

SENATE BILL NO. 19—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

PREFILED NOVEMBER 16, 2022

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to local governments.
(BDR 21-397)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governments; prohibiting, with certain exceptions, a governing body of a city from annexing certain territory; authorizing, under certain circumstances, a board of county commissioners to form an unincorporated town that consists of certain territory; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a board of county commissioners to form an
2 unincorporated town: (1) upon initiative petition of the residents of any specified
3 unincorporated area within the county; (2) by ordinance in a county whose
4 population is 700,000 or more (currently Clark County) if the area contains no
5 residents and the owners of land within the boundaries of the proposed
6 unincorporated town request the formation in writing to the board of county
7 commissioners; or (3) by ordinance if specific unincorporated areas are required by
8 state or federal law to administer certain services. (NRS 269.535-269.570) If a
9 board of county commissioners of a county whose population is 700,000 or more
10 provides for the formation of an unincorporated town in an area that contains no
11 residents, the board of county commissioners may defer the appointment of a town
12 advisory board based on certain conditions set forth in the ordinance.
13 (NRS 269.563) **Section 13** of this bill authorizes a board of county commissioners
14 to provide by ordinance for the formation of an unincorporated town that: (1)
15 includes territory that is conveyed or transferred to the county, or authorized to be
16 conveyed or transferred to the county, pursuant to certain federal law; or (2) is
17 located not more than 1 mile from such territory. **Section 13** also: (1) requires the
18 board of county commissioners to hold a public hearing on the formation of such an
19 unincorporated town and mail notice of the public hearing to all owners of real
20 property in the area; and (2) authorizes a board of county commissioners to defer



21 the appointment of a town advisory board of an unincorporated town formed in
22 such an area based on certain conditions set forth in the ordinance.

23 Existing law requires an unincorporated town established in a county whose
24 population is 700,000 or more that is located 25 miles or more from an incorporated
25 city whose population is 500,000 or more (currently Las Vegas) to provide for the
26 election of the town advisory board. (NRS 269.576) **Section 16** of this bill provides
27 that this requirement does not apply to an unincorporated town established pursuant
28 to **section 13**.

29 **Sections 14-19** of this bill make conforming changes to incorporate **section 13**
30 into the provisions of chapter 269 of the Nevada Revised Statutes and establish that
31 the deferral of the town advisory board is an exception to certain requirements in
32 chapter 269 of the Nevada Revised Statutes.

33 Existing law authorizes the governing body of a city in a county whose
34 population is 700,000 or more (currently Clark County) to extend the corporate
35 limits of the city using certain procedures. (NRS 268.570-268.608) **Section 2** of
36 this bill prohibits, with certain exceptions, the governing body of such a city from
37 extending the corporate limits of the city to include all or part of any territory that:
38 (1) is conveyed or transferred to the county, or authorized to be conveyed or
39 transferred to the county, pursuant to certain federal law; or (2) is located not more
40 than 1 mile from such territory. **Section 2** also authorizes the governing body of a
41 city to annex such territory if: (1) the annexation is approved by a resolution of the
42 board of county commissioners; (2) the annexation occurs before the effective date
43 of this bill; (3) the annexation occurs before the effective date of certain federal
44 law; or (4) the territory is located within the boundaries of an area subject to an
45 interlocal agreement between the city and county for joint land use planning that
46 has a term of not less than 5 years.

47 **Sections 4-7** of this bill make conforming changes to incorporate **section 2** into
48 chapter 268 of the Nevada Revised Statutes and establish that the prohibition is an
49 exception to the authority of the governing body of a city to extend the corporate
50 limits of the city.

51 Existing law authorizes the governing body of a city in a county whose
52 population is less than 700,000 (currently all counties other than Clark County) to
53 extend the corporate limits of the city using certain procedures.
54 (NRS 268.610-268.671) **Section 3** of this bill prohibits, with certain exceptions, the
55 governing body of such a city from extending the corporate limits of the city to
56 include all or part of any territory that: (1) is conveyed or transferred to the county,
57 or authorized to be conveyed or transferred to the county, pursuant to certain
58 federal law; or (2) is located not more than 1 mile from such territory. **Section 3**
59 also authorizes the governing body of a city to annex such territory if: (1) the
60 annexation is approved by a resolution of the board of county commissioners; (2)
61 the annexation occurs before the effective date of this bill; (3) the annexation
62 occurs before the effective date of certain federal law; or (4) the territory is located
63 within the boundaries of an area subject to an interlocal agreement between the city
64 and county for joint land use planning that has a term of not less than 5 years.

65 **Sections 8-12** of this bill make conforming changes to incorporate **section 3**
66 into chapter 268 of the Nevada Revised Statutes and establish that the prohibition is
67 an exception to the authority of the governing body of a city to extend the corporate
68 limits of the city.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 268 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *Except as otherwise provided in subsection 2, the*
4 *governing body of a city shall not annex into the corporate limits*
5 *of the city territory that:*

6 *(a) Is conveyed or transferred to the county, or authorized to*
7 *be conveyed or transferred to the county, pursuant to a federal law*
8 *that:*

9 *(1) Is enacted after January 1, 2000; and*

10 *(2) Conveys or transfers to the county, or authorizes to be*
11 *conveyed or transferred to the county, at least 5,000 acres for the*
12 *purpose of:*

13 *(I) Developing an airport and any related*
14 *infrastructure; or*

15 *(II) Addressing noise compatibility issues related to an*
16 *airport; or*

17 *(b) Is located not more than 1 mile from any territory*
18 *described in paragraph (a).*

19 **2.** *The governing body of a city may annex into the corporate*
20 *limits of the city any territory described in subsection 1 if, in*
21 *addition to the governing body of the city complying with the*
22 *procedures for annexation set forth in NRS 268.578 to 268.596,*
23 *inclusive, or the alternative procedures set forth in NRS 268.597,*
24 *one of the following circumstances apply:*

25 *(a) The annexation is approved by a resolution of the board of*
26 *county commissioners of the county;*

27 *(b) The annexation occurs before the effective date of this act;*

28 *(c) The annexation occurs before the effective date of the*
29 *federal law which causes the territory to satisfy the criteria set*
30 *forth in subsection 1; or*

31 *(d) The territory is located within the boundaries of an area*
32 *subject to an interlocal agreement between the governing body of*
33 *the city and the board of county commissioners for joint land use*
34 *planning which has a term of not less than 5 years.*

35 **Sec. 3. 1.** *Except as otherwise provided in subsection 2, the*
36 *governing body of a city shall not annex into the corporate limits*
37 *of the city territory that:*

38 *(a) Is conveyed or transferred to the county, or authorized to*
39 *be conveyed or transferred to the county, pursuant to a federal law*
40 *that:*

41 *(1) Is enacted after January 1, 2000; and*



1 (2) *Conveys or transfers to the county, or authorizes to be*
2 *conveyed or transferred to the county, at least 5,000 acres for the*
3 *purpose of:*

4 (I) *Developing an airport and any related*
5 *infrastructure; or*

6 (II) *Addressing noise compatibility issues related to an*
7 *airport; or*

8 (b) *Is located not more than 1 mile from any territory*
9 *described in paragraph (a).*

10 2. *The governing body of a city may annex into the corporate*
11 *limits of the city any territory described in subsection 1 if, in*
12 *addition to the governing body of the city complying with the*
13 *procedures for annexation set forth in NRS 268.610 to 268.668,*
14 *inclusive, or the alternative procedures set forth in NRS 268.670,*
15 *one of the following circumstances apply:*

16 (a) *The annexation is approved by a resolution of the board of*
17 *county commissioners of the county;*

18 (b) *The annexation occurs before the effective date of this act;*

19 (c) *The annexation occurs before the effective date of the*
20 *federal law which causes the territory to satisfy the criteria set*
21 *forth in subsection 1; or*

22 (d) *The territory is located within the boundaries of an area*
23 *subject to an interlocal agreement between the governing body of*
24 *the city and the board of county commissioners for joint land use*
25 *planning which has a term of not less than 5 years.*

26 **Sec. 4.** NRS 268.570 is hereby amended to read as follows:

27 268.570 The provisions of NRS 268.570 to 268.608, inclusive,
28 **and section 2 of this act**, apply only to cities located in a county
29 whose population is 700,000 or more.

30 **Sec. 5.** NRS 268.574 is hereby amended to read as follows:

31 268.574 As used in NRS 268.570 to 268.608, inclusive **†** ,
32 **and section 2 of this act:**

33 1. “Contiguous” means either abutting directly on the boundary
34 of the annexing municipality or separated from the boundary thereof
35 by a street, alley, public right-of-way, creek, river or the right-of-
36 way of a railroad or other public service corporation, or by lands
37 owned by the annexing municipality, by some other political
38 subdivision of the State or by the State of Nevada.

39 2. “Lot or parcel” means any tract of land of sufficient size to
40 constitute a legal building lot as determined by the zoning ordinance
41 of the county in which the territory proposed to be annexed is
42 situated. If such county has not enacted a zoning ordinance, the
43 question of what constitutes a building lot shall be determined by
44 reference to the zoning ordinance of the annexing municipality.



1 3. "Majority of the property owners" in a territory means the
2 record owners of real property:

3 (a) Whose combined value is greater than 50 percent of the total
4 value of real property in the territory, as determined by assessment
5 for taxation; and

6 (b) Whose combined area is greater than 50 percent of the total
7 area of the territory, excluding lands held by public bodies.

8 4. A lot or parcel of land is "used for residential purposes" if it
9 is 5 acres or less in area and contains a habitable dwelling unit of a
10 permanent nature.

11 **Sec. 6.** NRS 268.580 is hereby amended to read as follows:

12 268.580 1. ~~[[The]~~ *Except as otherwise provided in section 2*
13 *of this act, the* governing body of any city may extend the corporate
14 limits of the city to include any territory which meets the general
15 standards of subsection 2 and every part of which meets the
16 requirements of subsection 3, 4, 5 or 6.

17 2. The total area proposed to be annexed must meet the
18 following standards:

19 (a) It must be contiguous to the annexing city's boundaries at
20 the time the annexation proceedings are instituted.

21 (b) Not less than one-eighth of the aggregate external boundaries
22 must be contiguous to the boundaries of the annexing city.

23 (c) No part of the territory proposed to be annexed may be
24 included within the boundaries of another incorporated city as those
25 boundaries exist on July 1, 1983.

26 (d) No part of the territory proposed to be annexed may be
27 included within the boundaries of any unincorporated town as those
28 boundaries exist on July 1, 1983, without the prior approval of the
29 governing body of the unincorporated town in which the territory is
30 located.

31 3. All of the territory proposed to be annexed must be
32 developed for urban purposes. An area developed for urban
33 purposes is defined as any area which meets any one of the
34 following standards:

35 (a) Has a total resident population density of two or more
36 persons per acre of land included within its boundaries;

37 (b) Has a total resident population density of one or more
38 persons per acre of land included within its boundaries, and is
39 subdivided or parceled, through separate ownerships, into lots or
40 parcels such that at least 60 percent of the total acreage consists of
41 lots and parcels 5 acres or less in size and such that at least 60
42 percent of the total number of lots and parcels are 1 acre or less in
43 size; or

44 (c) Is so developed that at least 60 percent of the total number of
45 lots and parcels in the territory to be annexed, at the time of the



1 annexation, are used for any combination of residential, commercial,
2 industrial, institutional or governmental purposes, and is subdivided
3 or is parceled, through separate ownerships, into lots or parcels such
4 that at least 60 percent of the total acreage, not including the acreage
5 used at the time of annexation for commercial, industrial,
6 institutional or governmental purposes, consists of lots and parcels 5
7 acres or less in size.

8 4. In addition to the areas developed for urban purposes, the
9 governing body may include in the territory proposed to be annexed
10 any territory which does not meet the requirements of subsection 3
11 if the area:

12 (a) Is contiguous to the boundary of the annexing city and lies
13 between the boundary of the annexing city and an area developed
14 for urban purposes, so that the area developed for urban purposes is
15 not adjacent to the boundary of the annexing city or cannot be
16 served by the annexing city without extending services through such
17 sparsely developed territory; and

18 (b) Is contiguous, on at least 60 percent of its aggregate external
19 boundaries, to any combination of the boundary of the annexing city
20 and the boundary of the area or areas developed for urban purposes
21 as defined in subsection 3.

22 ➤ The purpose of this subsection is to permit municipal governing
23 bodies to extend corporate limits to include all nearby areas
24 developed for urban purposes where it is necessary to include areas
25 which, at the time of annexation, are not yet developed for urban
26 purposes, but which constitute necessary land connections between
27 the municipality and areas developed for urban purposes or between
28 two or more areas developed for urban purposes.

29 5. A governing body may also annex any territory that does not
30 meet the requirements of subsection 3 if the territory is bounded on
31 at least 75 percent of its aggregate external boundaries by the
32 existing corporate boundaries of the annexing city.

33 6. A governing body may also annex any territory that does not
34 meet the requirements of subsection 3 if:

35 (a) The owners of record of not less than 75 percent of the
36 individual lots or parcels of land within the territory sign a petition
37 requesting the governing body to annex the territory to the
38 municipality; or

39 (b) The governing body receives a written statement from a
40 governmental entity indicating that the governmental entity:

41 (1) Owns the territory; and

42 (2) Does not object to the annexation of that territory by the
43 governing body.



1 **Sec. 7.** NRS 268.597 is hereby amended to read as follows:
2 268.597 1. ~~[As]~~ *Except as otherwise provided in section 2 of*
3 *this act, as* an alternative to the procedures for annexation set forth
4 in NRS 268.578 to 268.596, inclusive, the governing body of a city
5 may, subject to the provisions of NRS 268.595, annex territory:

6 (a) That meets the requirements of subsection 2 of NRS 268.580
7 if all of the owners of record of individual lots or parcels of land
8 within the territory sign a petition requesting the governing body to
9 annex the territory to the city;

10 (b) That, on January 1, 2001, was undeveloped land and was
11 bounded on at least 75 percent of its aggregate external boundaries
12 by the existing corporate boundaries of the annexing city, if the
13 governing body provides or will provide, within a reasonable period,
14 municipal services to the territory that are substantially equivalent to
15 the municipal services provided by the governing body to any area
16 of the city and the governing body does not, on or before October 1,
17 2001, enter into a cooperative agreement with the governing body of
18 the governmental entity within whose boundaries the territory is
19 located which provides for the cooperation of the parties to the
20 agreement concerning issues of land use and boundaries of that
21 territory; or

22 (c) That is undeveloped land and is bounded on at least 75
23 percent of its aggregate external boundaries by the existing
24 corporate boundaries of the annexing city and for which the
25 governing body has received a written statement from a
26 governmental entity indicating that the governmental entity:

27 (1) Owns the territory; and
28 (2) Does not object to the annexation of that territory by the
29 governing body.

30 2. If:

31 (a) A petition specified in paragraph (a) of subsection 1 is
32 accepted by the governing body;

33 (b) The territory proposed for annexation meets the
34 requirements of paragraph (b) of subsection 1; or

35 (c) The governing body receives a written statement from a
36 governmental entity pursuant to the provisions of paragraph (c) of
37 subsection 1,

38 ➤ the governing body may proceed to adopt an ordinance annexing
39 the territory and to take such other action that is appropriate to
40 accomplish the annexation.

41 3. As used in this section, "municipal services" includes,
42 without limitation:

43 (a) Water;
44 (b) Sewerage;
45 (c) Police protection;



- 1 (d) Fire protection;
- 2 (e) Parks;
- 3 (f) Maintenance of streets; and
- 4 (g) Master planning for:
 - 5 (1) The development and use of land;
 - 6 (2) The provision of water and sewerage by the governing
 - 7 body; or
 - 8 (3) The construction of regional infrastructure, including
 - 9 systems for the control of floods and street and utility projects.

10 **Sec. 8.** NRS 268.610 is hereby amended to read as follows:

11 268.610 1. The provisions of NRS 268.610 to 268.671,
12 inclusive, *and section 3 of this act*, apply only to cities located in a
13 county whose population is less than 700,000.

14 2. The provisions of NRS 268.610 to 268.671, inclusive,
15 except NRS 268.663 ~~H~~ *and section 3 of this act*, do not apply to
16 any city specified in subsection 1 whose charter provides
17 specifically for the creation of an annexation commission to serve
18 the city.

19 **Sec. 9.** NRS 268.612 is hereby amended to read as follows:

20 268.612 As used in NRS 268.610 to 268.671, inclusive, *and*
21 *section 3 of this act*, the words and terms defined in NRS 268.614
22 to 268.624, inclusive, unless the context otherwise requires, have the
23 meanings ascribed to them in those sections.

24 **Sec. 10.** NRS 268.630 is hereby amended to read as follows:

25 268.630 The commission shall have the following powers and
26 duties:

27 1. ~~F~~ *Except as otherwise provided in section 3 of this act*,
28 *to* review and approve or disapprove, with or without amendment,
29 wholly, partially or conditionally, proposals for the annexation of
30 territory to cities within the county.

31 2. To adopt procedures for the evaluation of proposals for the
32 annexation of territory to cities within the county.

33 **Sec. 11.** NRS 268.648 is hereby amended to read as follows:

34 268.648 1. Upon conclusion of the hearing, the commission
35 may take the matter under consideration and shall, within 30 days
36 following conclusion of the hearing, present its determination. The
37 commission may also adjourn a hearing from time to time, but not
38 to exceed a total of 30 days.

39 2. *If the commission determines that the proposal for*
40 *annexation is prohibited by section 3 of this act, the commission*
41 *shall disapprove the proposal.*

42 3. A commission in any county that is subject to the provisions
43 of NRS 278.026 to 278.029, inclusive, shall:

44 (a) Disapprove a proposal for annexation that is determined by
45 the regional planning commission to be inconsistent with the



1 comprehensive regional plan or with a program of annexation that is
2 adopted and certified pursuant to NRS 268.625.

3 (b) ~~Approve~~ *Except as otherwise provided in subsection 2,*
4 *approve* a proposal for annexation that is consistent with the
5 comprehensive regional plan and a program of annexation that is
6 adopted and certified pursuant to NRS 268.625.

7 ~~3.1~~ 4. If the commission approves the annexation, proceedings
8 therefor may be continued as provided in NRS 268.610 to 268.671,
9 inclusive. Except as otherwise provided in this subsection, if the
10 commission disapproves the proposed annexation, further
11 proceedings to annex the territory to the city must terminate. If a
12 county and affected cities have executed an interlocal agreement to
13 transfer the duties of the annexation commission of the city to the
14 regional planning commission, a county or city may appeal a
15 determination of the regional planning commission in accordance
16 with NRS 278.028. If the commission approves the proposed
17 annexation with modifications or conditions, further proceedings for
18 the annexation may be continued only in compliance with such
19 modifications or conditions.

20 **Sec. 12.** NRS 268.670 is hereby amended to read as follows:

21 268.670 1. ~~As~~ *Except as otherwise provided in section 3 of*
22 *this act, as* an alternative to the procedures for initiation of
23 annexation proceedings set forth in NRS 268.610 to 268.668,
24 inclusive, the governing body of a city may, subject to the
25 provisions of NRS 268.663 and after notifying the board of county
26 commissioners of the county in which the city lies of its intention,
27 annex:

28 (a) Contiguous territory owned in fee by the city.

29 (b) Other contiguous territory if 100 percent of the owners of
30 record of individual lots or parcels of land within such area sign a
31 petition requesting the governing body to annex such area to the
32 city. If such petition is received and accepted by the governing
33 body, the governing body may proceed to adopt an ordinance
34 annexing such area and to take such other action as is necessary and
35 appropriate to accomplish such annexation.

36 2. For the purposes of this section, "contiguous" means either
37 abutting directly on the boundary of the annexing municipality or
38 separated from the boundary thereof by a street, alley, public right-
39 of-way, creek, river or the right-of-way of a railroad or other public
40 service corporation, or by lands owned by the annexing
41 municipality, by some other political subdivision of the State or by
42 the State of Nevada.



1 **Sec. 13.** Chapter 269 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *A board of county commissioners may provide by*
4 *ordinance for the formation of an unincorporated town that*
5 *consists of territory that:*

6 (a) *Is conveyed or transferred to the county, or authorized to*
7 *be conveyed or transferred to the county, pursuant to a federal law*
8 *that:*

9 (1) *Is enacted after January 1, 2000; and*

10 (2) *Conveys or transfers to the county, or authorizes to be*
11 *conveyed or transferred to the county, at least 5,000 acres for the*
12 *purpose of:*

13 (I) *Developing an airport and any related*
14 *infrastructure; or*

15 (II) *Addressing noise compatibility issues related to an*
16 *airport; or*

17 (b) *Is located not more than 1 mile from any territory*
18 *described in paragraph (a).*

19 2. *The ordinance adopted pursuant to subsection 1 must*
20 *contain a clear designation of the boundaries of the*
21 *unincorporated town, a listing of services to be provided, the*
22 *number of members to serve on the town advisory board and*
23 *the conditions which must be satisfied before the appointment of*
24 *the first town advisory board. These conditions may include,*
25 *without limitation, the number of residents, the level of services*
26 *being provided and the extent of improvements in place.*

27 3. *Before a board of county commissioners adopts an*
28 *ordinance pursuant to subsection 1, the board of county*
29 *commissioners shall hold a public hearing on the proposed*
30 *ordinance and provide notice of such public hearing. Notice of the*
31 *public hearing must, without limitation:*

32 (a) *Be mailed not less than 15 days before the date set for the*
33 *public hearing to each owner of record of real property which is*
34 *located within the boundaries of the proposed town, as shown in*
35 *the records of the county recorder as of a date selected by the*
36 *board of county commissioners that is not more than 90 days*
37 *before the date of the public hearing;*

38 (b) *Set forth the date, time and place of the public hearing;*
39 *and*

40 (c) *Include a copy of the proposed ordinance creating the*
41 *town.*

42 **Sec. 14.** NRS 269.500 is hereby amended to read as follows:

43 269.500 NRS 269.500 to 269.625, inclusive, *and section 13 of*
44 *this act,* may be cited as the Unincorporated Town Government
45 Law.



1 **Sec. 15.** NRS 269.505 is hereby amended to read as follows:
2 269.505 Whenever used in NRS 269.500 to 269.625, inclusive,
3 *and section 13 of this act*, unless a different meaning clearly
4 appears from the context, the following words and terms defined in
5 NRS 269.510, 269.515 and 269.520 have the meanings ascribed to
6 them in those sections.

7 **Sec. 16.** NRS 269.576 is hereby amended to read as follows:
8 269.576 1. Except as appointment may be deferred pursuant
9 to NRS 269.563 ~~§~~ *or section 13 of this act*, the board of county
10 commissioners of any county whose population is 700,000 or more
11 shall, in each ordinance which establishes an unincorporated town
12 pursuant to NRS 269.500 to 269.625, inclusive, *and section 13 of*
13 *this act*, provide for:

14 (a) Except as otherwise provided in subsection 7, appointment
15 by the board of county commissioners or the election by the
16 registered voters of the unincorporated town of three or five
17 qualified electors who are residents of the unincorporated town to
18 serve as the town advisory board. If the ordinance provides for
19 appointment by the board of county commissioners, in making such
20 appointments, the board of county commissioners shall consider:

21 (1) The results of any poll conducted by the town advisory
22 board; and

23 (2) Any application submitted to the board of county
24 commissioners by persons who desire to be appointed to the town
25 advisory board in response to an announcement made by the town
26 advisory board.

27 (b) A term of 2 years for members of the town advisory board.

28 (c) Election of a chair from among the members of the town
29 advisory board for a term of 2 years, and, if a vacancy occurs in the
30 office of chair, for the election of a chair from among the members
31 for the remainder of the unexpired term. The ordinance must also
32 provide that a chair is not eligible to succeed himself or herself for a
33 term of office as chair.

34 2. Except as otherwise provided in subsection 7, the members
35 of a town advisory board serve at the pleasure of the board of county
36 commissioners.

37 3. If a vacancy occurs on the town advisory board, the board of
38 county commissioners shall appoint a new member to serve out the
39 remainder of the unexpired term of the member.

40 4. The board of county commissioners shall provide notice of
41 the expiration of the term of a member of and any vacancy on a
42 town advisory board to the residents of the unincorporated town by
43 mail, newsletter or newspaper at least 30 days before the expiration
44 of the term or filling the vacancy.

45 5. The duties of the town advisory board are to:



1 (a) Assist the board of county commissioners in governing the
2 unincorporated town by acting as liaison between the residents of
3 the town and the board of county commissioners; and

4 (b) Advise the board of county commissioners on matters of
5 importance to the unincorporated town and its residents.

6 6. The board of county commissioners may provide by
7 ordinance for compensation for the members of the town advisory
8 board.

9 7. ~~HH~~ *Except an unincorporated town established pursuant to*
10 *section 13 of this act, if* an unincorporated town is established in a
11 county whose population is 700,000 or more and is located 25 miles
12 or more from an incorporated city whose population is 500,000 or
13 more:

14 (a) The board of county commissioners shall by ordinance
15 provide for the election by the registered voters of the
16 unincorporated town of three or five qualified electors who are
17 residents of the unincorporated town to serve as the town advisory
18 board. If there are fewer qualified electors who are residents of the
19 unincorporated town who file for election to the town advisory
20 board than there are seats on the town advisory board, the board of
21 county commissioners shall appoint as many new members as are
22 necessary to fill the seats left vacant after the election.

23 (b) The members of the town advisory board of the
24 unincorporated town do not serve at the pleasure of and may not be
25 removed by the board of county commissioners.

26 **Sec. 17.** NRS 269.577 is hereby amended to read as follows:

27 269.577 1. ~~The~~ *Except as appointment may be deferred*
28 *pursuant to section 13 of this act, the* board of county
29 commissioners of any county whose population is less than 700,000
30 shall, in each ordinance which establishes an unincorporated town
31 pursuant to NRS 269.500 to 269.625, inclusive, *and section 13 of*
32 *this act*, provide for:

33 (a) The appointment by the board of county commissioners or
34 the election by the people of three or five qualified electors who are
35 residents of the unincorporated town to serve as the town advisory
36 board.

37 (b) The removal of a member of the town advisory board if the
38 board of county commissioners finds that the removal of the
39 member is in the best interest of the residents of the unincorporated
40 town.

41 (c) The appointment by the board of county commissioners of a
42 member to serve the unexpired term of a member of the town
43 advisory board removed pursuant to the provisions of paragraph (b)
44 or whose position otherwise becomes vacant.



1 2. The board of county commissioners may provide by
2 ordinance for compensation for the members of the town advisory
3 board.

4 3. The duties of the town advisory board are to:

5 (a) Assist the board of county commissioners in governing the
6 unincorporated town by acting as liaison between the residents of
7 the town and the board of county commissioners; and

8 (b) Advise the board of county commissioners on matters of
9 importance to the unincorporated town and its residents.

10 **Sec. 18.** NRS 269.578 is hereby amended to read as follows:

11 269.578 1. ~~{The}~~ *Except as appointment may be deferred*
12 *pursuant to section 13 of this act, the* board of county
13 commissioners of any county whose population is less than 700,000
14 shall appoint members for an appointive town advisory board which
15 is created after June 30, 1983, to initial terms as follows:

16 (a) For a three-member board:

17 (1) One member for a term of no more than 1 year; and

18 (2) Two members for terms of more than 1 year but no more
19 than 2 years.

20 ↪ Each term must end on the first Monday in January of the
21 appropriate year.

22 (b) For a five-member board:

23 (1) Two members for terms of no more than 1 year; and

24 (2) Three members for terms of more than 1 year but no
25 more than 2 years.

26 ↪ Each term must end on the first Monday in January of the
27 appropriate year.

28 2. As the initial terms expire, the board of county
29 commissioners shall appoint members for terms of 2 years
30 thereafter.

31 3. If the town board is made elective after June 30, 1983, the
32 ordinance creating it must provide for the division of the first
33 elected board by lot into two classes whose terms will correspond to
34 those provided in subsection 1.

35 **Sec. 19.** NRS 244.2963 is hereby amended to read as follows:

36 244.2963 If the board of county commissioners establishes a
37 district for a fire department, the department:

38 1. Assumes all rights, duties, liabilities and obligations of any
39 fire department in any unincorporated town in the county which is
40 subject to the provisions of NRS 269.500 to 269.625, inclusive ~~{,}~~,
41 *and section 13 of this act.*

42 2. Assumes all rights, duties, liabilities and obligations of any
43 county fire protection district only upon dissolution of the district as
44 provided in chapter 474 of NRS.



1 **Sec. 20.** This act becomes effective upon passage and
2 approval.

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