

Item # 10

**Carson City
Agenda Report**

Date Submitted: February 12, 2008

Agenda Date Requested: February 21, 2008

Time Requested: 5 Minutes

To: Mayor and Supervisors

From: Development Services

Subject Title: Action to introduce, on first reading, an ordinance amending the Carson City Municipal Code, Title 2, Administration and Personnel, by adding Chapter 2.42, Carson City Building Permit Enterprise Fund Advisory Committee, and adding Section 2.42.010, Definitions, Section 2.42.020, Purpose, Section 2.42.030, Organization, Section 2.42.040, Membership requirements, Section 2.42.050, Term of office, Section 2.42.060, Meetings and officers – Legislative procedure – Removal of commissioner – No compensation, Section 2.42.070, Removal for cause, Section 2.42.080, Duties and responsibilities, Section 2.42.090, Severability, and other matters properly relating thereto.

Staff Summary: Approval if this ordinance will establish the Building Permit Enterprise Fund Advisory Committee which is the outgrowth of the One-Stop Committee that was established several years ago through the City Manager's Office. The Committee will be comprised of 5 members; one member who shall be a representative of the residential construction industry; one member who shall be a representative of the commercial development industry; one member who shall be a representative of the construction industry; the Carson City Finance Director; and the Carson City Chief Building Official.

Type of Action Requested: (check one)

☐ Resolution

☒ Ordinance

☐ Formal Action/Motion

☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to introduce, on first reading, an ordinance amending the Carson City Municipal Code, Title 2, Administration and Personnel, by adding Chapter 2.42, Carson City Building Permit Enterprise Fund Advisory Committee, and adding Section 2.42.010, Definitions, Section 2.42.020, Purpose, Section 2.42.030, Organization, Section 2.42.040, Membership requirements, Section 2.42.050, Term of office, Section 2.42.060, Meetings and officers – Legislative procedure – Removal of commissioner – No compensation, Section 2.42.070, Removal for cause, Section 2.42.080, Duties and responsibilities, Section 2.42.090, Severability, and other matters properly relating thereto.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statue, Code, Policy, Rule or Regulation: NRS 354.59893

Fiscal Impact: Minor impact due to providing staff support to the Committee

Explanation of Impact: See above

Funding Source: Building Division Enterprise Fund

Alternatives: Abolish the Building Enterprise Fund and do not form the committee.

Supporting Material: Draft Ordinance

Prepared By: Lawrence A. Werner, P.E., P.L.S., City Manager

Reviewed By:

Melanie Burkett
(District Attorney)
Theresa Aloualenti
(Finance Director)

Date: 2-12-08

Date: 2-12-08

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

Ordinance No. _____

Bill No. _____

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 2, ADMINISTRATION AND PERSONNEL, BY ADDING CHAPTER 2.42, CARSON CITY BUILDING PERMIT ENTERPRISE FUND ADVISORY COMMITTEE, AND ADDING SECTION 2.42.010, DEFINITIONS, SECTION 2.42.020, PURPOSE, SECTION 2.42.030, ORGANIZATION, SECTION 2.42.040, MEMBERSHIP REQUIREMENTS, SECTION 2.42.050, TERM OF OFFICE, SECTION 2.42.060, MEETINGS AND OFFICERS – LEGISLATIVE PROCEDURE – REMOVAL OF COMMISSIONER – NO COMPENSATION, SECTION 2.42.070, REMOVAL FOR CAUSE, SECTION 2.42.080, DUTIES AND RESPONSIBILITIES, SECTION 2.42.090, SEVERABILITY, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

Section I: Chapter 2.42 of the Carson City Municipal Code is hereby added to Title 2 as follows:

2.42.010 Definitions

2.42.020 Purpose

2.42.030 Organization.

2.42.040 Membership requirements.

2.42.050 Term of office.

2.42.060 Meetings and officers—Legislative procedure—Removal of commissioner—No compensation.

2.42.070 Removal for cause.

2.42.080 Duties and responsibilities.

2.42.090 Severability.

Section II: Chapter 2.42.010 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.010 Definitions.

As used in this section:

1. "Barricade permit" means the official document issued by the City Engineer which authorizes the placement of barricade appurtenances or structures within a public right-of-way.
2. "Building permit" means the official document or certificate issued by the Carson City Chief Building Official which authorizes the construction of a structure.
3. "Encroachment permit" means the official document issued by the City Engineer which authorizes construction activity within a public right-of-way.
4. "Operating cost" means the amount paid by the City for supplies, services, salaries, wages and employee benefits to provide the services associated with issuing building permits.

Section III: Chapter 2.42.020 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.020 Purpose

1. Carson City has created an enterprise fund pursuant to NRS 354.612 exclusively for building permit fees, fees imposed for the issuance of barricade permits and fees imposed for encroachment permits. The purpose of the enterprise fund is to recover the costs of operating the activity for which the fund was created, including overhead.
2. There is hereby established pursuant to NRS 354.59893 et seq. an advisory committee to be known as the Carson City Building Permit Enterprise Fund Advisory Committee.

Section IV: Chapter 2.42.030 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.030 Organization.

1. This committee shall consist of five members who shall be appointed by the board.

2. The committee shall be composed of:
 - a) One member who shall be a representative of the residential construction industry;
 - b) One member who shall be a representative of the commercial development industry;
 - c) One member who shall be a representative of the construction industry;
 - d) The Carson City Finance Director; and
 - e) The Carson City Chief Building Official.

Section V: Chapter 2.42.040 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.040 Membership requirements.

The three representative members of the Carson City Building Permit Fund Advisory Committee shall be qualified electors of Carson City. Applicants who are members of the Builders Association of Western Nevada and/or the Carson City Chamber of Commerce shall be given preference provided all other qualifications are equal.

Section VI: Chapter 2.42.050 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.050 Term of office.

1. All terms will be for four (4) years except that the Carson City staff member positions shall be for as long as they hold said positions.
2. Members whose terms have expired shall continue to serve until their successors have been appointed.
3. Terms of office shall commence and end on January 1st.

Section VII: Chapter 2.42.060 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.060 Meetings and officers—Legislative procedure—Removal of member—No compensation.

1. The committee shall establish by-laws setting the frequency and dates of meetings.
2. The committee shall meet in regular session and shall elect from their members a chairman and a vice- chairman at the first regular meeting

conducted each calendar year. Officers shall hold office for one calendar year or until their successors are named.

3. The city shall provide a secretary for each and every meeting of the committee.
4. The committee shall by recorded vote, adopt rules and regulations for governing procedure and shall adopt appropriate by-laws by which to be governed.
5. A majority shall constitute a quorum.
6. The committee members shall receive no compensation.

Section VIII: Chapter 2.42.070 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.070 Removal for cause.

Upon recommendation of the committee, the board may remove for cause any commissioner for

1. Dereliction of duty, or
2. Nonparticipation, or
3. Poor attendance, or
4. For any other reason shown as just cause.

Section IX: Chapter 2.42.080 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.080 Duties and responsibilities.

1. The committee shall act in advisory capacity to the board.
2. The committee may issue opinions and recommendations to the board concerning, without limitation:
 - a) The adequacy of the fees that the City charges for barricade permits, encroachment permits and building permits.
 - b) The financial objectives and annual budget of the program for the issuance of barricade permits, encroachment permits and building permits; and

c) Any other relevant issue related to the operation of the enterprise fund.

Section X: Chapter 2.42.090 of the Carson City Municipal Code is hereby added to Chapter 42 of Title 2 as follows:

2.42.090 Severability.

If any of the provisions of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not impair the other provisions of this chapter. To this end the provisions of this chapter are declared to be severable.

Section XI:

That no other provisions of Title 2 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2008

PROPOSED by Supervisor _____

PASSED on _____, 2008

VOTES: AYES: Supervisors _____

NAYES: Supervisors _____

ABSENT: Supervisors _____

Marv Texeira, Mayor

ATTEST:

ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the _____
day of the month of _____ of the year 2008.