs residing thereon. The area in which said security dogs are maintained shall be enclosed or fenced and be posted with signs clearly indicating "Guard Dog on Duty."

(c) Running at large prohibited. It is unlawful for any owner or person having custody, control or possession of any dog to permit the same to trespass on any private property owned by another or to run at large on any street, alley, court, park, school, playground, right-of-way or private street open for use to the general public. The animal control officer, or his or her duly authorized representative may tranquilize a dog at large to aid in its capture. In the event of an aggressive dog at large that is a threat to public safety in which a safe capture cannot be made using tranquilization, the animal control officer may use or authorize any reasonable means necessary, including destruction of the animal, to capture the animal.

~~(d)~~

~~(e)~~(d) Impoundment and redemption provisions.

- (1) Authority to impound. The animal services officer, his or her authorized representatives and every peace officer, while on duty, are authorized to take up and impound:
 - a. Subject to the provisions of this title, all dogs found trespassing on private property or running at large.
 - b. All dogs in the county which are endangering private or public property, public safety, themselves or other animals.
- (2) Notice of impoundment; disposition of unclaimed dogs.
 - a. Where the identity of the owner of an impounded dog is discovered such owner shall be given notice of the impoundment. Seven days after written notice is mailed, or actual notice is given, the impounded dog may be destroyed in a humane manner under the direction of the animal services officer; provided however, any such unredeemed dog authorized for destruction may be sold or given to any person in accordance with the regulations promulgated under this title.
 - b. In the event the identity of the owner of an impounded dog cannot be ascertained and notice given, then such dog may be disposed of pursuant to this subsection (d) five days after impoundment.
 - c. Any sick, injured, mutilated or damaged dog impounded pursuant to this title may be disposed of immediately ~~unless the owner is discovered through the dog's license and reclaims the dog within eight hours after the impoundment.~~
- (3) Reclaiming impounded dogs. The owner or person entitled to the custody or possession of any impounded dog may, at any time before the disposition thereof, reclaim or redeem such animal by complying with the provisions of this title and

regulations hereunder and by paying to the animal services officer all charges imposed for the impounding of the dog and any license fees due.

- (4) Regulations for costs and disposition. The animal services officer, with the approval of the board, is authorized to set forth reasonable regulations for charging owners or persons having the care, custody or possession of dogs impounded under this title for all costs and maintenance incurred by the county. In addition, the animal services officer is authorized to make such reasonable regulations for the disposition of impounded dogs.

(Prior Code, § 6.01.04; Ord. No. 2002-009; Ord. No. 2023-002, 5-3-2023)

Sec. 6.05. - Prohibited acts and conditions.

- (a) Noisy animals. It is unlawful for any person owning, possessing, or having charge of custody of any animal to cause, permit, suffer or allow the dog to persistently and habitually howl, bark, bay, cry, or make any noise audible beyond the boundaries of the property on which the dog is situated for an extended period of time. No summons and complaint or citation shall be issued for a violation of this section unless there are at least two (2) or more complaining witnesses from separate households who have signed such complaint. Such extended period of time shall consist of constant barking, baying, crying, howling or making of habitually making any noise for sixty (60) minutes continuously or more during any twenty-four (24) hour period between the hours of 10 pm and 6 am. Dogs making noise in response to a person trespassing, threatening to trespass, teasing or provoking the dog, or dogs while working as law enforcement canine or working dog pursuant to 6.04.01, shall not be deemed a violation. to keep, harbor or own any animal which, by loud and frequent barking, yelping or other noise, constitutes a nuisance as defined in NRS 40.140.
- (b) Abandonment of animals. It is unlawful for anya person owning, possessing, being the owner, the possessor or having charge or of custody of any animal to:

- (c) Leave the animal without food or water in any public or private place;
- (d) Move a residence or business without providing for the transportation of the animal
- (e) Abandon the animal on or adjacent to any public street, road, alley, highway, or other public place or violate any provision of the NRS 574.110 or its current adopted version.
- (f) Leave the animal in a motor vehicle where it may suffer from exposure to heat or cold.
A animal control may remove an animal from a motor vehicle suffering or distressed from exposure to extreme heat or cold. The Sheriff or his deputy may impound a vehicle in which an animal is enclosed. The animal control officer may impound the enclosed animal. The vehicle and animal may be released upon payment of the costs of impoundment and, in the discretion of the City animal control officer, the issuance of a citation. The cost of impoundment of the vehicle and animal must be paid by the person responsible for the animal.
- (g) Leave the animal in custody of the Shelter after being notified of the animal's impoundment. Owners must contact the shelter and arrange to reclaim or surrender the pet before the end of the holding period.
- (h) Feeding and watering big game animals, estray, and wild horses. It is unlawful for a person to feed and/or water any big game animal, estray horse or wild horse within 1,500 feet of the highway right-of-way of U.S. Highway 50A, 95A, Interstate 80, State Route 828 (Farm District Road), and State Route 427 (Main Street) and any school zone unless the area is securely fenced to prevent the animals from wandering into the highway right-of-way or as unless the person is associated with an approved feral horse rescue group conducting a removal operation.
- (i) Deprivation of sustenance or shelter. It shall be unlawful to deprive any animal of necessary sustenance, food, drink, or shelter, or expose to the elements of the weather and the extreme heat or cold, or refuse to obtain veterinarian medical care for illness, injury, disease, or

infirmity, or willfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act to produce such cruelty.

- (j) No puppy, kitten, or other young mammal may be rehomed or removed from its mother or littermates until it has reached the age of 8 weeks. This does not include if the mother has died of an accident or illness or is unable to be located within a period of 24 hours. The exception to this is if the young are transferred to a recognized animal rescue organization.

Sec. 6.06. - Impoundment of dogs on private property.

- (a) Impoundment by property owner. Any dog found doing damage to or trespassing upon private property in the city may be taken up by the owner of such property or his or her representative at his or her own risk and delivered forthwith to the animal control center or held until the animal services officer, his or her deputies or authorized representatives can take the dog.
- (b) Impoundment by animal services officer.
 - (1) The animal services officer is authorized and directed to take up any animal kept or found on private property if:
 - a. Such animal has been observed by the animal services officer to be in violation of this title and actual or written notice has been provided to the responsible party having the care or custody of the dog; or
 - b. If such animal is being subjected to torture or cruelty as defined in NRS 574.050.
 - (2) The animal services officer shall leave written notice of impoundment on the premises from which the animal is taken.

(Prior Code, § 6.01.06)

Sec. 6.07. - Rabies control.

- (a) Rabies control authority. The appointed rabies control authorities in the city are city animal control, the sheriff and appointed deputies, and appointed animal services officer(s).
- (b) Vaccination against rabies.
 - (1) An owner of a dog, cat or ferret shall maintain the dog, cat or ferret currently vaccinated against rabies in accordance with NAC 441A.435.
 - (2) If the owner of a dog, cat or ferret violates this section, the rabies control authority may impound the dog, cat or ferret.
 - (3) The only proof of vaccination against rabies acceptable to county is a certificate of vaccination against rabies pursuant to NAC 441A.440.
- (c) Quarantine of biting dogs.
 - (1) The rabies control authority shall cause a dog or cat, regardless of current vaccination against rabies, which has bitten a person to be quarantined and observed for ten days following the bite under the supervision of a licensed veterinarian or other person designated by the rabies control authority. The observation must be within an enclosure or with restraints deemed adequate by the rabies control authority to prevent direct contact with a person or animal.
 - (2) The dog or cat must be examined by a licensed veterinarian at the first sign of illness during the ten days of observation. Any illness must be reported immediately to the rabies control authority. If signs of rabies develop during the ten days of observation the dog or cat must be euthanized and its head removed and shipped under refrigeration for examination at the laboratory of the department of agriculture. If at the end of the quarantine period, the animal is free of all signs of rabies, the animal must be returned to its owner upon payment of all costs of quarantine and veterinary care and examination.

- (3) If, after a reasonable effort is made to locate the owner of an unwanted or stray dog or cat, the owner is unknown or cannot be located, or if the owner agrees, the unwanted or stray dog or cat which has bitten a person may be euthanized and the head submitted for laboratory examination without a period of quarantine.
 - (4) A bat, raccoon, skunk, fox or ferret which has bitten a person must be euthanized immediately without a period of quarantine and the head submitted for laboratory examination.
- (d) Quarantine of animals in close contact with animals known or suspected of having rabies.
- (1) Except as otherwise provided in this section, a wild or exotic animal that is rabies-susceptible, including an unvaccinated ferret, in close contact with an animal suspected or known to have rabies must be euthanized immediately. The rabies control authority may exempt a rare or valuable animal from the provisions of this section.
 - (2) Unless the owner of the animal objects, a dog or cat which has not been vaccinated pursuant to NAC 441A.435 and which is considered by the rabies control authority to have been in close contact with an animal suspected or known to have rabies, must be euthanized immediately. If the owner of the animal objects, the dog or cat must be immediately vaccinated against rabies and quarantined within an enclosure or with restraints deemed adequate by the rabies control authority to prevent direct contact with a person or animal for a period of 180 days, under the supervision of a licensed veterinarian or other person designated by the rabies control authority. The dog or cat must be vaccinated one month before release.
 - (3) A dog, cat or ferret which has been vaccinated pursuant to NAC 441A.435 and which is considered by the rabies control authority to have been in close contact with an animal suspected or known to have rabies, must be:
 - a. Immediately revaccinated and confined for 90 days in a manner prescribed by the rabies control authority; or

- b. Upon the request of the owner of the dog, cat or ferret, euthanized.
- (4) A domesticated animal of a rabies-susceptible species, other than a dog, cat or ferret, which is considered by the rabies control authority to have been in close contact with an animal suspected or known to have rabies, must be managed according to the discretion of the rabies control authority.
- (5) As used in this section, "in close contact with an animal suspected or known to have rabies" means, within the past 180 days, to have been bitten, mouthed or mauled by, or closely confined on the same premises with an animal either suspected or known to have rabies.
- (e) Party responsible for payment of quarantined animal. The owner of an animal quarantined pursuant to the provisions of this title is responsible for all costs of quarantine, veterinary care, examination and disposal.
- (f) Rabies control reporting requirements. The rabies control authority shall report all cases, suspected cases or carriers of rabies in accordance with NAC 441A.225 through 441A.260.

(Prior Code, § 6.01.07)

Sec. 6.08. – Disposition of revenue.

All monies collected under this title, unless otherwise provided by the council, shall be used to improve, keep up and/or maintain the animal control facilities or to defray the cost of implementing this title.

(Prior Code, § 6.01.08)

Sec. 6.09. - Animals at large, excluding dogs and cats.

- (a) Animals kept on premises. Every person who is the owner of or has the care, custody or control of any livestock, poultry, rabbits or any other rodent, or any wild or domestic animal, excluding dogs and cats, in the city shall keep the same upon the premises under the control of such person, restrained by a fence, cage, coop, chain, leash or other adequate means so that the animal shall not leave the premises upon which it shall be kept.
- (b) Any person who owns or has under his or her care or management any such animals and permits them, or any of them, to run at large within the boundaries of the city shall be guilty of a misdemeanor.
- (c) This section does not apply to, nor has any legal affect upon, the use of legally permitted livestock grazing rights.

(Prior Code, § 6.01.09; Ord. No. 2008-008; Ord. No. 2009-014)

Sec. 6.10. - Dangerous or vicious animals; declaration.

- (a) Except as otherwise provided in subsection (b) of this section:
 - (1) An animal may be declared dangerous by the animal control officer if it constitutes a physical threat to human beings or to other animals and, on two separate occasions within 18 months:
 - a. It behaves menacingly to a degree that would lead a reasonable person to defend himself or herself against substantial bodily harm; or
 - b. It bites a person, but without causing substantial bodily harm.
 - (2) An animal may be declared dangerous by the animal control officer if it constitutes a physical threat to human beings or to other animals and, without regard to any previous behavior:
 - a. It is used in the commission of a crime by its owner or keeper;

- b. While either at large or restrained, it causes serious injury or death to another animal that is not at large or is not otherwise in violation of this title; or
 - c. It exhibits a condition or behavior which causes the animal control officer to believe the animal is a threat to public safety.
 - (3) An animal may be declared vicious by the animal control officer if it constitutes a physical threat to human beings or to other animals and:
 - a. It has killed or inflicted substantial harm upon a human being or other animal; or
 - b. After having previously been declared dangerous, with notice of the declaration having been provided to the owner or keeper, it continues to exhibit the same type of behavior which resulted in the declaration, or is in violation of the provisions of this section.
- (b) Exceptions.
- (1) An animal may not be declared dangerous pursuant to this section for constituting a physical threat:
 - a. To another animal which, or person who, provoked the animal as a result of and to the extent of the provocation;
 - b. To another animal which, or person who, was unlawfully upon premises owned or occupied by the owner or keeper of the animal constituting the threat;
 - c. To another animal which was running at large or otherwise in violation of this title; or
 - d. In connection with its use by law enforcement officers in the performance of their duties.
 - (2) An animal may not be declared vicious pursuant to this section for constituting a physical threat:

- a. To another animal which, or person who, provoked the animal, as a result of and to the extent of the provocation;
- b. To another animal which, or person who, was unlawfully upon premises owned or occupied by the owner or keeper of the animal constituting the threat; or
- c. In connection with its use by law enforcement officers in the performance of their duties.

(Prior Code, § 6.01.10)

Sec. 6.11. - Dangerous or vicious animals; ownership/at large unlawful.

It shall be unlawful for:

- (1) Any person to knowingly possess, house, shelter, quarter, own or in any other way have under his or her control, or to transfer ownership of, a vicious or dangerous animal within the city, except as provided in this title; or
- (2) The owner, or any person having possession, custody or control, of a dangerous or vicious animal to permit the animal to be at large.

(Prior Code, § 6.01.11)

Sec. 6.12. - Dangerous animals; ownership permitted when.

Any animal which is declared to be dangerous by the animal control officer may be kept within the city, provided that:

- (1) Within 14 days after the owner or keeper is notified of the declaration, the area in which the owner or keeper intends to keep the animal must pass an inspection by the animal

control officer, and the owner or keeper must obtain from the animal control officer a permit to keep the animal, based upon such terms and conditions as the animal control officer deems appropriate. A nonrefundable inspection fee of \$50.00 will be charged the owner or keeper. For purposes of this subsection, notice of the declaration shall be deemed complete if it is served personally, or upon mailing by certified mail, return receipt requested, sent to the last known address of the owner or keeper.

- (2) The animal shall be kept, confined or housed within an enclosure:
 - a. That will ensure the animal's retention and comfort, is of a size to permit the animal to stand upright, and is of a dimension deemed adequate by the animal control officer; and
 - b. That is secure enough so that the animal cannot bite, harm or injure anyone by overreaching the top of the fence or other enclosure.
- (3) At no time shall the animal be allowed to leave the private property confines of the owner or person in charge of the animal unless it is muzzled, leashed and under the effective control of an adult.
- (4) The private property shall be adequately and properly posted with conspicuous warning signs, with a listing of the name and telephone number of the owner of the animal.
- (5) The animal must be sterilized by a licensed veterinarian. The owner or keeper shall maintain all sterilization records, including the type of animal sterilized, the name of the veterinarian performing the procedure, and the date the sterilization was performed.
- (6) The animal shall be implanted with an electronic microchip from a manufacturer approved by the animal control officer. The implantation must be performed by a licensed veterinarian and must conform to procedures recommended by the manufacturer. The owner or keeper shall register the microchip number in a national database in

accordance with instructions from the manufacturer, and shall provide the number to the animal control officer.

- (7) The owner or keeper shall obtain and maintain in effect a policy of liability insurance in the amount of not less than \$50,000.00 insuring against possible injuries inflicted by the dangerous animal. The liability insurance shall be maintained in effect as long as the owner or keeper maintains possession of the dangerous animal.
- (8) The owner of a dangerous animal may not sell, relocate or give away the animal without first obtaining prior written approval from an animal control officer. If such a transaction is approved, the owner or transferee shall pay a nonrefundable inspection fee of \$50.00 for inspection of the new location for the animal. The owner or transferee shall also have the national microchip number updated in the national database to reflect the change in ownership, and shall provide evidence of the update to the animal control officer.

(Prior Code, § 6.01.12)

Sec. 6.13. - Permit revocation conditions.

- (a) Any permit issued under this title shall be revoked if the animal, without provocation, bites or attempts to bite any person or animal lawfully upon the permit holder's property or upon any other property or violates any conditions set by the animal services department.
- (b) Any person who keeps a dangerous animal after his or her permit has been revoked or any person who keeps, houses, quarters, or in any way has under his or her care or custody a dangerous animal without first obtaining a permit as set forth in this title is guilty of a misdemeanor.

(Prior Code, § 6.01.13)

Sec. 6.14. – Criminal Complaint.

- (a) The owner or keeper of any animal declared vicious by an animal control officer shall be notified by personal service or by certified mail, return receipt requested, sent to the last known address of the owner or keeper. Within ten days after notice has been served personally or deposited in the mail, the owner or keeper shall voluntarily transfer possession of the animal to the animal control officer and do one of the following:
 - (1) Voluntarily relinquish ownership of the animal for euthanasia in accordance with the provisions of NRS ch. 638 and any regulations promulgated pursuant thereto, as amended from time to time;
 - (2) Provide written proof to the animal control officer that the animal has been euthanized by a properly licensed veterinary clinic; or
 - (3) File with the animal control officer a written request for hearing before the city council to determine if the declaration that the animal is vicious should be upheld. The owner or keeper may not maintain possession of the animal during the hearing process.
- (b) If a hearing is requested within the specified time period, the animal control officer shall convene the city council no later than 45 days after receipt of the written request for hearing. The city council shall act expeditiously to decide the matter by a majority vote of its members and may:
 - (1) Uphold the vicious animal declaration;
 - (2) Recommend that the owner or keeper obtain a dangerous animal permit, if appropriate; or
 - (3) Take such other action as it deems appropriate.

(Prior Code, § 6.01.14; Ord. No. 2009-012)

Sec. 6.15. - Penalty.

The violation of any section of this title is as prescribed for a misdemeanor.

(Prior Code, § 6.01.15)

Sec. 6.16. - Regulations for the possession and sale of exotic and dangerous animals.

(a) Permit required.

- (1) It is unlawful for any person to own, possess, keep, harbor, sell, bring, or have in one's possession an exotic animal(s) within city limits without a permit issued by animal control and in abeyance of all state or federal statutes, which supersede this title.
- (2) It is unlawful for the owner, possessor, or any other person in control of a lot, tract, or parcel of land within city limits or any residence or business premises situated thereon to knowingly permit any other person to be in possession of an exotic animal upon the property, residence or premises.

(b) Application.

- (1) Shall consist of applicant's name, address, home and work numbers.
- (2) Shall consist of an address where exotic animal is to be permanently sheltered, APN, and location of property.
- (3) A pending application or an issued permit are nontransferable.
- (4) The application for a permit shall be reviewed and approved upon the following:
 - a. An inspection of the site where the animal(s) will be kept. The animal(s) shall be kept in safe and humane area that meets applicable state and federal standards;

- b. Verification of applicable state or federal licenses; and
 - c. Verification of veterinary records.
- (c) Terms and conditions.
- (1) Permit will remain valid and in force for as long as the permit holder owns the animal.
 - (2) Permit voids when applicant or animals address changes. A new permit then shall have to be applied for and obtained.
 - (3) The city shall perform bi-annual inspections of permitted premises to evaluate sanitary, housing and safety conditions, veterinary records, and status of federal or state permits. The holder of the permit shall be notified prior to inspection.
 - (4) Failure to comply with the conditions stated above may result in revocation proceedings prescribed in subsection (d) of this section.
- (d) Revocation. A permit may be revoked by public hearing before the city council. Prior to scheduling a revocation hearing with the city council, notice shall be given to the holder of the permit at least 15 days prior to the hearing. The public hearing shall be conducted in accordance with the open meeting law. Upon revocation, the animal shall be removed from the premises. The following conditions may result in a revocation hearing:
- (1) Unsafe and unsanitary conditions.
 - (2) Expiration of any federal or state permits.
 - (3) Missing or irregular veterinary records.
 - (4) Failure to grant an inspection.
- (e) Definitions. For purposes of this title, the term "exotic animal" means any animal that is not normally domesticated in the United States or is wild by nature. Of the following orders and families, whether bred in the wild or in captivity, and also any or all of their hybrids with

domestic species. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or to limit the generality of each group of animals.

- (1) Canidae (wolves, coyotes, foxes, jackals, but not domesticated dogs).
- (2) Felidae (lions, tigers, bobcats, cougars, leopards, jaguars, lynx, mountain lions, but not domesticated cats).
- (3) Ursidae (bears).
- (4) Crocodilia (alligators, crocodiles).
- (5) Cervidae (antlered mammals, deer, antelope, moose, elk).
- (6) Venomous snakes and constricting snakes.
- (7) Pachiderms (rhinoceros, elephant, hippopotamus).
- (8) Artiodactyla (hippopotamus).
- (9) Pessodactla (rhinoceroses).
- (10) Marsupialia (kangaroos).
- (11) Hyaenidae (hyenas).
- (12) Viverridae (mongooses, civets and genets).

(f) Exceptions.

- (1) Any zoo, circus, research facility licensed or registered by a federal agency and approved by the city;
- (2) Any person accredited by the Association of Sanctuaries or the American Sanctuary Association;
- (3) Any state college, university, or agency, state-licensed wildlife rehabilitator or state licensed veterinarian;

- (4) Any incorporated humane society, animal shelter, or society for the prevention of cruelty to animals;
- (5) Any federally licensed and inspected breeder or dealer that is conducting any breeding or dealing activity with a person referred to in this subsection; or
- (6) Any person having custody of a wild animal solely for the purpose of transporting the animal to a person referred to in this subsection.

(Prior Code, § 6.01.16; Ord. No. 2003-010)

Sec. 6.17 Retail sale of dogs and cats in commercial establishments.

- (a) The retail sale (including both primary and accessory use) of dogs and cats in pet stores and/or commercial establishments shall be prohibited.**
- (b) A pet store may provide space to an animal rescue organization to offer to the public dogs or cats for adoption; provided that the pet store shall not have any ownership interest in the animals offered and shall not receive any fee for providing space or for the adoption of any of the animals.**

Sec. 6.18-Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of peace officer or animal control officer; limitations and procedure when animal is located on agricultural land.

Except as otherwise provided in NRS 574.201 to 574.204, inclusive:

- (a) Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.
- (b) The City may contract with any person or agency, including volunteers, to care for an animal that is seized and impounded for evidentiary purposes or pursuant to other provisions of this section.
- (c) If an officer takes possession of an animal, the officer shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care and notice of the right of the owner to request a hearing pursuant to NRS 574.203 within 5 days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, the officer shall post the notice on the property from which the officer takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.
- (d) Nothing in this section shall be construed to prohibit the City, after seizure of an animal by a ~~p~~Peace ~~o~~fficer, ~~a~~Animal ~~c~~ontrol ~~o~~fficer, or otherwise authorized personnel, from taking possession of and placing the animal on a protective custody hold when the City deems the animal to be of evidentiary value in any criminal prosecution relating to the condition of the animal. If the City intends to take possession of and retain an animal as evidence in any criminal prosecution, the City shall promptly provide written notice to the appropriate court of jurisdiction.
- (e) An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its

humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.

- (f) Upon proof that the owner has been notified in accordance with the provisions of subsection (c) or, if the owner has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.
- (g) An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.
- (h) The provisions of this section do not apply to any animal which is located on land being employed for an agricultural use as defined in NRS 361A.030 unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of NRS 574.100 and the impoundment is accomplished with the concurrence and supervision of the sheriff or the sheriff's designee, a licensed veterinarian and the district brand inspector or the district brand inspector's designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of NRS 574.100 exists.
- (i) The owner of an animal impounded in accordance with the provisions of subsection (h) must, before the animal is released to the owner's custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the State Department of Agriculture shall sell the animal. The Department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.

Sec. 6.19. - Right to request hearing; timing of hearing.

- (a) If an animal is seized and impounded by an animal control officer, Sheriff's Deputy, or otherwise authorized personnel, pursuant to a violation of NRS 574.070, 574.100, Fernley Municipal Code Sec. 6.05 (B), or due to three or more violations of Fernley Municipal Code Sec. 6.04 (C) in a one year period of time, or any other applicable violation of Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, the person must be notified in accordance with the provisions of subsection (c) of Fernley Municipal Code Sec. 6.18 and be notified of his or her right to request a hearing within 5 days after receipt of the notice to determine whether the person is the owner of the animal and whether the person is able to provide adequate care and shelter to the animal. The person must request a hearing pursuant to this subsection within 5 days after receipt of the notice pursuant to this subsection.
- (b) If a person who is charged with a violation of NRS 574.070, 574.100, Fernley Municipal Code 6.05 (B), or Fernley Municipal Code Sec. 6.04 (C), or any other applicable violation of Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, does not request a hearing pursuant to subsection (a)1, or an owner of the animal has not been identified within 5 days of the impound, the County/City/Shelter, shall transfer ownership of the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal.
- (c) If the court receives a timely request pursuant to subsection (a)1, the court shall hold a hearing within 15 judicial days after receipt of the request to determine whether the person is the owner of an animal and whether the person is able and fit to provide adequate care and shelter to the animal.
- (d) If a person who is charged with a violation of NRS 574.070, 574.100, Fernley Municipal Code Sec. 6.05 (B), or Fernley Municipal Code 6.04 (C), or any other applicable violation of

Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, submits a timely request for a hearing, the owner shall post with the Court a bond in the form of cash to defray some of the cost of care for the animal. The bond amount shall be proportional to the type of seizure and per animal seized or impounded. The owner shall post the bond within 5 judicial days of the notice of impoundment by animal control, provided under Section 6.18 excluding weekends and City holidays. If the owner fails to post the bond within the specified time, the owner shall be deemed to have abandoned the animal. The City may dispose of the abandoned animal as authorized in this Ordinance.

(e) Bond Fees shall be set by the Animal Services Program Manager.

(f) For the purpose of conducting a hearing pursuant to this section, the court may consider:

- (1) Testimony of the peace officer or animal control officer who took possession of or impounded the animal or other witnesses concerning the conditions under which the animal was owned or kept;
- (2) Testimony and evidence related to veterinary care provided to the animal, including, without limitation, the degree or type of care provided to the animal;
- (3) Expert testimony as to community standards for the reasonable care of a similar animal;
- (4) Testimony of witnesses concerning the history of treatment of the animal or any other animal owned or possessed by the person;
- (5) Prior arrests or convictions related to subjecting an animal to an act of cruelty in violation of NRS 574.070 or 574.100; and
- (6) Any other evidence which the court determines is relevant.

Sec. 6.20. - Determinations of court.

- (a) If the court determines by clear and convincing evidence that the person charged is the owner of the animal and the person is able and fit to provide adequate care and shelter for the animal, the court shall order the person or the designee of the person to take possession of the animal not later than 3 days after the issuance of the order. If the animal is not retrieved within 3 calendar days, the animal will become property of the shelter.
- (b) If the court determines that there is not clear and convincing evidence that the person charged is the owner of the animal or that the person is not able and fit to provide adequate care and shelter for the animal, the court shall order:
 - (1) The person not to own or possess the animal; and
 - (2) The county, city or other local government to take full legal custody or transfer the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal.
- (c) If the court makes a determination pursuant to subsection (b)2, the court may:
 - (1) Order the impoundment of any other animals owned or possessed by the person charged; or
 - (2) Enjoin the person from owning or possessing any animal.

Sec. 6.21. - Recovery of costs for care and shelter.

- (a) If the court makes a determination pursuant to subsection (b)2 of Fernley Municipal Code 6.20, the county, city or other local government or animal shelter may by appropriate action

recover the reasonable cost of any care and shelter furnished to the animal. The court may order a later and separate hearing to make a determination about such costs.

- (b) Upon forfeiture of an animal, the Court shall forfeit the bond to pay the cost of care incurred for the animal. If the bond exceeds ~~the~~ cost of care, the Court shall exonerate the bond amount and order the security returned to the owner only to the extent the bond exceeds the cost of care incurred for the animal.
- (c) If at the conclusion of the hearing pursuant to section 6.19, the animal is not forfeited the Court shall order the bond exonerated and the security returned to the owner minus cost of care incurred for the animal. The animal must be retrieved from the Shelter or other approved humane rescue, volunteer, or other organization that has been caring for the pet within 3 calendar days. Should the animal not be retrieved, the pet will be considered abandoned and become the property of the Shelter, humane rescue, volunteer, or other organization in possession of the animal.

Sec. 6.22. - ~~L~~icense ~~r~~equired for ~~b~~Breeder ~~k~~ennels.

- (a) The owner of any dog fancier or commercial breeder kennel, in the city must obtain and keep a current license for each kennel. The license, unless surrendered or revoked, is valid for one year from the date of issue.
- (b) An unexpired license may be renewed by submitting an application and fee thirty (30) days before the date of expiration. After approval by animal control the date of issuance of the license, which is renewed, is the date the license would have expired.

- (c) A dog fancier or commercial breeder kennel license is not transferable to a new owner or operator.
- (d) A dog fancier or commercial breeder kennel which houses more dogs than it was licensed for is considered to be unlicensed and this constitutes grounds for revoking the license to operate the facility.
- (e) The animal control officer must review the application for a dog fancier or commercial breeder kennel license or its renewal, inspect the kennel and then either grant or deny the license. If the decision is for denial, the reasons for the denial must be stated. Denial of a license or its renewal is subject to appeal before the City Council.
- (f) All dog fancier and commercial breeder kennels, must meet the following requirements to be licensed:
 - (1) Indoor or outdoor enclosures (cages, kennels, or runs) must be provided for each animal housed. These enclosures must be constructed of impervious material. Floors must be made of metal, fiberglass, concrete, completely covered with a non-permeable surface, or other approved flooring, and must be designed for rapid drainage of surface water. All enclosures must be kept clean and dry and outdoor kennels must provide animals protection from the rain, snow, wind, sun and inclement weather. Enclosures housing animals must be cleaned daily with a disinfectant, cleanser, or chlorine bleach. Enclosures cannot be stacked. Enclosures must be constructed as to prevent the animals inside from biting or otherwise harming another animal or person outside of the enclosure.
 - (2) Cleaning materials sufficient to clean the entire facility must be present at time of inspection. Cleaning supplies must be stored separately from food supplies.

- (3) Building temperatures must be maintained at a comfortable level with adequate ventilation by windows, doors, vents, fans, or HVAC system. Building temperatures must remain cool during a period for which the National Weather Service has issued a heat advisory. Outdoor kennels must have shade and a place to stay warm when temperatures are below 50 degrees or protect animals when the National Weather Service has issued a high wind, inclement weather, or freeze warning.
- (4) Each animal must have sufficient space to stand up, lie down, and turn around in a natural position without touching the sides or top of the enclosure.
- (5) All animals must be fed palatable food, free from contamination, in an amount and with a nutritional value to meet the normal daily requirements for the condition and size of the animal.
- (6) All animals must have fresh water available at all times, unless under documented veterinary direction.
- (7) Any dog over the age of six months must have proof of a current rabies vaccination.
- (8) Veterinary care must be provided, if needed, to maintain good health and general welfare and to prevent suffering by animals. All costs for veterinary care must be paid for by the kennel or business operator.
- (9) All animal bites involving any dog housed on the premises must be reported immediately to animal control pursuant to Fernley Municipal Code 6.07 (C) or any provision in Fernley Municipal Code.
- (10) A dog fancier or commercial breeder kennel must meet the zoning criteria required by Chapter 32 and its location be approved by the planning department before applying to animal control for a license.

(11) Every dog fancier or commercial breeder kennel will be inspected to determine if the requirements for the license have been met before a license is issued. Additionally, every dog fancier or commercial breeder kennel will be inspected annually during the license renewal process and could be subject to unannounced random inspections throughout the duration of the license if probable cause of non-compliance is established. If requested by animal control during inspections, the kennel owner or operator must produce proof of current rabies vaccinations for each dog over the age of six months old at the time of inspection.

(g) A dog fancier or commercial breeder kennel must, in addition to subsection (f)to-F, meet the following requirements to be licensed:

(1) A dog fancier or commercial breeder kennel must meet the zoning criteria required in chapters 10 and 32 and be approved by the planning department before applying to animal control for a license. Residential breeders are not permitted to have business licenses in zoning areas designated SF 6, SF 9, SF12, SF 20, RR1/2, or RR1 (Fernley Municipal Code 10.01.03). Structures must be approved by the Building Inspector.

(2) Puppies under the age of eight weeks must be housed in the same enclosure as their mother with sufficient room for all animals to move. The mother must be able to move away from her puppies if needed.

(3) All dogs over the age of six months must have a current Rabies license pursuant to section 6.07 (B)

(4) A dog fancier or commercial breeder kennel may not have more than six dogs over the age of six months for parcels with five acres and ten dogs over the age of six months for parcels five net acres or more, including dogs kept as pets, at that location. No more than three dogs of mixed breed or of a breed different than the purebred breeding

dogs may be kept as pets or counted in the total number of dogs allowed at that location. All dogs kept as pets must have an identification microchip permanently implanted or a permanent tattoo with unique numbers, letters or a combination of numbers and letters to distinguish the pet dogs from the breeding dogs. These pet dogs must also be spayed or neutered to prevent unintentional crossbreeding. The microchip registration number or a description of the tattoo must be provided to animal control and listed on the dog license information of each pet. Breeding dogs must either have a registered microchip or identification tattoo. If so, the registration number or tattoo description must also be provided to animal control and listed on the dog license information for those dogs. Breeding dogs and pet dogs must be licensed with animal control within 30 days of application for a breeder or commercial breeder kennel permit. All dogs kept as purebred breeding dogs must have documentation of pedigree from a recognized and accredited United States dog kennel club. Dogs of mixed breeds are not eligible to be bred in this manner and will not be granted a breeder's or commercial breeder's license for such litters.

(5) Puppies, or dogs may not be sold

(a) Unless the puppy or dog has had

(i) a registered microchip subcutaneously inserted into the puppy or dog;

and

(ii) all the required vaccinations which are appropriate based upon the age of the puppy or dog; **and**

(b) without providing a written sales contract, return policy, and pedigree to the purchaser.

(6) All above information must be provided to animal control within 2 business days upon request by the Officer.

(7) Breeders shall not breed a female dog

(a) before she is eighteen months old;

(b) more than one time in two years;

(c) after the dog has reached the age of nine years old.

(d) to another dog of a different breed.

(8) Application and inspection fees shall be set by the Animal Services Program Manager.

BILL NO.357

CITY OF FERNLEY

ORDINANCE # 2024-___

CITY OF FERNLEY

AN ORDINANCE AMENDING TITLE 6 OF THE FERNLEY MUNICIPAL CODE, ANIMALS AS FOLLOWS: THIS ORDINANCE SHALL GO INTO EFFECT DECEMBER 1st, 2024.

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council” DO ORDAIN That Section 6 of the City of Fernley Code of Ordinances is amended as follows:

Sec. 6.01 – Definitions

Animal Any living creature besides plants and other than a human being.

Animal Rescue Organization An animal rescue organization means an animal control center, animal shelter, or nonprofit organization that has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is the rescue and placement of animals in permanent homes. This term does not include an entity that breeders or brokers animals or obtains animals from breeders or brokers in exchange for payment or compensation.

At large means any place within the incorporated limits of the city, off of the premises of the owner or person having custody and control of a dog and not accompanied by and under the control of the owner or any other responsible person by physical restraint or signal command or voice command.

Big Game Animal means any species of animal classified as a “Big Game Mammal” by the Nevada Board of Wildlife Commissioner, or successor entity.

Bite means the act of an animal using its teeth and jaws to press down or cut into the flesh or clothing of a person or another animal.

City means the City of Fernley, an incorporated municipality of the State of Nevada

Custodian means the person, firm, corporation or any other entity owning or otherwise having the care, custody or control of any livestock or animal.

Leash means any long, thin piece of rope, nylon, or leather used to tether a dog.

Licensed Veterinarian means a Doctor of Veterinary Medicine currently licensed in Nevada to practice veterinary medicine pursuant to NRS 638.090 to 638.134 inclusive, as amended.

Livestock means:

- (a) all cattle or animals of the bovine species
- (b) all horses, mules, burros and asses or animals of the equine species
- (c) all swine or animals of the porcine species
- (d) all goats or animals of the caprine species
- (e) all sheep or animals of the ovine species, and
- (f) all alternative livestock such as alpacas and llamas

Owner means any person owning, keeping, harboring, or having charge of or having the care, custody, or control of a dog or cat or any other animal regulated by this title or any person permitting any dog, cat, or other animal to be, or remain on, or be lodged or fed within such a person's house, yard or premises. "Owner" does not include a veterinarian or kennel operator maintaining a dog, cat, or other animal on their premises for a period of less than thirty (30) days.

Person means and includes any form of business or social organization and any other nongovernmental legal entity including, but not limited to a corporation, partnership, association, trust, or unincorporated organization, a natural person, and the masculine gender as used includes the feminine. The term does not include a government, governmental agency, or political subdivision of a government.

Pound means any facility designated by the Board, including any facility designated by the City Council, used for receiving and holding dogs or any other animal regulated by this title. Also referred to as a Shelter.

Sec. 6.04 – Dogs

(1) Dog Licenses.

- a. ***License requirements.*** Except for dogs being used for the purpose of herding livestock or the protection of livestock against predators on farm or ranch property designated as greenbelt by the assessor, kennels or animal hospitals operated by a licensed veterinarian, every dog over the age of six months shall be licensed.
- b. ***License fees.*** The fees for dog licenses and tags, other than dogs housed in a kennel, shall be established and modified by resolution of the council.
- (c) ***Running at large is prohibited.*** It is unlawful for any owner or person having custody, control, or possession of any dog to permit the same to trespass on any private property owned by another or to run at large on any street, alley, court, park, school, playground, right-of-way or private street open for use to the general public. The animal control Officer or his or her duly authorized representative may tranquilize a dog at large to aid its capture. In the event of an aggressive dog at large that is a threat to public safety in which a safe capture cannot be made using tranquilization, the animal control Officer may use or authorize any reasonable means necessary, including destruction of the animal, to capture the animal.

(d) Impoundment and redemption provisions.

(2) Notice of impoundment disposition of unclaimed dogs.

c. Any sick, injured, mutilated or damaged dog impounded pursuant to this title may be disposed of immediately.

Sec. 6.05. – Prohibited Acts

- (a) *Noisy animals.* It is unlawful for any person owning, possessing, or having charge of custody of any animal to cause, permit, suffer, or allow the dog to persistently and habitually howl, bark, bay, cry, or make any noise audible beyond the boundaries of the property on which the dog is situated for an extended period of time. No summons and complaint or citation shall be issued for a violation of this section unless there are at least two (2) or more complaining witnesses from separate households who have signed such complaint. Such extended period of time shall consist of constant barking, baying, crying, howling, or making of habitually making any noise for sixty (60) minutes continuously or more during any twenty-four (24) hour period between the hours of 10 pm and 6 am. Dogs making noise in response to a person trespassing, threatening to trespass, teasing or provoking the dog, or dogs while working as law enforcement canine or working dog pursuant to 6.04.01, shall not be deemed a violation.**
- (b) *Abandonment of animals.* It is unlawful for any person owning, possessing, or having charge of custody of any animal.**
- (c) Leave the animal without food or water in any public or private place**
- (d) Move a residence or business without providing for the transportation of the animal**
- (e) Abandon the animal on or adjacent to any public street, road, alley, highway, or other public place or violate any provision of the NRS 574.110 or its current adopted version.**
- (f) Leave the animal in a motor vehicle where it may suffer from exposure to heat or cold. Animal control may remove an animal from a motor vehicle suffering or distressed from exposure to extreme heat or cold. The Sheriff or his deputy may impound a vehicle in which an animal is enclosed. The animal control officer may impound the enclosed animal. The vehicle and animal may be released upon payment of the costs of impoundment and, in the discretion of the City animal control officer, the issuance of a citation. The cost of impoundment of the vehicle and animal must be paid by the person responsible for the animal.**
- (g) Leave the animal in custody of the Shelter after being notified of the animal's impoundment. Owners must contact the shelter and arrange to reclaim or surrender the pet before the end of the holding period.**
- (h) Feeding and watering big game animals, estray, and wild horses. It is unlawful for a person to feed and/or water any big game animal, estray horse or wild horse within 1,500 feet of the highway right-of-way of U.S. Highway 50A, 95A, Interstate 80, State Route 828 (Farm District Road), and State Route 427 (Main Street) and any school zone unless the area is securely fenced to prevent the animals from**

wandering into the highway right-of-way or as unless the person is associated with an approved feral horse rescue group conducting a removal operation.

- (i) **Deprivation of sustenance or shelter.** It shall be unlawful to deprive any animal of necessary sustenance, food, drink, or shelter, or expose to the elements of the weather and the extreme heat or cold, or refuse to obtain veterinarian medical care for illness, injury, disease, or infirmity, or willfully instigate, engage in, or in any way further an act of cruelty to any animal, or any act to produce such cruelty.
- (j) **No puppy, kitten, or other young mammal may be rehomed or removed from its mother or littermates until it has reached the age of 8 weeks. This does not include if the mother has died of an accident or illness or is unable to be located within a period of 24 hours. The exception to this is if the young are transferred to a recognized animal rescue organization.**

Sec. 6.13 – Permit revocation conditions.

- (a) **Any permit issued under this title shall be revoked if the animal, without provocation, bites or attempts to bite any person or animal lawfully upon the permit holder's property or upon any other property or violates any conditions set by the animal services department.**

Sec. 6.17 – Retail sale of dogs and cats in a commercial establishment.

- (a) **The retail sale (including both primary and accessory use) of dogs and cats in pet stores and/or commercial establishments shall be prohibited.**
- (b) **A pet store may provide space to an animal rescue organization to offer to the public dogs or cats for adoption; provided that the pet store shall not have any ownership interest in the animals offered and shall not receive any fee for providing space or for the adoption of any of the animals.**

Sec. 6.18. - Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of peace officer or animal control officer; limitations and procedure when animal is located on agricultural land.

Except as otherwise provided in NRS 574.201 to 574.204, inclusive:

- (a) **Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.**
- (b) **The City may contract with any person or agency, including volunteers, to care for an animal that is seized and impounded for evidentiary purposes or pursuant to other provisions of this section.**
- (c) **If an officer takes possession of an animal, the officer shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care and notice of the right of the owner to request a hearing pursuant to NRS 574.203 within 5 days**

after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, the officer shall post the notice on the property from which the officer takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.

- (d) Nothing in this section shall be construed to prohibit the City, after seizure of an animal by a peace officer, animal control officer, or otherwise authorized personnel, from taking possession of and placing the animal on a protective custody hold when the City deems the animal to be of evidentiary value in any criminal prosecution relating to the condition of the animal. If the City intends to take possession of and retain an animal as evidence in any criminal prosecution, the City shall promptly provide written notice to the appropriate court of jurisdiction.
- (e) An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.
- (f) Upon proof that the owner has been notified in accordance with the provisions of subsection (c) or, if the owner has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.
- (g) An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.
- (h) The provisions of this section do not apply to any animal which is located on land being employed for agricultural use as defined in NRS 361A.030 unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of NRS 574.100 and the impoundment is accomplished with the concurrence and supervision of the sheriff or the sheriff's designee, a licensed veterinarian and the district brand inspector or the district brand inspector's designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of NRS 574.100 exists.
- (i) The owner of an animal impounded in accordance with the provisions of subsection (h) must, before the animal is released to the owner's custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the State Department of Agriculture shall sell the animal. The Department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.

Sec. 6.19-Right to request hearing; timing of hearing.

- (a) If an animal is seized and impounded by an animal control officer, Sheriff's Deputy, or otherwise authorized personnel, pursuant to a violation of NRS 574.070, 574.100, Fernley Municipal Code Sec. 6.05 (B) or due to three or more violations of Fernley Municipal Code Sec. 6.04 (C) in a one year period of time,

or any other applicable violation of Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, the person must be notified in accordance with the provisions of subsection (c) of Fernley Municipal Code Sec. 6.18 and be notified of his or her right to request a hearing within 5 days after receipt of the notice to determine whether the person is the owner of the animal and whether the person is able to provide adequate care and shelter to the animal. The person must request a hearing pursuant to this subsection within 5 days after receipt of the notice pursuant to this subsection.

- (b) If a person who is charged with a violation of NRS 574.070, 574.100, Fernley Municipal Code Sec. 6.05 (B), or Sec. 6.04 (C), or any other applicable violation of Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, does not request a hearing pursuant to subsection (a), or an owner of the animal has not been identified within 5 days of the impound, the County/City/Shelter, shall transfer ownership of the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal.
- (c) If the court receives a timely request pursuant to subsection (a), the court shall hold a hearing within 15 judicial days after receipt of the request to determine whether the person is the owner of an animal and whether the person is able and fit to provide adequate care and shelter to the animal.
- (d) If a person who is charged with a violation of NRS 574.070, 574.100, Fernley Municipal Code Sec. 6.05 (B), or Sec. 6.04 (C), or any other applicable violation of Fernley Municipal Code or Nevada Revised Statute resulting in the impoundment and seizure of an animal, submits a timely request for a hearing, the owner shall post with the Court a bond in the form of cash or a surety's undertaking to defray some of the cost of care for the animal. The bond amount shall be proportional to the type of seizure and per animal seized or impounded. The owner shall post the bond within 5 judicial days of the notice of impoundment by animal control, provided under Section 6.18 excluding weekends and City holidays. If the owner fails to post the bond within the specified time, the owner shall be deemed to have abandoned the animal. The City may dispose of the abandoned animal as authorized in this Ordinance.
- (e) Bond Fees shall be set by the Animal Services Program Manager.
- (f) For the purpose of conducting a hearing pursuant to this section, the court may consider:
 - (1) Testimony of the peace officer or animal control officer who took possession of or impounded the animal or other witnesses concerning the conditions under which the animal was owned or kept;
 - (2) Testimony and evidence related to veterinary care provided to the animal, including, without limitation, the degree or type of care provided to the animal;
 - (3) Expert testimony as to community standards for the reasonable care of a similar animal;
 - (4) Testimony of witnesses concerning the history of treatment of the animal or any other animal owned or possessed by the person;

- (5) Prior arrests or convictions related to subjecting an animal to an act of cruelty in violation of NRS 574.070 or 574.100; and**
- (6) Any other evidence which the court determines is relevant.**

Sec. 6.20- Determinations of court.

- (a) If the court determines by clear and convincing evidence that the person charged is the owner of the animal and the person is able and fit to provide adequate care and shelter for the animal, the court shall order the person or the designee of the person to take possession of the animal not later than 3 days after the issuance of the order. If the animal is not retrieved within 3 calendar days, the animal will become property of the shelter.**
- (b) If the court determines that there is not clear and convincing evidence that the person charged is the owner of the animal or that the person is not able and fit to provide adequate care and shelter for the animal, the court shall order:**
 - (1) The person not to own or possess the animal; and**
 - (2) The county, city or other local government to take full legal custody or transfer the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal.**
- (c) If the court makes a determination pursuant to subsection (b), the court may:**
 - (1) Order the impoundment of any other animals owned or possessed by the person charged; or**
 - (2) Enjoin the person from owning or possessing any animal.**

Sec. 6.21. - Recovery of costs for care and shelter.

- (a) If the court makes a determination pursuant to subsection (b) of Fernley Municipal Code 6.20, the county, city or other local government or animal shelter may by appropriate action recover the reasonable cost of any care and shelter furnished to the animal. The court may order a later and separate hearing to make a determination about such costs.**
- (b) Upon forfeiture of an animal, the Court shall forfeit the bond to pay the cost of care incurred for the animal. If the bond exceeds the cost of care, the Court shall exonerate the bond amount and order the security returned to the owner only to the extent the bond exceeds the cost of care incurred for the animal.**
- (c) If at the conclusion of the hearing pursuant to section 6.19, the animal is not forfeited the Court shall order the bond exonerated and the security returned to the owner minus the cost of care incurred for the animal. The animal must be retrieved from the Shelter or other approved humane rescue, volunteer, or other organization that has been caring for the pet within 3 calendar days. Should the animal not be retrieved, the pet will be considered abandoned and become the property of the Shelter, humane rescue, volunteer, or other organization in possession of the animal.**

Sec. 6.22. - License required for breeder kennels.

- (a) The owner of any dog fancier or commercial breeder kennel, in the city must obtain and keep a current license for each kennel. The license, unless surrendered or revoked, is valid for one year from the date of issue.**

- (b) An unexpired license may be renewed by submitting an application and fee thirty (30) days before the date of expiration. After approval by animal control the date of issuance of the license, which is renewed, is the date the license would have expired.**
- (c) A dog fancier or commercial breeder kennel license is not transferable to a new owner or operator.**
- (d) A dog fancier or commercial breeder kennel that houses more dogs than it was licensed for is considered to be unlicensed and this constitutes grounds for revoking the license to operate the facility.**
- (e) The animal control officer must review the application for a dog fancier or commercial breeder kennel license or its renewal, inspect the kennel, and then either grant or deny the license. If the decision is for denial, the reasons for the denial must be stated. Denial of a license or its renewal is subject to appeal before the City Council.**
- (f) All dog fancier and commercial breeder kennels must meet the following requirements to be licensed:**
 - (1) Indoor or outdoor enclosures (cages, kennels, or runs) must be provided for each animal house. These enclosures must be constructed of impervious material. Floors must be made of metal, fiberglass, or concrete, completely covered with a non-permeable surface, or other approved flooring, and must be designed for rapid drainage of surface water. All enclosures must be kept clean and dry and outdoor kennels must provide animals protection from the rain, snow, wind, sun and inclement weather. Enclosures housing animals must be cleaned daily with a disinfectant, cleanser, or chlorine bleach. Enclosures cannot be stacked. Enclosures must be constructed as to prevent the animals inside from biting or otherwise harming another animal or person outside of the enclosure.**
 - (2) Cleaning materials sufficient to clean the entire facility must be present at time of inspection. Cleaning supplies must be stored separately from food supplies.**
 - (3) Building temperatures must be maintained at a comfortable level with adequate ventilation by windows, doors, vents, fans, or HVAC system. Building temperatures must remain cool during a period for which the National Weather Service has issued a heat advisory. Outdoor kennels must have shade and a place to stay warm when temperatures are below 50 degrees or protect animals when the National Weather Service has issued a high wind, inclement weather, or freeze warning.**
 - (4) Each animal must have sufficient space to stand up, lie down, and turn around in a natural position without touching the sides or top of the enclosure.**
 - (5) All animals must be fed palatable food, free from contamination, in an amount and with a nutritional value to meet the normal daily requirements for the condition and size of the animal.**
 - (6) All animals must have fresh water available at all times, unless under documented veterinary direction.**

- (7) Any dog over the age of six months must have proof of a current rabies vaccination.**
 - (8) Veterinary care must be provided, if needed, to maintain good health and general welfare and to prevent suffering by animals. All costs for veterinary care must be paid for by the kennel or business operator.**
 - (9) All animal bites involving any dog housed on the premises must be reported immediately to animal control pursuant to Fernley Municipal Code 6.07 (C) or any provision in Fernley Municipal Code.**
 - (10) A dog fancier or commercial breeder kennel must meet the zoning criteria required by Chapter 32 and its location be approved by the planning department before applying to animal control for a license.**
 - (11) Every dog fancier or commercial breeder kennel will be inspected to determine if the requirements for the license have been met before a license is issued. Additionally, every dog fancier or commercial breeder kennel will be inspected annually during the license renewal process and could be subject to unannounced random inspections throughout the duration of the license if probable cause of non-compliance is established. If requested by animal control during inspections, the kennel owner or operator must produce proof of current rabies vaccinations for each dog over the age of six months old at the time of inspection.**
- (g) A dog fancier or commercial breeder kennel must, in addition to subsection (f), meet the following requirements to be licensed:**
- (1) A dog fancier or commercial breeder kennel must meet the zoning criteria required in chapters 10 and 32 and be approved by the planning department before applying to animal control for a license. Residential breeders are not permitted to have business licenses in zoning areas designated SF 6, SF 9, SF12, SF 20, RR1/2, or RR1 (Fernley Municipal Code 10.01.03). Structures must be approved by the Building Inspector.**
 - (2) Puppies under the age of eight weeks must be housed in the same enclosure as their mother with sufficient room for all animals to move. The mother must be able to move away from her puppies if needed.**
 - (3) All dogs over the age of six months must have a current Rabies license pursuant to section 6.07 (B)**
 - (4) A dog fancier or commercial breeder kennel may not have more than six dogs over the age of six months for parcels with five acres and ten dogs over the age of six months for parcels five net acres or more, including dogs kept as pets, at that location. No more than three dogs of mixed breed or of a breed different than the purebred breeding dogs may be kept as pets or counted in the total number of dogs allowed at that location. All dogs kept as pets must have an identification microchip permanently implanted or a permanent tattoo with unique numbers, letters, or a combination of numbers and letters to distinguish the pet dogs from the breeding dogs. These pet dogs must also be spayed or neutered to prevent unintentional crossbreeding. The microchip registration number or a description of the tattoo must be provided to animal control and listed on the dog license information of each pet. Breeding dogs**

must either have a registered microchip or identification tattoo. If so, the registration number or tattoo description must also be provided to animal control and listed on the dog license information for those dogs. Breeding dogs and pet dogs must be licensed with animal control within 30 days of application for a breeder or commercial breeder kennel permit. All dogs kept as purebred breeding dogs must have documentation of pedigree from a recognized and accredited United States dog kennel club. Dogs of mixed breeds are not eligible to be bred in this manner and will not be granted a breeder's or commercial breeder's license for such litters.

- (5) Puppies or dogs may not be sold**
 - a. Unless the puppy or dog has had**
 - i. A registered microchip subcutaneously inserted into the puppy or dog; and**
 - ii. All the required vaccinations which are appropriate based upon the age of the puppy or dog; and**
 - b. without providing a written sales contract, return policy, and pedigree to the purchaser.**
- (6) All the above information must be provided to animal control within 2 business days upon request by the Officer.**
- (7) Breeders shall not breed a female dog**
 - a. before she is eighteen months old;**
 - b. more than one time in two years;**
 - c. after the dog has reached the age of nine years old.**
 - d. to another dog of a different breed.**
 - e. Application and inspection fees shall be set by the Animal Services Program Manager.**
- (8) Application and inspection fees shall be set by the Animal Services Program Manager.**

PROPOSED on the 6th day of November 2024.

PASSED, APPROVED, and ADOPTED this 20th day of November 2024, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____

Neal E. McIntyre, Mayor

Date: _____

Attest By: _____

Kimberly Swanson, City Clerk

Date: _____