



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, August 14, 2018

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocitynv.gov/>, the State of Nevada's Public Notice Website,

<https://notice.nv.gov>, and in the following locations:

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: August 9, 2018 at 8:40 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: August 9, 2018 at 9:00 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: August 9, 2018 at 8:50 a.m.

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date: Time Posted: August 9, 2018 at 8:30 a.m.

Posted by: Diann Byington Recording Secretary

Name

Title

Signature Diann M. Byington

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at kwilkinson@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocitynv.gov/>

Dated this 9th day of August, 2018

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

Curtis Calder

Curtis Calder, City Manager

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.T., TUESDAY, AUGUST 14, 2018
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES: July 24, 2018 Regular Session

I. PRESENTATIONS

- A. Presentation of an Appreciation Plaque for Mr. Kenneth Sestanovich for his 27+ Years of Service, and matters related thereto. **INFORMATION ONLY-NON ACTION ITEM**
- B. Presentation by Judge Mason Simons on Interim Legislative Committee on Civil Traffic Infractions, and matters related thereto. **INFORMATION ONLY- NON ACTION ITEM**
- C. Presentation by Wells Rural Electric Regarding Opposition to Question 3 "The Energy Choice Initiative" – for the 2018 General Election, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

II. PERSONNEL

- A. Employee Introductions:
 - 1) Clark Phillips, Water Operator II, Water/Sewer Department
 - 2) Caleb McHale, Parks Maintenance Technician I, Parks Department
 - 3) Damian Thornton, Parks Maintenance Technician I, Parks Department
 - 4) Josh Delmore, Equipment Operator I, Street Department

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review, consideration, and possible award of the bid for the 6th Street Storm Drain Repair Phase 2, and matters related thereto. **FOR POSSIBLE ACTION**

At their June 26, 2018 meeting, Council authorized Staff to solicit bids for the replacement of approximately 110 feet of culvert with this project. DS

- D. Review, consideration, and possible approval of the Elko Police Department to purchase two (2) Dodge Charger Police model sedans, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2018/19 budgeting process to purchase two (2) patrol vehicles. The cost of two (2) Dodge Charger Police model sedans, including the buildout for lighting, audio, computer, radio, graphics, etc. is \$53,106.90 each. Total cost for both vehicles is estimated at \$106,213.80. BR

- E. Review, consideration, and possible approval of the Elko Police Department to purchase two (2) Chevy Tahoe Police model SUV's, and matters related thereto. **FOR POSSIBLE ACTION**

Elko Police Department was approved in the FY2018/19 budgeting process to purchase two (2) Chevrolet Tahoe Police model SUV's. The cost of two (2) Chevrolet Tahoe Police model vehicles, including the buildout for lighting, audio, computer, radio, graphics, etc.; one as a patrol unit and one as a detective unit, is estimated at \$123,977.10 (Patrol - \$72,973.69; Detective - \$51,003.41). BR

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 8-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 2 involving the proposed division of approximately 13.907 acres of property into 19 lots for residential development and 1 remaining lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). On May 3, 2016, the Planning Commission took action recommending the City Council conditionally approve the preliminary plat. The Preliminary Plat was conditionally approved by the City Council on May 24, 2016. On June 5, 2018, the Planning Commission took action recommending a conditional approval of the final plat to the City Council. CL

V. NEW BUSINESS

- A. Review, consideration, and possible approval to dedicate Right-of-Way for Statice Street across property owned by the City of Elko at the intersection of Ruby Vista Drive and Statice Street, on APN 001-860-065, and matters related thereto. **FOR POSSIBLE ACTION**

This area of Statice Street has existed as an access easement for many years. Other property owners along this block have been dedicating Right-of-Way, and this portion of the Well-36 property will complete the 70' wide Right-of-Way in this area. BT

- B. Review, consideration, and possible approval of an extension of contract days to the Sports Complex Phase 1 Construction Contract with Granite Construction, and matters related thereto. **FOR POSSIBLE ACTION**

Granite Construction is requesting 24 additional contract days due to the severity of the groundwater on-site. A letter from Granite Construction explaining the hardship and a change order form outlining the request are included in the agenda packet. BT

- C. Review, consideration, and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Great Basin Estates Phase 2 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 of the City Council's approval of the final plat. SAW

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review for possible approval or denial of a House of Prostitution License Application and Retail Liquor License Application made by Louis R. Goldberg, dba Mona's Ranch located at 103 S 3rd Street, Elko, and matters related thereto. **FOR POSSIBLE ACTION**

A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Mr. Goldberg has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council. BR

- B. Review for possible approval or denial of a House of Prostitution License Application made by Anna L. Brown, dba Mona's Ranch located at 103 S 3rd Street, Elko, and matters related thereto. **FOR POSSIBLE ACTION**

A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Ms. Brown has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council. BR

- C. Consideration of a request from Mr. Tony Giles to appeal a work permit denial by Police Chief Ben Reed, Jr., and matters related thereto. **FOR POSSIBLE ACTION**

Any person whose application for a work permit has been denied or revoked by the Police Chief may appeal to the City Council for a hearing to show cause why the work permit should be issued or should not be revoked.

In this instance, the Police Chief denied the work permit based upon the following three (3) City Code provisions:

5-11-4 (E) 4: The Police Chief may deny any application made by any applicant who does not meet the requirements of this chapter, or who has failed to disclose, misstated or otherwise misled the Police Chief in respect to any facts or statement contained within the application, or who has refused or neglected to comply with any of the provisions of this chapter.

5-11-2 A: To better define the policy of the City and this chapter, the following persons may be declared to be unqualified, disqualified or unsuitable persons to be granted or to hold bar employee work permits under the provisions of this chapter: A person who within the past three (3) years, has been convicted of a felony or of any crime which, under the laws of this state, is punishable as a felony.

5-11-2 C: A person who the Police Chief determines is not a suitable person to receive a work permit under the provisions of this chapter, having due consideration for the proper protection of the public health, safety, morals, good order and general welfare of the inhabitants of the City.

A copy of Mr. Giles' letter requesting an appeal and Work Permit Application have been enclosed in the agenda packet for review. CC

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 833, an ordinance amending Title 7, Chapter 2 and Title 7, Chapter 5, of the Elko City Code entitled "**TRAFFIC REGULATIONS**", and other matters related thereto. **FOR POSSIBLE ACTION**

At its July 24, 2018 meeting, Council held the first reading of Ordinance No. 833. BR

VIII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager

City of Elko)
County of Elko)
State of Nevada)

SS July 24, 2018

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, July 24, 2018.

This meeting was called to order by Mayor Chris Johnson.

CALL TO ORDER

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice
 Councilwoman Simons
 Councilman Robert Schmidtlein
 Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Dennis Strickland, Public Works Director
 Cathy Laughlin, City Planner
 John Holmes, Fire Marshal
 Mike Palhegyi, Police Lieutenant
 James Wiley, Parks and Recreation Director
 Pete Dondero, Golf Course Superintendent
 Karen Walther, Animal Shelter Manager
 Jim Foster, Airport Manager
 Bob Thibault, Civil Engineer
 Dave Stanton, City Attorney
 Tom Coyle, Deputy City Attorney
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Presentation of a proclamation by the Mayor in recognition of National Night Out, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

Mayor Johnson read the presentation.

- B. Presentation by the Executive Director of the Nevada Outdoor School, and matters related thereto. **INFORMATION ONLY – NON-ACTION ITEM**

Melanie Erquiaga, Nevada Outdoor School, spoke about the program. They have been doing a lot in this community. She handed out some brochures and other paperwork (Exhibit "A") and explained what they do. She asked if the City Council could consider supporting the program with some funding. She would be happy to put together a proposal. At the very least, look through the paperwork and give them some feedback.

Councilman Rice noted we are all stewards of the land and we are very fortunate to live in a place where there is an abundance of natural resources. We all have a deep feeling about the environment and our landscape. He would get hold of her later.

Councilwoman Simons said she appreciates what they do because her kids are in it. Anything that keeps kids away from electronics, she is all about it.

III. PERSONNEL

- A. Review, discussion, and evaluation of City Manager job performance for Fiscal Year 2017/2018, and matters related thereto. **FOR POSSIBLE ACTION**
Current City policy states that a performance appraisal shall be completed for Appointed Officials each year in July. For the years that are odd numbered, the appraisals are conducted by the City Council for the previous year. For the years that are even numbered, the evaluations are conducted by the City Manager. The exception to this would be the City Manager's appraisal, which is always conducted by the City Council each year in July. AB

Curtis Calder, City Manager, said Aubree Barnum, Human Resources Manager, and Jonnye Jund, Administrative Services Director, are traveling. It was Council's pleasure as to how they want to handle the appraisal.

Councilman Rice said he appreciates the work that Mr. Calder has done. He has done a terrific job.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve the performance evaluation of the City Manager for the Fiscal Year 2017/2018.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS

- C. Review, consideration, and possible approval of final design plans for the combined Water/WRF Shop Project, and matters related thereto. **FOR POSSIBLE ACTION**

The design for the combined shop is complete. Staff is seeking Council approval of the design only. RL

Pat Walsh, Architect with ZGA out of Boise, Idaho, handed out some paperwork (Exhibit "B"). These are just some of the pages out of the proposal paperwork. He explained the project and went over the drawings.

Ryan Limberg, Utilities Director, added if anyone would like to see the entire set of plans, he has them available. We have room on this building to add bays to either side in the future. We will have discussions about when would be the best time to bid and award this. We can do it in 365 days but it hard to get it done in one Fiscal Year due to the construction season.

Councilman Keener asked if there will be any natural light in the shop area.

Mr. Walsh answered the only natural light is through the bay doors. They didn't want to put skylights in due to leaking and maintenance over time.

Mr. Limberg said they would like the light but the skylights are high and after a few years you get build up that never seems to get cleaned. The current shop doesn't have high windows any more than they are planning on in the doors. They want to avoid the maintenance of high windows.

Mr. Walsh said the entire facility will be LED lit and energy efficient.

Councilman Schmidtlein said he noticed the aprons where everyone enters and exits. He would like to see them extended out because of the weight of the vehicles.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidtlein, to approve the Final Design Plan for the Combined Water/WRF Shop.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible award of the bid for the Elko Sports Complex Parking Lot Project, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were received until 3:00 p.m. on July 12, 2018. Two bids were received. A Bid Tabulation is included in your agenda packet. Granite Construction is the

apparent low bidder in the total amount of \$1,273,337.50 for the base bid and all four of the additive alternates. BT

Bob Thibault, Civil Engineer, explained in the packet is a bid tabulation. There was one other bidder that was roughly 10% over. After awarding this portion of the project and if all the committed funding comes in as planned, the project is under budget just over \$1 million.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to award the Sports Complex Parking Lot Construction to Granite Construction, in the amount of \$1,273,337.50 for the base bid and additive alternates 1 through 4.**

The motion passed unanimously. (5-10)

V. SUBDIVISIONS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 9-18, filed by Riverside Villas Nevada LLC., for the development of a subdivision entitled Riverside Villas a Condominium Development Phase 1 involving the proposed division of approximately 7.872 acres of property into 24 lots and 1 remainder for residential development within the C (General Commercial) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located northwest corner of the intersection of S. 12th Street and Opal Drive. Preliminary Plat was conditionally approved by City Council on June 12, 2018. The Planning Commission considered this item on July 9, 2018 and took action to forward a recommendation to City Council to conditionally approve Final Plat 9-18. CL

Cathy Laughlin, City Planner, explained this was in front of council on June 12 for the Preliminary Plat approval. The Final Plat was reviewed by the Planning commission. This is a conversion of the existing apartment complex into condominiums. There are phases in the Final Plat and they are starting out with the first two buildings. The Planning Commission did have several findings and those are included in the packet. Planning Commission recommended conditional approval with the ten conditions listed in the staff memo.

Councilman Keener thought there had been a performance agreement for the landscaping.

Ms. Laughlin answered that was part of the Conditional Use Permit. With the Preliminary Plat they reviewed the Conditional Use Permit. They reviewed and made some modifications to the CC&R's. They want to make sure the property owners are still liable for the landscaping maintenance.

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to conditionally approve Final Plat No. 9-18, for the Riverside Villas, a condominium development, Phase 1, subject to the conditions as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

VI. NEW BUSINESS

- A. Review, consideration, and possible authorization to accept a Relinquishment and Waiver between DDS Properties, LLC and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

In July 2005, the City of Elko entered into an agreement with Wyatt and Melinda Chambers involving the dedication of a public Right-of-Way to the City in exchange for certain public improvements. The current owner of the property has applied to vacate a portion of the public Right-of-Way with Vacation Application No. 1-18. The City of Elko, in consideration for vacating this portion of said right-of-way, has requested the applicant enter into a Relinquishment and Waiver agreement relinquishing any rights or benefits from the 2005 agreement with Chambers. CL

Ms. Laughlin explained there are a couple of items on the agenda tonight that are related to this property. In 2005, the City entered into an agreement with the Chambers. They never developed the property and we no longer need the slope easement that was created with the agreement. The current property owner is proposing development there. He is proposing to vacate that excess right-of-way from the City, and with that, we would have this relinquishment and waiver.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidtlein, to accept a Relinquishment and Waiver agreement with DDS Properties LLC.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of Revocable Permit No. 3-18, filed by Veterans of Foreign Wars to occupy a portion of VFW Drive and 14th Street right-of-way to accommodate on-street parking, and a portion of VFW Drive to accommodate a portion of an existing awning and sign, and matters related thereto. **FOR POSSIBLE ACTION**

The VFW had a recent survey of the property in order to apply for a rezone from R- Residential to PQP-Public, Quasi-Public. The survey showed that a portion of the existing awning and sign are within the City of Elko Right-of-Way. They do not have any off street parking and utilize the parking off VFW Drive and 14th Street for their parking. This application is in conjunction with the rezone 5-18 and variance 6-18 applications will bring the property into conformance with ECC 3-2-17. CL

Ms. Laughlin explained this parcel is in use by the VFW. It is a legal non-conforming use. You cannot expand upon that legal non-conforming use unless you do a Conditional Use Permit. With it being zoned Residential, they are limited on a lot of the uses. The rezone is what triggered the Variance Application, and the Variance Application triggered the Revocable Permit Application. We want to bring the property into conformance with this Revocable Permit.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Keener, to approve Revocable Permit No. 3-18, subject to the execution of a standard license agreement between the Applicant and the City of Elko.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible authorization to enter into an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Riverside Villas Condominiums Phase 1 Subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guaranty in accordance with Elko City Code 3-3-45. As noted in the recitals of the agreement, the property was developed under a prior final plat approval including a related performance agreement and related guarantee. SAW

Scott Wilkinson, Assistant City Manager, explained we have unique circumstances that exist with this proposed subdivision. Despite that, an agreement is still required. There are a few conditions identified in the agreement. He recommended approval of the agreement with an effective date of today.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidtlein, to approve the Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements association with the Riverside Villas Condominiums Phase 1 subdivision. The subdivider shall enter into the agreement within thirty days with an effective date of 7/24/2018.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible authorization for the Animal Shelter to apply for a \$70,000 grant from the Humane Network, and matters related thereto. **FOR POSSIBLE ACTION**

Curtis Calder, City Manager, said the reason this is in front of council is because our grants policy requires authorization to apply for a grant. If we are successful in the application we would bring it back for an acceptance of the grant. Sometimes these grants that are animal shelter related are applied for through LASSO but this seemed more appropriate for the City Animal Shelter.

Karen Walther, Animal Shelter Manager, said this is a first time for her. This is all under Maddie's Pet Project and Saving Nevada Pets. The grandparent fund is Maddie's Fund. We have worked with them for 30 years. There are no matching funds with this grant and it is a three year grant.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to authorize the Animal Shelter to apply for a \$70,000 grant from the Humane Network.**

The motion passed unanimously. (5-0)

VII. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 833, an ordinance amending Title 7, Chapter 2 and Title 7, Chapter 5, of the Elko City Code entitled "Traffic Regulations", by repealing existing traffic laws except as otherwise provided. Adopting by reference NRS chapters 484A through 484E, inclusive, to be the traffic laws of the city insofar as they may be made to be applicable and retaining specific traffic and traffic related laws of the City, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department is recommending changes in accordance with NRS 484. BR

Mr. Calder explained the Police Chief is not here but Tom Coyle was present to go over the changes.

Tom Coyle, Deputy City Attorney, explained the municipal court has certain requirements for their state reporting so they have wanted these changes for some time. This was a large project. He offered to go over the changes.

Councilman Keener said he skimmed through this and he did not see any reference in inattentive to driving and using a cell phone.

Mr. Coyle said that is addressed in the code and it is a specific state code.

**** A motion was made by Councilman Rice, seconded by Councilwoman Simons, to conduct the first reading of Ordinance No. 833 and direct staff to set the matter for public hearing, second reading and possible adoption.**

The motion passed unanimously. (5-0)

VIII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review and consideration of a request from the Idaho Chapter of Golf Course Superintendents Association of America (GCSAA) to host a tournament at Ruby View Golf Course on October 7-8, 2019, and matters related thereto. **FOR POSSIBLE ACTION**

The GCSAA is requesting to hold their annual conference in Elko Nevada on October 7-8, 2019. In addition to the conference, they plan to hold a tournament at Ruby View Golf Course. Ruby View offers golf privileges and a 50% discount on cart rentals for verified PGA Golf Professionals and Golf Superintendents. Conference organizers are also requesting that allied members including vendors, architects, engineers and other attendees also receive these privileges.

Approximately 30 verified superintendents will be attending, including 20 allied members. Attendees will be coming from Idaho, North Eastern Nevada, Southeast Oregon, and Northern Utah. JW

James Wiley, Parks and Recreation Director, explained the Idaho Chapter of Golf Superintendents Association of America has requested this conference and tournament be held in 2019. These conferences are held annually throughout the United States. Many golf courses offer privileges to PGA Golf Professionals and Golf Superintendents, where they basically play for free. The only cost we would be able to recoup is a 50% rental fee of the golf carts. He listed some approximate numbers that the organizer is anticipating. October is a great time for an event such as this. Anything we can do to promote use of the golf course is a good thing. This is a great opportunity for us. The organizer gave him an estimate of 30 golf pros and golf superintendents, and possibly 20 additional allied members that would be attending.

Councilman Keener thought it was a good idea.

Pete Dondero, Golf Superintendent, said last year they combined three different chapters of the GCSAA and held this conference at the Coeur d'Alene Resort. There were 180+ attendees and it was very successful. The last time we hosted this was 15 years ago.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to approve the GCSAA to host a tournament at Ruby View Golf Course, to include golf privileges and a 50% cart rental discount to attendees. This would also include the auxiliary individuals that are associated with that event.**

The motion passed unanimously. (5-0)

IV. APPROPRIATIONS (Cont.)

- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Rice, to approve the Print 'N Copy warrants.**

The motion passed. (4-0 Councilman Keener abstained.)

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilman Rice, seconded by Councilman Keener to approve the regular warrants.**

The motion passed unanimously. (5-0)

II. CONSENT AGENDA

- A. Review, consideration, and possible approval of the City of Elko FY 2018/2019 Indebtedness Report, Debt Management Policy, and Five-Year Capital Improvement Plan as required by NRS 350.013, and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to NRS 350.013, all entities must file the Indebtedness Report, an updated Debt Management Policy, and the Five-Year Capital Improvement Plan. The updated reports are included in the agenda packet for your review. JJ

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve the consent agenda.**

The motion passed unanimously. (5-0)

X. REPORTS

- A. Mayor and City Council

Councilman Keener reported the Elko Broadband Action Committee met last week and he felt it was a very productive meeting.

Councilman Rice said NNRH has been taken over by yet another firm. They were supposed to give us a review. He asked that staff put that together so we can address some of the concerns in the community.

- B. City Manager – Nevada League of Cities Conference September 13–15, 2018

Curtis Calder reported Kim has been reaching out to everyone about the NLC Conference. All Council members are welcome to attend. It is usually an interesting conference.

- C. Assistant City Manager

- D. Utilities Director

Ryan Limberg reported on the railroad bores and river crossing project. We are about 25% complete with the project.

- E. Public Works

Dennis Strickland said the Public Works projects are ahead of schedule. Everything is going great.

- F. Airport Manager

- G. City Attorney

- H. Fire Chief

John Holmes, Fire Marshal, reported there have been several fires recently. They are just plugging along and have been able to send people out to other communities.

- I. Police Chief

- J. City Clerk

- K. City Planner

- L. Development Manager

- M. Administrative Services Director

- N. Parks and Recreation Director

James Wiley reported on the Sports Complex Project. There is some storm drain that has gone into the ground. They are working on getting that

from Errecart Blvd. down to the river. Dewatering is about the same as last time. We are getting closer to getting the wall in.

O. Civil Engineer

Bob Thibault said, regarding the Sports Complex Project, the main contractor has requested some time due to the excessive ground water.

P. Building Official

Chip Stone asked Council, regarding the recent parade fee changes and regarding the Elko High School Homecoming Parade, according to the Code, Elko High School should be able to get those fees waived. Could they get the Elko Boys and Girls Club, as a non-profit, to sponsor the event?

IX. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible approval of Preliminary Plat No. 7-18, filed by DDS Properties LLC., for the development of a subdivision entitled Humboldt Hills involving the proposed division of approximately 9.443 acres of property into 26 lots for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the preliminary plat on July 9, 2018, and took action to forward a recommendation to Council to conditionally approve Preliminary Plat No. 7-18. CL

Cathy Laughlin, City Planner, explained this was reviewed by Planning Commission. This is located off Jennings and it is currently undeveloped. This is a self-contained subdivision. They are proposing 26 lots. The Planning Commission had several findings and they recommended conditional approval. The applicant was present to answer questions.

Councilwoman Simons asked about the vote on the density issue.

Ms. Laughlin answered the Planning Commission recommended the modification from the standard.

Councilman Schmidtlein asked if the double frontages will face Eagle Ridge Loop.

Ms. Laughlin answered they will be restricted to access from Eagle Ridge Drive. That condition is listed.

Dave Stanton, City Attorney, said if Council is going to approve this, they need to include some language to the effect of by modifying the standards the Council isn't defeating the purpose and intent of the Master Plan.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to conditionally approve Preliminary Plat No. 7-18 for the Humboldt Hills Subdivision, subject to the conditions as recommended by the Planning Commission, and the Council**

finds that by modifying the standards, do not defeat the purpose and the intention of the Master Plan.

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to adopt Resolution No. 23-18, a resolution and order vacating a portion of the Jennings Way right-of-way, consisting of an area approximately 7,036 sq. ft., which is located within the City of Elko, Nevada, APN 001-01H-001, filed and processed as Vacation No. 1-18 filed by DDS Properties LLC., and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of June 12, 2018, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its special meeting July 9, 2018, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-18 with findings in support of its recommendation. CL

Ms. Laughlin explained what they are proposing to be vacated. Planning Commission reviewed this and they recommended conditional approval.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Keener, seconded by Councilman Rice, to adopt Resolution No. 23-18, which contains conditions as recommended by Planning Commission.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible action to adopt Resolution No. 24-18, a resolution of the Elko City Council adopting a change in zoning district boundaries from R (Single Family and Multiple Family Residential) to PQP (Public, Quasi-Public) approximately 2.797 acres of property located generally northeast of 14th Street between Cedar Street and College Avenue, filed by High Desert Engineering on behalf of Elko County, HCPI/Utah LLC & Veterans of Foreign Wars, and processed as Rezone No. 5-18, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the Subject Zone Change Request on July 9, 2018 and took action to forward a recommendation to City Council to adopt a resolution, which conditionally approves Rezone No. 5-18. CL

Ms. Laughlin explained why this rezone has been requested. The current land use of the property is PQP. This is in conformance with the Master Plan. The City encouraged the rezone and the Planning Commission showed support for it. They recommended conditional approval.

Mayor Johnson called for public comment without a response.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to adopt Resolution No. 24-18 as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, the public, if any, and discussion of those comments devote this time to comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

Councilman Keener asked, regarding what Chip Stone spoke about earlier, if that discussion could be put on an agenda.

Curtis Calder, City Manager, said the way the code reads, for a non-profit parade, it can be waived by the Police Chief in concurrence with the City Manager. The Police Chief wasn't present but his line of thinking is that once the Police Chief sees the route, and a determination is made that we aren't going to require a bunch of police resources to block streets and traffic control, etc., then that can give the justification for the Police Chief waiving the fee. Ultimately it is his decision and it doesn't need to come to the Council. He would concur with that as long as the expenses aren't significant.

There being no further business, Mayor Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible award of the bid for the 6th Street Storm Drain Repair Phase 2, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **At their June 26, 2018 meeting, Council authorized Staff to solicit bids for the replacement of approximately 110 feet of culvert with this project. DS**
6. Budget Information:
 Appropriation Required: **\$ 59,175.60**
 Budget amount available: **\$ 75,000.00**
 Fund name: **Street Department – Storm Drains and Gutters**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **A Bid Tabulation is included in your packet**
9. Recommended Motion: **Award the bid for the 6th Street Storm Drain Repair - Phase 2 to Great Basin Engineering in the amount of \$59,175.60**
10. Prepared By: **Dennis Strickland, Public Works Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Bob Thibault, P.E., Staff Engineer**
 bthibault@elkocitynv.gov

 Pamela Lattin, Great Basin Engineering
 greatbasinelko@gmail.com

CITY OF ELKO
BID TABULATION
FOR
6th Street Storm Drain Project
August 2, 2018

Revised Bid Tabulation 8/3/18

Name					Great Basin Engineering		Acha Construction		Element Construction		Remington Construction		Ruby Dome Inc.		KAP Mechanical	
Address					PO Box 396		1042 Commercial St.		197 Elko Summit Dr.		445 5th Street		6525 E. Idaho St.		809 Industrial Way	
City State					Elko, NV 89801		Elko, NV 89801		Elko, NV 89801		Elko, NV 89801		Elko, NV 89801		Elko, NV 89801	
Phone No.					775-738-1265		775-777-3575		775-299-4085		775-738-6001		775-738-2154		775-738-1908	

No.	Bid Item Description	Quantity	Unit	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price		Unit Price		Unit Price		Unit Price	
1	Mobilization @ _____ per Lump Sum.	1	LS	\$ 5,500.00	\$5,500.00	\$6,765.00	\$6,765.00	\$3,020.00	\$3,020.00	\$3,324.00	\$3,324.00	\$6,000.00	\$6,000.00	\$ 9,000.00	\$ 9,000.00
2	Traffic Control @ _____ per Lump Sum.	1	LS	\$ 2,750.00	\$2,750.00	\$1,200.00	\$1,200.00	\$3,150.00	\$3,150.00	\$3,500.00	\$3,500.00	\$6,000.00	\$6,000.00	\$ 3,000.00	\$ 3,000.00
3	Remove and Dispose of Asphalt @ _____ per Square Foot.	3400	SF	\$ 0.67	\$2,278.00	\$1.75	\$5,950.00	\$1.20	\$4,080.00	\$2.25	\$7,650.00	\$1.00	\$3,400.00	\$ 4.50	\$ 15,300.00
4	Remove and Dispose of 48" Arched CMP @ _____ per Lineal Foot.	110	LF	\$ 201.26	\$22,138.60	\$210.00	\$23,100.00	\$70.00	\$7,700.00	\$141.00	\$15,510.00	\$190.00	\$20,900.00	\$ 78.00	\$ 8,580.00
5	Construct 48" Ø HDPE Pipe @ _____ per Lineal Foot.	110	LF	\$ 183.26	\$20,158.60	\$170.00	\$18,700.00	\$333.00	\$36,630.00	\$270.00	\$29,700.00	\$222.00	\$24,420.00	\$ 460.00	\$ 50,600.00
6	Import, Place, and Compace Aggregate Base @ _____ per Cubic Yard.	126	CY	\$ 50.40	\$6,350.40	\$34.00	\$4,284.00	\$81.00	\$10,206.00	\$57.00	\$7,182.00	\$55.00	\$6,930.00	\$ 75.00	\$ 9,450.00
	TOTAL BASE BID				\$59,175.60		\$59,999.00		\$64,786.00		\$66,866.00		\$67,650.00		\$ 95,930.00

#4 written as	\$ 22,139.04	-\$0.44
#5 should be	\$ 20,159.04	-\$0.44
Difference of		-\$0.88
Bid Amount was	\$ 59,176.48	

Did not use the Revised Bid form

Did not write out numerical amounts on the bid form!

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the Elko Police Department to purchase two (2) Dodge Charger Police model sedans, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Elko Police Department was approved in the FY2018/19 budgeting process to purchase two (2) patrol vehicles. The cost of two (2) Dodge Charger Police model sedans, including the buildout for lighting, audio, computer, radio, graphics, etc. is \$53,106.90 each. Total cost for both vehicles is estimated at \$106,213.80. BR**
6. Budget Information:

Appropriation Required: \$106,213.80
Budget amount available: \$106,000.00
Fund name: Capital Equipment
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **See attached worksheet**
9. Recommended Motion: **Authorize the Elko Police Department to purchase the two (2) Dodge Charger Police model sedans and related equipment.**
10. Prepared By: **Ty Trouten, Captain, Elko Police Department**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:



ELKO POLICE DEPARTMENT

Ben Reed, Jr.
Police Chief

1448 Silver Street
Elko, Nevada 89801
775.777.7310
775.738.1415 Fax
www.elkocity.com

August 1, 2018

Dodge Charger 1	\$30,035.00
Premier	\$12,086.66
Radio	\$ 9,985.24
Graphics	\$ 1,000.00
Total	<u>\$53,106.90</u>

Dodge Charger 2	\$30,035.00
Premier	\$12,086.66
Radio	\$ 9,985.24
Graphics	\$ 1,000.00
Total	<u>\$53,106.90</u>

Cars	\$106,213.80	Budgeted \$106,000.00
		- \$213.80

Patrol Chevy Tahoe	\$41,845.25
Premier	\$19,693.20
Radio	\$ 9,985.24
Cradle Point	\$ 1,000.00
Graphics	\$ 450.00
Total	<u>\$72,973.69</u>

Unmarked Chevy Tahoe	\$36,635.25
Premier	\$ 4,382.92
Radio	\$ 9,985.24
Total	<u>\$51,003.41</u>

SUV's	\$123,977.10	Budgeted \$125,000.00
		+1,022.90

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of the Elko Police Department to purchase two (2) Chevy Tahoe Police model SUV's, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Elko Police Department was approved in the FY2018/19 budgeting process to purchase two (2) Chevrolet Tahoe Police model SUV's. The cost of two (2) Chevrolet Tahoe Police model vehicles, including the buildout for lighting, audio, computer, radio, graphics, etc.; one as a patrol unit and one as a detective unit, is estimated at \$123,977.10 (Patrol - \$72,973.69; Detective - \$51,003.41). BR**
6. Budget Information:
 Appropriation Required: **\$123,977.10**
 Budget amount available: **\$125,000.00**
 Fund name: **Capital Equipment**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **See attached worksheet**
9. Recommended Motion: **Authorize the Elko Police Department to purchase two Chevy Tahoe Police model SUV's and related equipment.**
10. Prepared By: **Ty Trouten, Captain, Elko Police Department**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution:



ELKO POLICE DEPARTMENT

Ben Reed, Jr.
Police Chief

1448 Silver Street
Elko, Nevada 89801
775.777.7310
775.738.1415 Fax
www.elkocity.com

August 1, 2018

Dodge Charger 1	\$30,035.00
Premier	\$12,086.66
Radio	\$ 9,985.24
Graphics	\$ 1,000.00
Total	<u>\$53,106.90</u>

Dodge Charger 2	\$30,035.00
Premier	\$12,086.66
Radio	\$ 9,985.24
Graphics	\$ 1,000.00
Total	<u>\$53,106.90</u>

Cars	<u>\$106,213.80</u>	<u>Budgeted \$106,000.00</u>
		<u>-\$213.80</u>

Patrol Chevy Tahoe	\$41,845.25
Premier	\$19,693.20
Radio	\$ 9,985.24
Cradle Point	\$ 1,000.00
Graphics	\$ 450.00
Total	<u>\$72,973.69</u>

Unmarked Chevy Tahoe	\$36,635.25
Premier	\$ 4,382.92
Radio	\$ 9,985.24
Total	<u>\$51,003.41</u>

SUV's	<u>\$123,977.10</u>	<u>Budgeted \$125,000.00</u>
		<u>+1,022.90</u>

**Elko City Council
Agenda Action Sheet**

1. **Title: Review, consideration, and possible action to conditionally approve Final Plat No. 8-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 2 involving the proposed division of approximately 13.907 acres of property into 19 lots for residential development and 1 remaining lot within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. **Meeting Date: August 14, 2018**
3. **Agenda Category: UNFINISHED BUSINESS**
4. **Time Required: 15 Minutes**
5. **Background Information: The Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). On May 3, 2016, the Planning Commission took action recommending the City Council conditionally approve the preliminary plat. The Preliminary Plat was conditionally approved by the City Council on May 24, 2016. On June 5, 2018, the Planning Commission took action recommending a conditional approval of the final plat to the City Council. CL**
6. **Budget Information:**
 - Appropriation Required: N/A
 - Budget amount available: N/A
 - Fund name: N/A
7. **Business Impact Statement: Not Required**
8. **Supplemental Agenda Information: Maps, P.C. action report, Staff reports and related correspondence.**
9. **Recommended Motion: Conditionally approve Final Plat No. 8-18 for the Great Basin Estates, Phase 2 subdivision subject to the conditions as recommended by the Planning Commission.**
10. **Prepared By: Cathy Laughlin, City Planner**
11. **Committee/Other Agency Review: Planning Commission**
12. **Council Action:**
13. **Agenda Distribution: Parrado Partners, LP
12257 Business Park Drive #1
Truckee, CA 96161**

MAY 14 2018

GREAT BASIN ESTATES SUBDIVISION - PHASE 2 CITY OF ELKO, NEVADA

APPROVAL - NEVADA DIVISION OF WATER RESOURCES

THIS PLAT IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE STATE OF NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.

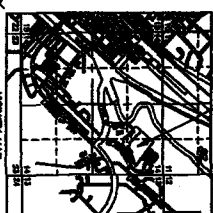
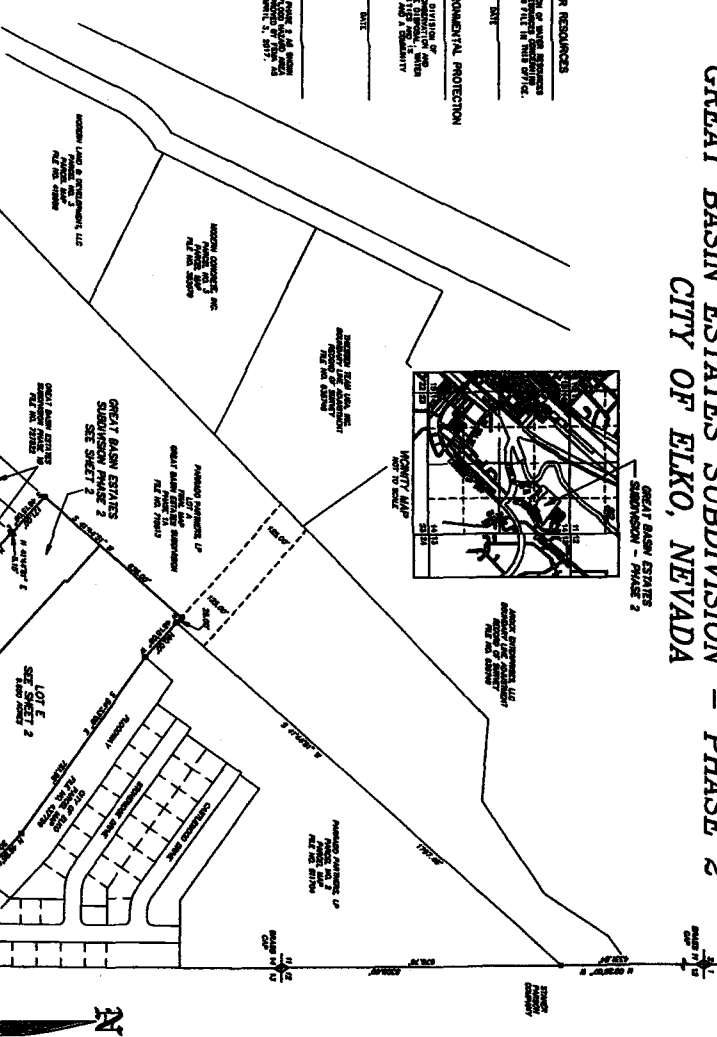
APPROVAL - NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

THIS PLAT IS APPROVED BY THE DIVISION OF ENVIRONMENTAL PROTECTION OF THE STATE OF NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.

APPROVAL - CITY OF ELKO

FINAL NOTE

THIS PLAT IS APPROVED BY THE CITY OF ELKO, NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.



APPROVAL - PUBLIC UTILITIES	
THE PLAT IS APPROVED BY THE PUBLIC UTILITIES DIVISION OF THE STATE OF NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.	
APPROVAL - CITY OF ELKO	
THE PLAT IS APPROVED BY THE CITY OF ELKO, NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.	

NOTES:
1. THE TOTAL SUBDIVISION AREA OF THIS PLAT IS 13.97 ACRES.
2. THE PLAT IS APPROVED BY THE CITY OF ELKO, NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.
3. A PUBLIC UTILITY EASEMENT IS SHOWN, LOCATED WESTWARDLY TO THE SUBDIVISION, FOR THE USE OF THE CITY OF ELKO, NEVADA, FOR THE PURPOSE OF INSTALLING AND MAINTAINING UTILITY LINES.
4. THE PLAT IS APPROVED BY THE CITY OF ELKO, NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.
5. THE PLAT IS APPROVED BY THE CITY OF ELKO, NEVADA, SUBJECT TO REVIEW OF ANY OTHER AGENCIES OR AGENCIES OF THE STATE OF NEVADA, AS SET FORTH IN THE CITY OF ELKO, NEVADA.

LEGEND
- SECTION CORNER AS NOTED.
- PLATING OF PLAT BY PLATING DIVISION.
- CALCULATED PLATING, PLATING PLATING ON SET.

COUNTY ASSESSOR'S CERTIFICATE
I, _____, COUNTY ASSESSOR, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

PLATING DATA
FILE NO. _____
DATE OF PLATING _____
DATE OF PLATING _____

OWNER'S CERTIFICATE
I, _____, OWNER, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

CITY ENGINEER'S REPRESENTATIVE CERTIFICATE
I, _____, CITY ENGINEER, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

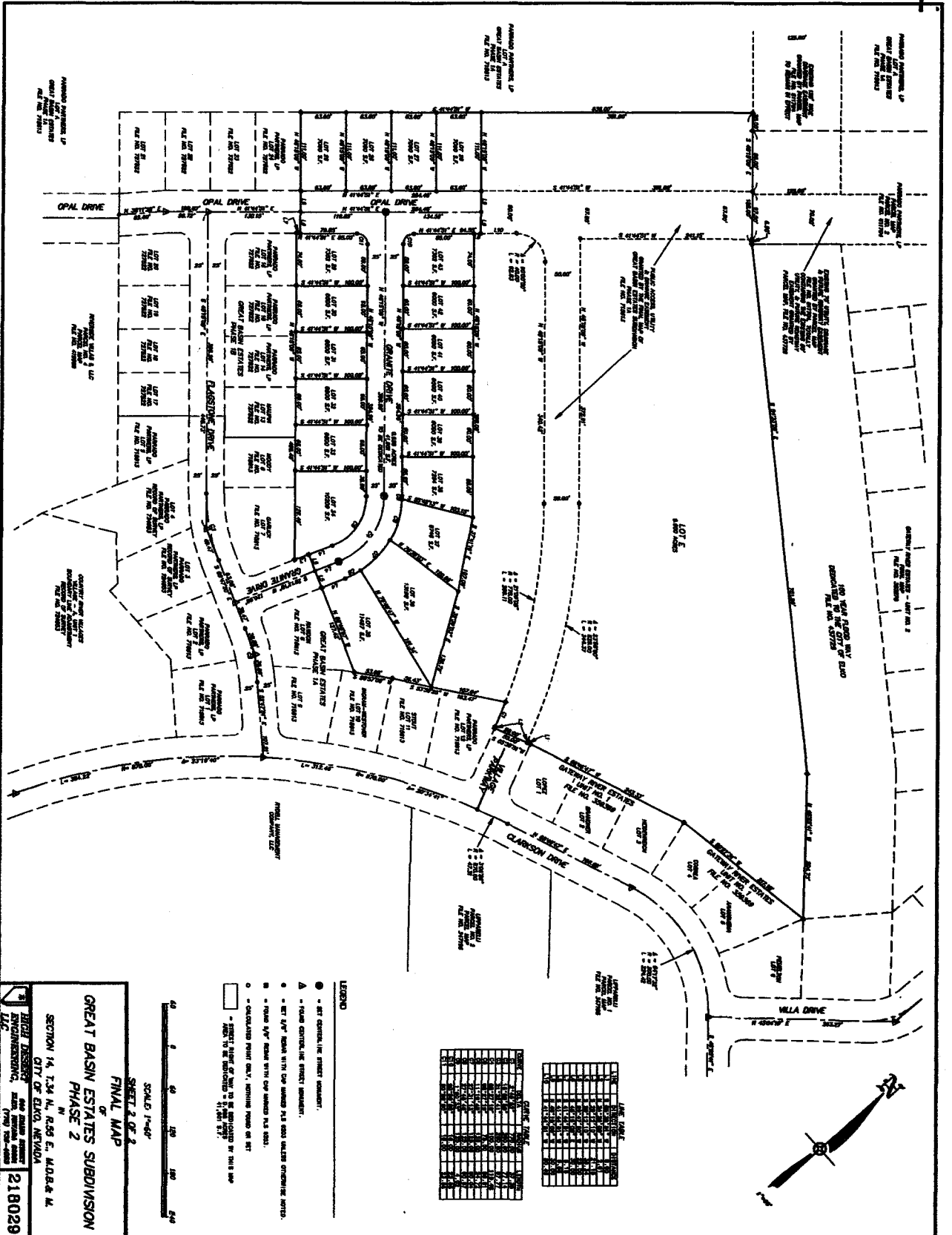
APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

APPROVAL - CITY OF ELKO
I, _____, CITY CLERK, DO HEREBY CERTIFY THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA, AND THAT THE PLATING AND PLATING OF THIS PLAT IS IN ACCORDANCE WITH THE PLATING ACT OF THE STATE OF NEVADA.

MAY 14 2018





City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

DATE:	May 29, 2018
PLANNING COMMISSION DATE:	June 5, 2018
AGENDA ITEM NUMBER:	I.B.1
APPLICATION NUMBER:	Final Plat 8-18
APPLICANT:	Parrado Partners, LP
PROJECT DESCRIPTION:	Great Basin Estates, Phase 2

A Final Map for the division of approximately 13.907 acres into 19 lots for single family residential development within an R (Single Family and Multiple Family Residential) Zoning District and one remaining lot.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE this item subject to findings of fact and conditions.

PROJECT INFORMATION

PARCEL NUMBERS: 001-633-030

PARCEL SIZE: 13.907 acres for this Phase 2 of the subdivision

EXISTING ZONING: (R) Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- Northwest: River corridor / Undeveloped
- Northeast: RMH- Residential Mobile Home / Developed
- Southwest: Single Family Residential (R) / Developed
- Southeast: Single Family Residential (R) and (RMH) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The area abuts the first phase the Great Basin Estates Subdivision.
- The parcel is generally flat.

MASTER PLAN, COORDINATING PLANS, and CITY CODE SECTIONS:

Applicable Master Plan Sections, Coordinating Plans, and City Code Sections are:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Chapter 3 Subdivisions
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Zoning Districts
- City of Elko Zoning – Section 3-2-5(E) Single-Family Residential District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback And Height Schedule For Principal Buildings
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND INFORMATION

1. The Final Plat for Great Basin Estates Phase 1B was recorded on June 29, 2017.
2. The Final Plat for Great Basin Estates Phase 2 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
3. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Preliminary Plat on May 3, 2016.
4. The City Council conditionally approved the Preliminary Plat at its meeting on May 24, 2016.
5. Phasing was shown on the preliminary plat.

6. Under the conditional approval for the preliminary plat, a modification of standards was granted for all lot dimensions.
7. The subdivision is located on APN 001-633-030, shown as parcel D on map 727522 recorded at the Elko County Recorder's Office.
8. The proposed subdivision consists of 19 lots with one remainder for future phases.
9. The total subdivided area is approximately 13.907 acres in size.
10. Approximately 3.262 acres will be divided into 19 lots with 1 remaining lot 9.650 acres in size.
11. The proposed density is 4.46 units per acre.
12. Approximately 0.995 acres are offered for dedication for street development.
13. The area proposed for subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.
14. The property is located off Opal Drive.

MASTER PLAN:

Land Use

1. Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat and the Master Plan.

The proposed subdivision is in conformance with the Land Use Component of the Master Plan.

Transportation

2. Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.

The proposed subdivision is in conformance with Transportation Component of the Master Plan.

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property lies within the 20 year capture zone for the City of Elko.

The proposed subdivision is in conformance with the Wellhead Protection Program. The sanitary sewer will be connected to a programed sewer system and all street drainage will report to a storm sewer system.

SECTION 3-3-6 FINAL PLAT STAGE (STAGE III)

Pre-submission Requirements (A)(1) – The Final Plat is in conformance with the zone requirements. A modification of standards for the lot dimensions was granted with the conditional approval of the Preliminary Plat.

Pre-submission Requirements (A)(2) – The proposed final plat conforms to the preliminary plat.

Pre-submission Requirements (A)(3) – The Title Sheet includes an affidavit for public utilities and no objections were received from public utilities upon notification for the Preliminary Plat.

SECTION 3-3-8 INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL

- A. Form and Content-The final plat conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The subdivision map identified the subdivision, and provides its location by section, township, range and county.
 - 2. The subdivision map was prepared by a properly licensed surveyor.
 - 3. The subdivision map provides a scale, north point, and date of preparation.
- C. Survey Data
 - 1. The boundaries of the tract are fully balanced and closed.
 - 2. All exceptions are noted on the plat.
 - 3. The location and description of cardinal points are tied to a section corner.
 - 4. The location and description of any physical encroachments upon the boundary of the tract are noted on the plat.
- D. Descriptive Data
 - 1. The name, right of way lines, courses, lengths and widths of all streets and easements are noted on the plat.
 - 2. All drainage ways are noted on the plan.
 - 3. All utility and public service easements are noted on the plat.
 - 4. The location and dimensions of all lots, parcels and exceptions are shown on the plat.
 - 5. All residential lots are numbered consecutively on the plat.
 - 6. There are no sites dedicated to the public shown on the plat.
 - 7. The location of adjoining subdivisions are noted on the plat with required information.
 - 8. There are no deed restrictions proposed.
- E. Dedication and Acknowledgment
 - 1. The owner's certificate has the required dedication information for all easements and right of ways.
 - 2. The execution of dedication is acknowledged and certified by a notary public.
- F. Additional Information
 - 1. All centerline monuments for streets are noted as being set on the plat.
 - 2. The centerline and width of each right of way is noted on the plat.
 - 3. The plat indicates the location of monuments that will be set to determine the boundaries of the subdivision.
 - 4. The length and bearing of each lot line is identified on the plat.
 - 5. The city boundary adjoining the subdivision is not identified on the plat, as the plat is not adjoining a boundary.
 - 6. The plat identifies the location of the section lines, and 1/16th section line adjoining the subdivision boundaries.
- G. City Engineer to Check
 - 1. The Engineer shall check the final map for accuracy of dimensions, placement of monuments, the establishment of survey records, and conformance with the preliminary map.
 - a) Closure calculations have been provided.
 - b) Civil improvement plans have been provided, previous civil improvement plans have been approved for this subdivision.
 - c) Civil improvement plans for drainage have been submitted.

- d) An engineer's estimate has **not** been provided.
 2. It appears the lot closures are within the required tolerances.
- H. Required certifications
1. The Owner's Certificate is shown on the final plat.
 2. The Owner's Certificate offers for dedication all right of ways shown on the plat.
 3. A Clerk Certificate is shown on the final plat, certifying the signature of the City Council.
 4. The Owner's Certificate offers for dedication all easements shown on the plat.
 5. A Surveyor's Certificate is shown on the plat and provides the required language.
 6. The City Engineer's Certificate is listed on the plat.
 7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
 8. A copy of review by the state engineer is not available at this time.
 9. A certificate from the Division of Water Resources is provided on the plat with the required language.
 10. The civil improvement plans identify the required water meters for the subdivision.

SECTIONS 3-3-20 through 3-3-27 (inclusive)

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).

SECTION 3-3-40-RESPONSIBILITY FOR IMPROVEMENTS

The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.

SECTION 3-3-41-ENGINEERING PLANS

The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

SECTION 3-3-42-CONSTRUCTION AND INSPECTION

The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.

SECTION 3-3-43-REQUIRED IMPROVEMENTS

The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.

Civil improvements include curb, gutter and sidewalk, paving and utilities within the Granite Drive and Opal Drive right of ways.

SECTION 3-3-44-AGREEMENT TO INSTALL IMPROVEMENTS

The Subdivider will be required to enter into a Performance Agreement to address to conform to Section 3-3-44 of city code.

SECTION 3-3-45-PERFORMANCE GUARANTEE

The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.

SECTION 3-8-FLOODPLAIN MANAGEMENT

1. The proposed subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.

The proposed development is in conformance with Section 3-8 of city code.

FINDINGS

1. The Final Plat for Great Basin Estates Phase 2 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Final Plat is in conformance with the Preliminary Plat.
3. The proposed subdivision is in conformance with the Land Use Component of the Master Plan.
4. The proposed subdivision is in conformance with Transportation Component of the Master Plan.
5. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).
6. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.
7. The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.
8. The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.

9. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.
10. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of city code.
11. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.
12. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.
13. The proposed development is in conformance with Section 3-8 of city code.
14. The subdivision is in conformance with 3-8 Floodplain Management.

RECOMMENDATION

Staff recommends **approval** of the subdivision based on the following conditions:

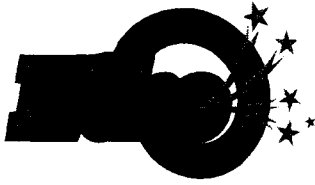
Development Department

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council.
3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
4. The Final Plat is approved for 19 single family residential lots and 1 remainder lot.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. State approval of the subdivision is required.
7. Conformance with Preliminary Plat conditions is required.
8. Civil improvements are to comply with Chapter 3-3 of City code.
9. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.

10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.

Fire Department

1. Follow the 2012 International Fire Code Appendix D, Section D106 regarding Access Roads within Residential Developments.



CITY OF ELKO

Planning Department

Website: www.elkocity.com

Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of June 5, 2018

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on June 5, 2018 pursuant to City Code Sections 3-3-6 (B)1 and (C) 2:

Final Plat No. 8-18, filed by Parrado Partners, LP, for the development of a subdivision entitled Great Basin Estates Phase 2 involving the proposed division of approximately 13.907 acres divided into 19 lots and 1 remainder parcel for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto.

The subject property is located generally between Opal Drive and Flagstone Drive on Granite Drive. (001-633-030).

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to conditionally approve Final Plat No. 8-18 subject to the conditions in the City of Elko Staff Report dated May 29, 2018 listed as follows:

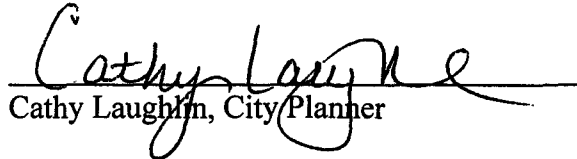
Development Department:

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council.
3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
4. The Final Plat is approved for 19 single family residential lots and 1 remainder lot.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. State approval of the subdivision is required.
7. Conformance with Preliminary Plat conditions is required.
8. Civil improvements are to comply with Chapter 3-3 of City code.
9. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.
10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.

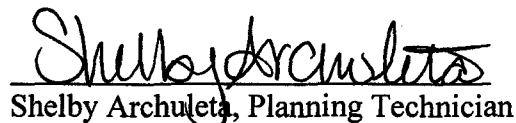
Fire Department:

1. Follow the 2012 International Fire Code Appendix D, Section D106 regarding Access Roads within Residential Developments.

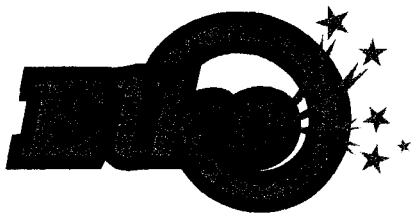
The Planning Commission's findings to support its recommendation are the Final Plat for Great Basin Estates Phase 2 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Plat is in conformance with the Preliminary Plat. The proposed subdivision is in conformance with the Land Use Component of the Master Plan. The proposed subdivision is in conformance with Transportation Component of the Master Plan. Based on the modification of standards for lot dimensions granted under the Preliminary Plat Application, the proposed development conforms to Sections 3-3-20 through 3-3-27 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of City Code. The subdivider has submitted civil improvement plans in conformance with Section 3-3-41 of City Code. The plans have been approved by city staff. The Subdivider has submitted plans to the City and State Agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of City Code. The Subdivider has submitted civil improvement plans, which are in conformance with Section 3-3-43 of City Code. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of City Code. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of City Code. Based on the Modifications of Standards for lot dimensions granted under the Preliminary Plat Application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G), and 3-2-17 of City Code. The proposed development is in conformance with Section 3-8 of City Code. The subdivision is in conformance with 3-8 Floodplain Management.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Jeremy Draper, Development Manager (via email)
Shanell Owen, City Clerk
John Holmes, Fire Marshal (via email)



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 **RECEIVED**

MAY 14 2018

APPLICATION FOR FINAL PLAT APPROVAL

APPLICANT(s):	Parrado Partners, LP	#/
MAILING ADDRESS:	12257 Business Park Drive #9, Truckee, CA 96161	
PHONE NO (Home)		(Business) (530) 587-0740
NAME OF PROPERTY OWNER (If different):		
(Property owner consent in writing must be provided)		
MAILING ADDRESS:		
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):		
ASSESSOR'S PARCEL NO.:	001-633-030	Address Flagstone Dr/Granite Dr
Lot(s), Block(s), & Subdivision	Lot D, Great Basin Estates Subdivision, Phase 1B	
Or Parcel(s) & File No.	727522	
PROJECT DESCRIPTION OR PURPOSE:	Subdivide a portion of Lot D, File No. 727522	
APPLICANT'S REPRESENTATIVE OR ENGINEER:	High Desert Engineering, LLC	

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the final plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 1/2" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
2. Pre-Submission Requirements:
 - a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
 - b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
 - c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
 - d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

Final Plat Checklist as per Elko City Code 3-3-8

Identification Data	
	Subdivision Name
	Location and Section, Township and Range
	Name, address and phone number of subdivider
	Name, address and phone number of engineer/surveyor
	Scale, North Point and Date of Preparation
	Location maps
Survey Data (Required)	
	Boundaries of the Tract fully balanced and closed
	Any exception within the plat boundaries
	The subdivision is to be tied to a section corner
	Location and description of all physical encroachments
Descriptive Data	
	Street Layout, location, widths, easements
	All drainageways, designated as such
	All utility and public service easements
	Location and dimensions of all lots, parcels
	Residential Lots shall be numbered consecutively
	All sites to be dedicated to the public and proposed use
	Location of all adjoining subdivisions with name date, book and page
	Any private deed restrictions to be imposed upon the plat
Dedication and Acknowledgment	
	Statement of dedication for items to be dedicated
	Execution of dedication acknowledged by a notary public
Additional Information	
	Street CL, and Monuments identified
	Street CL and width shown on map
	Location of mounuments used to determine boudaries
	Each city boundary line crossing or adjoining the subdivision
	Section lines crossing the subdivision boundaries
City Engineer to Check	
	Closure report for each of the lots
	Civil Improvement plans
	Estimate of quantities required to complete the improvements
Required Certifications	
	All parties having record title in the land to be subdivided
	Offering for dedication
	Clerk of each approving governing body
	Easements
	Surveyor's Certificate
	City Engineer
	State Health division
	State Engineer
	Division of Water Resources
	City Council

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent

Robert Capps, President Robert Capps, President
(Please print or type)

Mailing Address

1910 Idaho St. 102-603
Street Address or P.O. Box

Elko, NV
City, State, Zip Code

Phone Number:

775-800-6044

Email address:

robertcapps@cappsstones.com

SIGNATURE:

Robert Capps, President

FOR OFFICE USE ONLY

File No.: 8-18 **Date Filed:** 5/14/18 **Fee Paid:** \$1250 **CK#** 1498

19 Lots + 1 remainder = 20 Lots
20 x 25 = 500
+ 750
\$1250

MAY 18 2018

Phase 2.txt

Parcel name: Granite

North: 28473343.5398 East : 612074.5655
Line Course: N 41-44-51 E Length: 254.40
North: 28473533.3442 East : 612243.9575
Line Course: S 48-15-09 E Length: 30.00
North: 28473513.3687 East : 612266.3401
Line Course: S 48-15-09 E Length: 30.00
North: 28473493.3933 East : 612288.7227
Line Course: S 41-44-51 W Length: 9.55
North: 28473486.2681 East : 612282.3638
Line Course: S 41-44-51 W Length: 85.00
North: 28473422.8508 East : 612225.7666
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 03-15-09 E
Course In: S 48-15-09 E Course Out: S 41-44-51 W
RP North: 28473412.8630 East : 612236.9579
End North: 28473401.6718 East : 612226.9702
Line Course: S 48-15-09 E Length: 354.99
North: 28473165.3020 East : 612491.8234
Curve Length: 4.02 Radius: 125.00
Delta: 1-50-34 Tangent: 2.01
Chord: 4.02 Course: S 47-19-52 E
Course In: S 41-44-51 W Course Out: N 43-35-25 E
RP North: 28473072.0412 East : 612408.5923
End North: 28473162.5773 East : 612494.7794
Curve Length: 60.57 Radius: 125.00
Delta: 27-45-47 Tangent: 30.89
Chord: 59.98 Course: S 32-31-41 E
Course In: S 43-35-25 W Course Out: N 71-21-12 E
RP North: 28473072.0412 East : 612408.5923
End North: 28473112.0076 East : 612527.0308
Curve Length: 60.04 Radius: 125.00
Delta: 27-31-14 Tangent: 30.61
Chord: 59.46 Course: S 04-53-11 E
Course In: S 71-21-12 W Course Out: S 81-07-34 E
RP North: 28473072.0412 East : 612408.5923
End North: 28473052.7587 East : 612532.0961
Curve Length: 24.72 Radius: 125.00
Delta: 11-19-44 Tangent: 12.40
Chord: 24.68 Course: S 14-32-18 W
Course In: N 81-07-34 W Course Out: S 69-47-50 E
RP North: 28473072.0412 East : 612408.5923
End North: 28473028.8732 East : 612525.9018
Line Course: S 20-12-10 W Length: 35.34
North: 28472995.7075 East : 612513.6974
Line Course: N 69-47-50 W Length: 25.00
North: 28473004.3410 East : 612490.2355

Phase 2.txt

Line Course: N 69-47-50 W Length: 25.00
 North: 28473012.9746 East : 612466.7736
 Line Course: N 20-12-10 E Length: 35.34
 North: 28473046.1404 East : 612478.9780
 Curve Length: 89.61 Radius: 75.00
 Delta: 68-27-19 Tangent: 51.02
 Chord: 84.37 Course: N 14-01-29 W
 Course In: N 69-47-50 W Course Out: N 41-44-51 E
 RP North: 28473072.0412 East : 612408.5923
 End North: 28473127.9977 East : 612458.5310
 Line Course: N 48-15-09 W Length: 354.99
 North: 28473364.3674 East : 612193.6777
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: S 86-44-51 W
 Course In: S 41-44-51 W Course Out: N 48-15-09 W
 RP North: 28473353.1761 East : 612183.6900
 End North: 28473363.1639 East : 612172.4987
 Line Course: S 41-44-51 W Length: 79.85
 North: 28473303.5889 East : 612119.3307
 Line Course: N 48-15-09 W Length: 30.00
 North: 28473323.5643 East : 612096.9481
 Line Course: N 48-15-09 W Length: 30.00
 North: 28473343.5398 East : 612074.5655
 Line Course: N 14-02-10 E Length: 0.00
 North: 28473343.5398 East : 612074.5655

Perimeter: 1665.53 Area: 41,601 S.F. 0.955 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0000 Course: S 90-00-00 E
 Error North: 0.00000 East : 0.00000
 Precision 1: 1,665,540,000.00

 Parcel name: Lot 25

North: 28473417.4492 East : 611991.7500
 Line Course: S 48-15-09 E Length: 111.00
 North: 28473343.5399 East : 612074.5656
 Line Course: N 41-44-51 E Length: 63.60
 North: 28473390.9910 East : 612116.9136
 Line Course: N 48-15-09 W Length: 111.00
 North: 28473464.9003 East : 612034.0980
 Line Course: S 41-44-51 W Length: 63.60
 North: 28473417.4492 East : 611991.7500
 Line Course: S 50-37-50 E Length: 0.00
 North: 28473417.4492 East : 611991.7500

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Phase 2.txt

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 26

North: 28473464.9002 East : 612034.0980
Line Course: N 41-44-51 E Length: 63.60
North: 28473512.3513 East : 612076.4460
Line Course: S 48-15-09 E Length: 111.00
North: 28473438.4421 East : 612159.2616
Line Course: S 41-44-51 W Length: 63.60
North: 28473390.9910 East : 612116.9136
Line Course: N 48-15-09 W Length: 111.00
North: 28473464.9002 East : 612034.0980
Line Course: N 90-00-00 W Length: 0.00
North: 28473464.9002 East : 612034.0980

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 27

North: 28473512.3513 East : 612076.4461
Line Course: N 41-44-51 E Length: 63.60
North: 28473559.8024 East : 612118.7941
Line Course: S 48-15-09 E Length: 111.00
North: 28473485.8931 East : 612201.6097
Line Course: S 41-44-51 W Length: 63.60
North: 28473438.4420 East : 612159.2617
Line Course: N 48-15-09 W Length: 111.00
North: 28473512.3513 East : 612076.4461
Line Course: N 39-05-38 W Length: 0.00
North: 28473512.3513 East : 612076.4461

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Phase 2.txt

Parcel name: Lot 28

North: 28473559.8023 East : 612118.7942
Line Course: N 41-44-51 E Length: 63.60
North: 28473607.2534 East : 612161.1422
Line Course: S 48-15-09 E Length: 111.00
North: 28473533.3441 East : 612243.9578
Line Course: S 41-44-51 W Length: 63.60
North: 28473485.8931 East : 612201.6098
Line Course: N 48-15-09 W Length: 111.00
North: 28473559.8023 East : 612118.7942
Line Course: N 20-33-22 W Length: 0.00
North: 28473559.8023 East : 612118.7942

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 349,200,000.00

Parcel name: Lot 29

North: 28473299.7491 East : 612115.9038
Line Course: S 48-15-09 E Length: 74.00
North: 28473250.4763 East : 612171.1142
Line Course: N 41-44-51 E Length: 100.00
North: 28473325.0849 East : 612237.6991
Line Course: N 48-15-09 W Length: 59.00
North: 28473364.3700 East : 612193.6800
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 86-44-51 W
Course In: S 41-44-51 W Course Out: N 48-15-09 W
RP North: 28473353.1787 East : 612183.6923
End North: 28473363.1665 East : 612172.5010
Line Course: S 41-44-51 W Length: 79.85
North: 28473303.5915 East : 612119.3330
Line Course: S 41-44-51 W Length: 5.15
North: 28473299.7491 East : 612115.9038
Line Course: N 46-44-09 W Length: 0.00
North: 28473299.7491 East : 612115.9038

Perimeter: 341.56 Area: 7,352 S.F. 0.169 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: N 00-00-00 E

Phase 2.txt

Error North: 0.00000
Precision 1: 341,560,000.00

East : 0.00000

Parcel name: Lot 30

North: 28473250.4762 East : 612171.1142
Line Course: S 48-15-09 E Length: 65.00
North: 28473207.1960 East : 612219.6098
Line Course: N 41-44-51 E Length: 100.00
North: 28473281.8047 East : 612286.1947
Line Course: N 48-15-09 W Length: 65.00
North: 28473325.0848 East : 612237.6991
Line Course: S 41-44-51 W Length: 100.00
North: 28473250.4762 East : 612171.1142
Line Course: S 08-00-17 W Length: 0.00
North: 28473250.4762 East : 612171.1142

Perimeter: 330.00 Area: 6,500 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 330,000,000.00

Parcel name: Lot 31

North: 28473207.1960 East : 612219.6097
Line Course: N 41-44-51 E Length: 100.00
North: 28473281.8046 East : 612286.1947
Line Course: S 48-15-09 E Length: 65.00
North: 28473238.5244 East : 612334.6903
Line Course: S 41-44-51 W Length: 100.00
North: 28473163.9158 East : 612268.1054
Line Course: N 48-15-09 W Length: 65.00
North: 28473207.1960 East : 612219.6097
Line Course: N 30-41-59 E Length: 0.00
North: 28473207.1960 East : 612219.6097

Perimeter: 330.00 Area: 6,500 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 330,000,000.00

Phase 2.txt

Parcel name: Lot 32

North: 28473163.9157 East : 612268.1053
Line Course: N 41-44-51 E Length: 100.00
North: 28473238.5243 East : 612334.6902
Line Course: S 48-15-09 E Length: 65.00
North: 28473195.2442 East : 612383.1858
Line Course: S 41-44-51 W Length: 100.00
North: 28473120.6355 East : 612316.6009
Line Course: N 48-15-09 W Length: 65.00
North: 28473163.9157 East : 612268.1053
Line Course: N 52-21-53 E Length: 0.00
North: 28473163.9157 East : 612268.1053

Perimeter: 330.00 Area: 6,500 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 330,000,000.00

Parcel name: Lot 33

North: 28473195.2440 East : 612383.1859
Line Course: S 41-44-51 W Length: 100.00
North: 28473120.6354 East : 612316.6010
Line Course: S 48-15-09 E Length: 65.00
North: 28473077.3552 East : 612365.0966
Line Course: N 41-44-51 E Length: 100.00
North: 28473151.9638 East : 612431.6815
Line Course: N 48-15-09 W Length: 65.00
North: 28473195.2440 East : 612383.1859
Line Course: N 21-20-13 E Length: 0.00
North: 28473195.2440 East : 612383.1859

Perimeter: 330.00 Area: 6,500 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 330,000,000.00

Parcel name: Lot 34

North: 28473077.3552 East : 612365.0964
Line Course: N 41-44-51 E Length: 100.00

Phase 2.txt

North: 28473151.9638 East : 612431.6813
 Line Course: S 48-15-09 E Length: 35.99
 North: 28473127.9999 East : 612458.5330
 Curve Length: 89.61 Radius: 75.00
 Delta: 68-27-19 Tangent: 51.02
 Chord: 84.37 Course: S 14-01-29 E
 Course In: S 41-44-51 W Course Out: S 69-47-50 E
 RP North: 28473072.0434 East : 612408.5943
 End North: 28473046.1427 East : 612478.9800
 Line Course: S 20-12-10 W Length: 35.34
 North: 28473012.9769 East : 612466.7756
 Line Course: S 20-12-10 W Length: 21.15
 North: 28472993.1281 East : 612459.4716
 Line Course: N 48-15-09 W Length: 126.49
 North: 28473077.3514 East : 612365.0991
 Line Course: N 32-25-57 E Length: 0.00
 North: 28473077.3514 East : 612365.0991

Perimeter: 408.58 Area: 10,209 S.F. 0.234 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0046 Course: S 35-01-44 E
 Error North: -0.00380 East : 0.00266
 Precision 1: 88,821.74

Parcel name: Lot 35

North: 28472995.7130 East : 612513.7006
 Line Course: N 20-12-10 E Length: 35.34
 North: 28473028.8788 East : 612525.9050
 Curve Length: 24.72 Radius: 125.00
 Delta: 11-19-44 Tangent: 12.40
 Chord: 24.68 Course: N 14-32-18 E
 Course In: N 69-47-50 W Course Out: S 81-07-34 E
 RP North: 28473072.0467 East : 612408.5955
 End North: 28473052.7642 East : 612532.0993
 Line Course: S 79-49-47 E Length: 191.34
 North: 28473018.9785 East : 612720.4328
 Line Course: S 53-39-25 W Length: 56.43
 North: 28472985.5371 East : 612674.9794
 Line Course: S 50-57-08 W Length: 53.68
 North: 28472951.7204 East : 612633.2904
 Line Course: N 69-48-07 W Length: 127.42
 North: 28472995.7142 East : 612513.7061
 Line Course: N 01-47-24 E Length: 0.00
 North: 28472995.7142 East : 612513.7061

Perimeter: 488.93 Area: 11,497 S.F. 0.264 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Phase 2.txt

Error Closure: 0.0057 Course: N 78-02-46 E
 Error North: 0.00117 East : 0.00553
 Precision 1: 85,777.19

Parcel name: Lot 36

North: 28473052.7612 East : 612532.0981
 Curve Length: 60.04 Radius: 125.00
 Delta: 27-31-14 Tangent: 30.61
 Chord: 59.46 Course: N 04-53-11 W
 Course In: N 81-07-34 W Course Out: N 71-21-12 E
 RP North: 28473072.0437 East : 612408.5943
 End North: 28473112.0101 East : 612527.0329
 Line Course: N 78-38-03 E Length: 120.89
 North: 28473135.8342 East : 612645.5521
 Line Course: S 32-39-03 E Length: 138.79
 North: 28473018.9766 East : 612720.4318
 Line Course: N 79-49-47 W Length: 191.34
 North: 28473052.7623 East : 612532.0983

Perimeter: 511.06 Area: 13,168 S.F. 0.302 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0012 Course: N 06-23-56 E
 Error North: 0.00116 East : 0.00013
 Precision 1: 425,883.33

Parcel name: Lot 37

North: 28473112.0096 East : 612527.0329
 Curve Length: 60.57 Radius: 125.00
 Delta: 27-45-47 Tangent: 30.89
 Chord: 59.98 Course: N 32-31-41 W
 Course In: S 71-21-12 W Course Out: N 43-35-25 E
 RP North: 28473072.0432 East : 612408.5944
 End North: 28473162.5793 East : 612494.7815
 Line Course: N 55-48-13 E Length: 103.15
 North: 28473220.5528 East : 612580.0985
 Line Course: S 37-41-16 E Length: 107.06
 North: 28473135.8304 East : 612645.5505
 Line Course: S 78-38-03 W Length: 120.89
 North: 28473112.0063 East : 612527.0313
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473112.0063 East : 612527.0313

Perimeter: 391.67 Area: 8,746 S.F. 0.201 ACRES

Phase 2.txt

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0036 Course: S 26-48-35 W

Error North: -0.00324 East : -0.00164

Precision 1: 108,797.22

Parcel name: Lot 38

North: 28473165.3041 East : 612491.8256
 Curve Length: 4.02 Radius: 125.00
 Delta: 1-50-34 Tangent: 2.01
 Chord: 4.02 Course: S 47-19-52 E
 Course In: S 41-44-51 W Course Out: N 43-35-25 E
 RP North: 28473072.0433 East : 612408.5944
 End North: 28473162.5794 East : 612494.7815
 Line Course: N 55-48-13 E Length: 103.15
 North: 28473220.5529 East : 612580.0985
 Line Course: N 48-15-09 W Length: 85.06
 North: 28473277.1900 East : 612516.6364
 Line Course: S 41-44-51 W Length: 100.00
 North: 28473202.5814 East : 612450.0515
 Line Course: S 48-15-09 E Length: 55.99
 North: 28473165.3005 East : 612491.8249
 Line Course: S 20-33-22 W Length: 0.00
 North: 28473165.3005 East : 612491.8249

Perimeter: 348.23 Area: 7,254 S.F. 0.167 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0036 Course: S 10-50-40 W

Error North: -0.00358 East : -0.00069

Precision 1: 96,727.78

Parcel name: Lot 39

North: 28473202.5850 East : 612450.0522
 Line Course: N 48-15-09 W Length: 60.00
 North: 28473242.5360 East : 612405.2870
 Line Course: N 41-44-51 E Length: 100.00
 North: 28473317.1446 East : 612471.8720
 Line Course: S 48-15-09 E Length: 60.00
 North: 28473277.1937 East : 612516.6371
 Line Course: S 41-44-51 W Length: 100.00
 North: 28473202.5850 East : 612450.0522
 Line Course: S 37-59-55 W Length: 0.00
 North: 28473202.5850 East : 612450.0522

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Phase 2.txt

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 40

North: 28473282.4870 East : 612360.5220
Line Course: S 48-15-09 E Length: 60.00
North: 28473242.5361 East : 612405.2871
Line Course: N 41-44-51 E Length: 100.00
North: 28473317.1447 East : 612471.8721
Line Course: N 48-15-09 W Length: 60.00
North: 28473357.0957 East : 612427.1069
Line Course: S 41-44-51 W Length: 100.00
North: 28473282.4870 East : 612360.5220
Line Course: S 25-50-40 W Length: 0.00
North: 28473282.4870 East : 612360.5220

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 41

North: 28473282.4870 East : 612360.5220
Line Course: N 48-15-09 W Length: 60.00
North: 28473322.4380 East : 612315.7568
Line Course: N 41-44-51 E Length: 100.00
North: 28473397.0466 East : 612382.3417
Line Course: S 48-15-09 E Length: 60.00
North: 28473357.0957 East : 612427.1069
Line Course: S 41-44-51 W Length: 100.00
North: 28473282.4870 East : 612360.5220
Line Course: S 25-50-40 W Length: 0.00
North: 28473282.4870 East : 612360.5220

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Phase 2.txt

Parcel name: Lot 42

North: 28473362.3890 East : 612270.9917
Line Course: S 48-15-09 E Length: 60.00
North: 28473322.4381 East : 612315.7569
Line Course: N 41-44-51 E Length: 100.00
North: 28473397.0467 East : 612382.3418
Line Course: N 48-15-09 W Length: 60.00
North: 28473436.9977 East : 612337.5766
Line Course: S 41-44-51 W Length: 100.00
North: 28473362.3890 East : 612270.9917
Line Course: N 66-53-37 E Length: 0.00
North: 28473362.3890 East : 612270.9917

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 43

North: 28473362.3890 East : 612270.9917
Line Course: N 48-15-09 W Length: 59.00
North: 28473401.6741 East : 612226.9726
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: N 03-15-09 W
Course In: N 41-44-51 E Course Out: N 48-15-09 W
RP North: 28473412.8654 East : 612236.9603
End North: 28473422.8532 East : 612225.7690
Line Course: N 41-44-51 E Length: 85.00
North: 28473486.2705 East : 612282.3662
Line Course: S 48-15-09 E Length: 74.00
North: 28473436.9977 East : 612337.5766
Line Course: S 41-44-51 W Length: 100.00
North: 28473362.3890 East : 612270.9917
Line Course: N 66-53-37 E Length: 0.00
North: 28473362.3890 East : 612270.9917

Perimeter: 341.56 Area: 7,352 S.F. 0.169 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000

Precision 1: 341,560,000.00

Phase 2.txt

Parcel name: Lot E

North: 28473607.2533 East : 612161.1422
Line Course: N 41-44-51 E Length: 381.60
North: 28473891.9599 East : 612415.2302
Line Course: S 48-15-09 E Length: 185.00
North: 28473768.7778 East : 612553.2562
Line Course: S 54-33-09 E Length: 751.56
North: 28473332.9056 East : 613165.5125
Line Course: S 46-55-41 E Length: 204.73
North: 28473193.0921 East : 613315.0671
Line Course: S 80-27-31 W Length: 217.18
North: 28473157.0924 East : 613100.8916
Line Course: S 68-46-47 W Length: 243.33
North: 28473069.0180 East : 612874.0604
Line Course: S 65-39-51 W Length: 5.00
North: 28473066.9576 East : 612869.5047
Line Course: S 65-39-51 W Length: 50.00
North: 28473046.3533 East : 612823.9474
Line Course: N 24-20-09 W Length: 2.61
North: 28473048.7314 East : 612822.8718
Curve Length: 37.39 Radius: 775.00
Delta: 2-45-52 Tangent: 18.70
Chord: 37.39 Course: N 25-43-05 W
Course In: S 65-39-51 W Course Out: N 62-53-59 E
RP North: 28472729.3661 East : 612116.7339
End North: 28473082.4168 East : 612806.6471
Line Course: S 53-39-25 W Length: 107.04
North: 28473018.9829 East : 612720.4282
Line Course: N 32-39-03 W Length: 138.79
North: 28473135.8404 East : 612645.5485
Line Course: N 37-41-16 W Length: 107.06
North: 28473220.5628 East : 612580.0965
Line Course: N 48-15-09 W Length: 399.06
North: 28473486.2765 East : 612282.3632
Line Course: N 41-44-51 E Length: 9.55
North: 28473493.4017 East : 612288.7221
Line Course: N 48-15-09 W Length: 30.00
North: 28473513.3771 East : 612266.3395
Line Course: N 48-15-09 W Length: 30.00
North: 28473533.3526 East : 612243.9569
Line Course: N 48-15-09 W Length: 111.00
North: 28473607.2619 East : 612161.1413
Line Course: N 18-58-13 W Length: 0.00
North: 28473607.2619 East : 612161.1413

Perimeter: 3010.90 Area: 420,362 S.F. 9.650 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086
Error North: 0.00852
Precision 1: 350,104.65

Lot E.txt
Course: N 06-12-57 W
East : -0.00093

Elko City Council
Agenda Action Sheet

1. Title: **Review, consideration, and possible approval to dedicate Right-of-Way for Statice Street across property owned by the City of Elko at the intersection of Ruby Vista Drive and Statice Street, on APN 001-860-065, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **This area of Statice Street has existed as an access easement for many years. Other property owners along this block have been dedicating Right-of-Way, and this portion of the Well-36 property will complete the 70' wide Right-of-Way in this area. BT**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Included in the agenda packet are the Deed of Dedication and the two exhibits that will record with it.**
9. Recommended Motion: **Move to approve the dedication of Right-of-Way for Statice Street across City owned property at APN 001-860-065.**
10. Prepared By: **Bob Thibault, Civil Engineer**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

APN 001-860-065

When Recorded, Mail To:
City of Elko
1751 College Avenue
Elko, Nevada 89801

DEED OF DEDICATION

THIS INDENTURE, made and entered into between the **CITY OF ELKO**, a municipal corporation and political subdivision of the State of Nevada, Grantor, and the **CITY OF ELKO**, a municipal corporation and political subdivision of the State of Nevada, Grantee.

WITNESSETH:

That the Grantor, for valuable consideration, the receipt of which is hereby acknowledged, does hereby dedicate to the Grantee, for a public right-of-way and all purposes related thereto, a portion of that certain parcel of real property situate within the City of Elko, County of Elko, State of Nevada, more particularly described on **Exhibit A** attached hereto, and delineated and shown on **Exhibit B**, "Display Map for Statice Street Dedication," attached hereto.

IN WITNESS WHEREOF, the Grantor has caused this indenture to be executed this ____ day of _____, 2018.

CITY OF ELKO

By: _____
CHRIS JOHNSON, MAYOR

ATTEST:

KELLY WOOLDRIDGE, CLERK

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

On this ____ day of _____, 2018, personally appeared before me,
a Notary Public, _____, who acknowledged that he executed the
above instrument.

NOTARY PUBLIC

Mail tax statement to:

City of Elko
1751 College Avenue
Elko, Nevada 89801

Exhibit A
LEGAL DESCRIPTION FOR RIGHT-OF-WAY DEDICATION

A strip of land within the northwest quarter of Section 1, Township 34 North, Range 55 East, M.D.B. & M., being a portion of the parcel of land owned by the City of Elko, Assessor's Parcel Number 001-860-065, commonly known as the Well 36 Parcel. This strip of land is 13.80 feet wide, lying adjacent to the land dedicated by the deed of dedication, recorded in the office of the Elko County Recorder as document number 741755, and is further described as follows;

Beginning at the easterly most corner of Parcel no. 1 of the Parcel Map for Ablah Elko, LLC, recorded in the office of the Elko County Recorder as file no. 595974, which is also the easterly most corner of the land dedicated as Statice Street right-of-way by document no. 741755, which lies South 84°02'04" East from the northwest of said Section 1, Township 34 North, Range 55 East;

Thence, North 50°49'53" West, along the land dedicated as Statice Street right-of-way by document no. 741755, a distance of 99.89 feet;

Thence, North 0°19'01" East, continuing along the land dedicated as Statice Street right-of-way by document no. 741755, a distance of 17.72 feet;

Thence, South 50°49'59" East, a distance of 111.00 feet, more or less, to the northwesterly right-of-way of Ruby Vista Drive;

Thence, South 39°10'19" West, along the northwesterly right-of-way of Ruby Vista Drive, a distance of 13.80 feet, more or less, to the point of beginning.

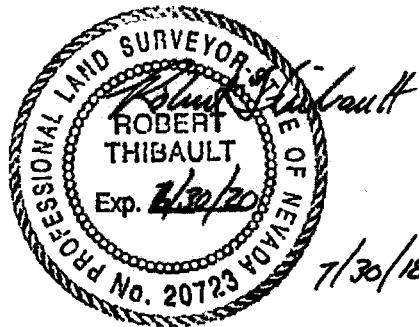
This strip of land contains 1,455 square feet more or less.

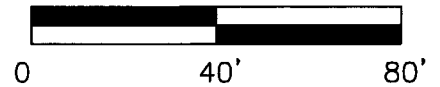
The Basis of Bearings for this description is the Parcel Map for Ablah Elko, LLC, recorded in the office of the Elko County Recorder as file no. 595974.

Description prepared by:

Robert Thibault, PE, PLS

Civil Engineer for the City of Elko





CITY OF ELKO
WELL 36
APN: 001-860-065

STATICE STREET
RIGHT-OF-WAY
PER DEED OF
DEDICATION
DOC. # 741755

STATICE STREET

AREA HEREBY
DEDICATED
1,455 SF

S84°02'04"E
1961.04
NORTHWEST CORNER
SECTION 1, T 34 N, R 55 E
PER FILE NO. 595974

TREADWAY INVESTMENT CO.
APN: 001-860-110
PARCEL NO.1
FILE NO. 595974

RUBY VISTA DRIVE



CITY OF ELKO
1751 COLLEGE AVE
ELKO, NEVADA 89801
775-777-7210

SCALE
HORZ 1"=40'
VERT NONE

EXHIBIT B
DISPLAY MAP FOR
STATICE STREET DEDICATION

DESIGNED BY BT
DRAWN BY ACAD 2017
CHECKED BY BT
DATE 7/30/2018

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of an extension of contract days to the Sports Complex Phase 1 Construction Contract with Granite Construction, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Granite Construction is requesting 24 additional contract days due to the severity of the groundwater on-site. A letter from Granite Construction explaining the hardship and a change order form outlining the request are included in the agenda packet. BT**
6. Budget Information:

Appropriation Required: \$0
Budget amount available: \$1,175,003.50
Fund name: Sports Complex
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **A letter from Granite Construction explaining the hardship and a change order form outlining the request are included in the agenda packet.**
9. Recommended Motion: **Approve change order request number one from Granite Construction for the Sports Complex Phase 1 Contract for an additional 24 calendar days to be added to the contract duration.**
10. Prepared By: **Bob Thibault, Civil Engineer**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Shawn St. Jaques, Project Manager**
Granite Construction Company
Shawn.St.Jacques@gcinc.com

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Great Basin Estates Phase 2 subdivision, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 minutes**
5. Background Information: **Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.**

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 of the City Council's approval of the final plat. SAW

6. Budget Information:
 Appropriation Required:
 Budget amount available:
 Fund name:
7. Business Impact Statement: **Required/Not Required**
(If Business Impact Statement is required, please attach)
8. Supplemental Agenda Information: **Copy of Agreement to Install Improvements and Performance/Maintenance Guarantees**
9. Recommended Motion: **Approve the Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Great Basin Estates Phase 2 subdivision. The subdivider shall enter into the agreement within 30 days.**
10. Prepared By: **Scott A. Wilkinson, Assistant City Manager**
11. Committee/Other Agency Review: **Dave Stanton, City Attorney**
12. Council Action:

Agenda Item V.C.

13. Council Agenda Distribution: **Robert Capps - robertcapps@cappshomes.com**

AGREEMENT TO INSTALL IMPROVEMENTS
AND PERFORMANCE/MAINTENANCE GUARANTEES

THIS AGREEMENT made and entered into this ____ day of _____, 2018, by and between the **CITY OF ELKO**, a municipal corporation organized and existing under the laws of the State of Nevada, hereinafter referred to as the "**City**," and **Parrado Partners, LP**, a California Limited Partnership, hereinafter referred to as "**Developer**."

RECITALS

- A. WHEREAS, Developer** is subdividing certain property within the **City**, the subdivision being generally known as **Great Basin Estates, Phase 2**, into nineteen (19) separate parcels and one (1) remainder lot by means of a subdivision map, identified by the **City** as Subdivision Map No. 8-18;
- B. WHEREAS**, Elko City Code, Title 3, Chapter 3, requires that a developer of a subdivision (as that term is used in NRS 278.320, as amended) enter into an Agreement to Install Improvements and file with the City Clerk of the **City** a financial guaranty of performance to complete the required public improvements (hereinafter referred to as the "Performance Guaranty") prior to certification of the final plat;
- C. WHEREAS**, the Performance Guaranty is to be in an amount deemed sufficient by the City of Elko to cover the full cost of required site improvements and public improvements, engineering inspections, incidental expenses and replacement or repair of any existing streets and utilities or other improvements required by the Elko City Code, which are to be completed within a period of twenty-four (24) months from the date of the approval of the Final Plat by the **City**;
- D. WHEREAS**, the **City** has determined from the Engineer's Cost Estimate for the required site and public improvements (set forth in **Exhibit A** and made a part hereof) that the cost of the required public improvements are expected to be in the amount of **Three Hundred Thirty-two Thousand, Nine Hundred Eighty-two Dollars (\$332,982.00)**, which amount provides the basis for calculating the amount of the Performance Guaranty;
- E. WHEREAS**, the Performance Guaranty shall be in the form of a deposit of cash in accordance with Elko City Code Subsection 3-3-45(A)(2) and shall be used to ensure the completion of all required subdivision improvements, to include public improvements and correction of defects of the required public improvements discovered after certification of the Final Plat.
- F. WHEREAS**, the **City** approved the Final Plat on _____;

- G. **WHEREAS**, pursuant to Elko City Code Section 3-3-45(C), in addition to the Performance Guaranty, the **Developer** shall file with the Clerk of the City a financial Guaranty for a one (1) year maintenance bond in the amount of **Thirty-Three Thousand, Two Hundred Ninety-eight Dollars and Twenty Cents (\$33,298.20)** (hereinafter referred to as the "Maintenance Guaranty");
- H. **WHEREAS**, in the event the **Developer** fails to complete all the required public improvements and site improvements in accordance with the terms of this Agreement, the **Developer** shall be in default of this Agreement and the **City** shall be entitled to pursue all available legal remedies, including, without limitation, access to and use of the Performance Guaranty; and
- I. **WHEREAS**, the **Developer** has agreed to complete the required public improvements within a period of twenty-four (24) months from the date of the Final Plat being approved and in accordance with the latest edition of the Standard Specifications for Public Works Construction as published by the Regional Transportation Commission of Washoe County, Carson City, Churchill County, City of Reno, City of Sparks, City of Yerington and Washoe County, hereinafter referred to as the "Orange Book."

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions on the part of the respective parties to be performed, the parties hereby agree as follows:

1) **REQUIRED IMPROVEMENTS, GUARANTEES AND APPROVALS**

A. COMPLETION OF WORK; PERFORMANCE AND MAINTENANCE GUARANTEES. **Developer** agrees to complete the improvements described in the Site Improvement and Public Improvement Plans attached as **Exhibit B** hereto in the manner set forth in this Agreement and in conformity with Elko City Code 3-3-43 (hereinafter the "**Work**") within twenty-four (24) months of the Effective Date, unless otherwise extended in accordance herewith, and **Developer** shall pay or cause to be paid all claims for labor and materials used to perform the **Work** and, further, **Developer** has provided a Performance Guaranty in the form of a cash deposit in the amount of **Three Hundred Thirty-two Thousand, Nine Hundred Eighty-two Dollars (\$332,982.00)** and shall, prior to acceptance of the **Work** by the **City**, further provide a Maintenance Guaranty in the amount of **Thirty-Three Thousand, Two Hundred Ninety-eight Dollars and Twenty Cents (\$33,298.20)** for the purpose of guaranteeing compliance with the requirements of this Agreement.

B. Reduction in Performance Guaranty. Notwithstanding any other provision contained in this Agreement, progress payments may be made to the **Developer** from any cash deposit which the **Developer** may have made upon written request by the **Developer** for **Work** completed, as follows:

- 1) **Written Requests for Progress Payments.** The **Developer** must submit a written request to the Elko City Clerk for any progress payment.
- 2) **Limitation on Amount of Reduction of Performance Guaranty.** The cumulative reduction in the amount of the Performance Guaranty shall not exceed ninety percent (90%) of the value of the improvements completed and approved, as determined by the **City**.

- 3) **Certification of Improvements.** Prior to a determination by the City of the value of the improvements completed, the Developer's Engineer shall provide the City with a Certificate of Improvements attesting to the adequacy of the Work and compliance with all requirements set forth in this Agreement, the construction specifications and the Elko City Code (including model codes adopted therein). The City shall review the Certification of Improvements prior to approving a request for a progress payment. The City shall not make a progress payment to the Developer unless a complete Certification of Improvements has been submitted in accordance with this paragraph.
- 4) **Amounts of Individual Progress Payments.** Except for the final progress payment following completion of the Work, any individual request for a progress payment shall be for at least twenty percent (20%) of the original Performance Guaranty and shall be submitted at least thirty (30) days after submittal of the previous request for a progress payment.
- 5) **Form of Requests for Progress Payments.** Requests for progress payments shall include a spreadsheet containing a detail of costs for each line item in the engineering cost estimate at Exhibit A, together with the original estimate amount, the total progress payments paid to date, the total value of the improvements completed and approved less ten percent (10%), and remaining amount of the Performance Guaranty following payment of the requested progress payment.
- 6) **Timing of Progress Payments.** The City shall pay approved progress payments to the Developer within thirty (30) calendar days of the date the request for progress payment is submitted to the City.

C. CERTIFICATION AND SUBMISSION OF WORK. The Work shall be certified by the Developer's Engineer (who shall be a registered engineer, licensed in the State of Nevada) and submitted to the City for possible acceptance before the City conducts the subdivision final inspection and no later than twenty-four (24) months after the Effective Date. Upon certification, Developer's Engineer shall provide the City with a certificate attesting to the adequacy of the Work and compliance with all requirements set forth in this Agreement, to include, without limitation, the construction specifications, codes and standards set forth in the Orange Book.

D. MAINTENANCE PERIOD. The maintenance period shall commence on the date the City accepts the Work and shall continue thereafter for a period of twelve (12) months. In satisfaction of its requirement to provide a Maintenance Guaranty, Developer shall, prior to approval of the Work, provide the City with a maintenance bond, irrevocable letter of credit or cash deposit in the amount of **Thirty-Three Thousand, Two Hundred Ninety-eight Dollars and Twenty Cents (\$33,298.20)**, which amount is not less than ten percent (10%) of the total cost of the required public improvements. If maintenance is required during the maintenance period, the City will provide fifteen (15) calendar days written notice of the required maintenance work to the Developer and the Developer must thereafter complete the required maintenance work. If the Developer fails to complete the maintenance work within the fifteen (15) calendar day period, without limiting any other rights or remedies

available, the City may complete or have the maintenance work completed and use the Maintenance Guaranty to satisfy the costs thereof.

E. CERTIFICATION OF FINAL PLAT. The City will not certify the Final Plat until

- 1) The Agreement has been approved by the City Council in conjunction with Final Plat approval.
- 2) The Agreement has been fully executed and filed with the City Clerk's office.
- 3) The Developer has filed with the Elko City Clerk the Performance Guaranty calculated in the manner set forth herein and otherwise meeting the requirements of this Agreement and the Elko City Code;
- 4) The Developer has provided the required engineering plans for all Work;
- 5) The required engineering plans for the Work have been approved by the City;
- 6) All other Final Plat requirements set forth in the Nevada Revised Statutes and the Elko City Code have been met.

F. EFFECTIVE DATE. The Effective Date of this Agreement shall be _____, which is the date the City approved the Final Plat, and this Agreement shall operate retroactively to that date.

G. TERM. The Term of this Agreement shall be twenty-four (24) months from the Effective Date, unless the Work is completed and accepted by the City prior to the expiration of the twenty-four (24) month period, in which event the Term shall expire on the date the Work is accepted by the City. Notwithstanding the foregoing, the City may, upon a written request and showing by the Developer of good cause, grant an extension of time to complete the Work for an additional twelve (12) months thereafter (with a corresponding extension of the Term); *provided*, no such extension shall be effective unless and until the Performance Guaranty and Maintenance Guaranty have been provided to the Elko City Clerk in sufficient amounts to satisfy the Developer's obligations pursuant to this Agreement; *further provided*, if at such time the City has certified that at least eighty percent (80%) of the Work has been completed, the City may, in its sole discretion, reduce the amount of the Performance Guaranty in a manner consistent with Elko City Code Sections 3-3-44 and 3-3-45 during the term of any extension so granted. Notwithstanding the foregoing, in no event shall the amount of the Performance Guaranty be reduced to an amount less than the anticipated full cost of the remaining required improvements, engineering inspections, incidental expenses, and the replacement and repair of any existing streets and utilities and other improvements which may be damaged during construction of requirement improvements.

H. DESCRIPTION OF WORK AND CONDITIONS. In addition to any other requirements contained herein, the Work shall not be accepted by the City unless the Developer fully satisfies the following requirements:

(1) COMPLIANCE WITH CITY CODE. Developer shall perform the **Work** in a manner that fully complies with the Elko City Code.

(2) STANDARDS. The **Work** shall be completed in accordance with the plans, specifications and conditions approved by the **City** and in accordance with requirements otherwise set forth in this Agreement, to include requirements incorporated by reference.

(3) PRECONSTRUCTION CONFERENCE. Prior to the initiation of the construction of any roadway, drainage, water or sewer improvements included in the **Work**, the **Developer** shall schedule and participate in a preconstruction conference with **Developer's** contractor(s) and the City Development Manager or his designee(s).

(4) AS-BUILT PLANS. Developer shall provide complete as-built plans of all street, water, sewer and drainage improvements to the **City** prior to the subdivision final inspection.

(5) SUBDIVISION CONDITIONS. Developer shall satisfy all subdivision approval conditions established by or at the direction of the City Council and the City Planning Commission.

(6) ENGINEER'S CERTIFICATE. Before the subdivision final inspection, **Developer's** engineer (who shall be a registered engineer, licensed in the State of Nevada) shall provide the **City** with a certificate certifying the adequacy of the **Work** and compliance with all requirements set forth in this Agreement, to include, without limitation, **City** standard construction specifications, codes and standards.

I. FINAL COMPLETION AND ACCEPTANCE OF WORK. Approval of the final completion and acceptance of the **Work** shall be at the discretion of the **City** and shall satisfy the requirements of this Agreement, to include the conditions set forth in Section 1 (REQUIRED IMPROVEMENTS, GUARANTEES AND APPROVALS). **Developer** shall request that the **City** inspect the **Work** no later than thirty (30) days prior to the end of the Term. The **City** shall have the authority to suspend the **Work**, in whole or in part, for such period as it may deem necessary due to unsuitable weather or other unfavorable conditions or the failure of **Developer** to comply with this Agreement, to include the standard construction specifications of the **City**.

J. DEFAULT, NOTICE AND OPPORTUNITY TO CURE. In the event **Developer** fails to complete the **Work** during the Term of this Agreement or any extension hereof, the **Developer** shall be considered in **Default**. The **City** shall first serve upon the **Developer** written notice of such **Default**. **Developer** shall then have fifteen (15) days from the date of mailing of said notice to cure the **Default**. In the event of a **Default**, the **City** shall have the right to use the Performance Guaranty to complete the **Work**, to include, without limitation, payment of all third-party claims for labor and material.

K. MAINTENANCE GUARANTY AS CONDITION OF FINAL PLAT CERTIFICATION. The certification of the Final Plat is, without limitation, conditioned upon **Developer** providing

the Maintenance Guaranty, which may be used by the **City**, in its discretion, for the maintenance of all completed **Work** for a period of twelve (12) months after the aforementioned certification by **Developer's** Engineer

- L. DEVELOPER RESPONSIBLE FOR COST OF WORK OVER ESTIMATE.** The amount of the Performance Guaranty is based upon the estimated cost of the improvements called for in the Engineer's Estimate. In the event the actual cost of improvements exceeds that amount, in the event of a **Default**, the **Developer** shall promptly pay to the **City** any additional amount over the amount of the Performance Guaranty, *provided*, the **City** may not recover from **Developer** any amount for which the **City** has been compensated from the **Developer**, to include amounts drawn by the **City** from the Performance Guaranty.

2. GENERAL TERMS AND CONDITIONS.

- A. WARRANTY.** **Developer** warrants to the **City** that the **Work**, upon completion, will be free of defects and in conformity with all applicable standards, to include requirements of the City Code and any plans approved by the City pertaining to the **Work**. **Developer** will, promptly upon completion of the **Work**, provide the **City** with "as-built" drawings documenting compliance with the warranty set forth in the preceding sentence and with the approved Public Improvement Plans.
- B. TERMINATION, BINDING EFFECT, DELEGATION AND OTHER MATTERS.** This Agreement may not be amended, modified or terminated except by an agreement in writing and approved by the **Developer** and the Elko City Council. This Agreement and all of the covenants, terms, conditions and/or provisions herein contained shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Notwithstanding any other provision contained in this Agreement, neither this Agreement nor any of the rights, interests or obligations under this Agreement may be assigned or delegated by any party without the prior written consent of the other party. This Agreement is not intended to confer any rights or benefits to any entity other than to the **City** and to **Developer**; accordingly, there are no third-party beneficiaries to this Agreement.
- C. CONSTRUCTION OF AGREEMENT.** This Agreement constitutes a contract under and shall be construed in accordance with the laws of the State of Nevada. The parties agree that the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
- D. COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall have the force and effect of an original, and all of which shall constitute but one document.
- E. NOTICES.** All notices required to be given under this Agreement shall be deemed given upon the earlier of the actual receipt or two (2) days after being mailed by registered or certified mail, return receipt requested, addressed as follows: if to **City**, to c/o Jeremy Draper, (or the then-current) Development Manager, 1751 College Avenue, Elko, Nevada 89801; if to **Developer**, to: Parrado Partners, LP, 1910 Idaho St. 102-603, Elko, NV 89801.
- F. CITY'S AUTHORITY.** This Agreement is not intended to supersede the authority granted by law to the **City**. Therefore, nothing in this Agreement shall be construed or implied to require the **City's** planning or other regulatory boards or departments (however designated) to

approve any plans, permits, maps or other documents pertaining to any aspect of the **Work** or other action described in this Agreement.

- G. TIME OF THE ESSENCE.** Time is of the essence and a material provision of this Agreement.
- H. INDEMNIFICATION.** Developer hereby agrees to hold harmless, indemnify and defend the City (including, without limitation, the City's officers, agents and employees) against and to all claims, demands, actions, suits, liability, cost and expense, including defense expenses, (to include, without limitation, suits for damages and injuries to persons or property) that are claimed to have resulted from the acts or omissions of Developer (including without limitation its agents, employees and/or contractors) in any manner pertaining to the **Work**.
- I. JURISDICTION AND VENUE.** The District Court for the Fourth Judicial District, in and for the County of Elko, State of Nevada, shall have jurisdiction and venue over all disputes arising from or in relation to this Agreement.
- J. INTEGRATION.** This Agreement represents and contains the entire Agreement and understanding among the parties with respect to the subject matter of this Agreement, and supersedes and replaces all prior oral and written agreements and understandings with respect to the subject matter of this Agreement, and no representation, warranty, condition, understanding or agreement of any kind with respect to the subject matter hereof shall be relied upon by the parties unless incorporated herein. This Agreement shall be construed as a complete novation of any prior agreements relating to the subject matter of this Agreement.
- K. DOCUMENTS PROVIDED TO CITY ARE PUBLIC.** This Agreement, together with any documents associated with the **Work**, may be recorded in any public system of records, to include the records of the Elko County Recorder. Under no circumstances shall Developer assert a right to confidentiality or an intellectual property interest in documents or other information provided to the City in relation to the **Work**.
- L. ATTORNEY FEES.** In the event the City is required to pursue any action to enforce any term or condition in this Agreement, it shall be entitled to reasonable attorney's fees and court costs.
- M. SEVERABILITY.** In the event one or more of the provisions, or portions thereof, of this Agreement is determined to be illegal or unenforceable, the remainder of the Agreement shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.
- N. HEADINGS.** The headings of sections and subsections of this Agreement are inserted for convenience only and shall not be deemed to constitute part of this Agreement or to affect the construction hereof.
- O. NO AGENCY, PARTNERSHIP OR JOINT VENTURE.** Nothing herein contained shall be construed to create an agency, partnership or joint venture between the parties.
- P. REMEDIES NOT EXCLUSIVE.** No remedy provided by this Agreement, to include the right to make a claim against a bond or other guaranty, shall be exclusive. The City shall have the right to pursue any remedies provided under this Agreement, or by law or equity, simultaneously or in sequence at its sole discretion.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate the day and year first above written.

CITY - THE CITY OF ELKO,
a municipal corporation

DEVELOPER - PARRADO PARTNERS, LP

By: _____
CHRIS J. JOHNSON, Mayor

By: _____

ATTEST:

SHANELL OWEN, City Clerk

Exhibit A- Engineer's Estimate

EXHIBIT "A"

PROJECT: Great Basin Ph 2
 DEVELOPER: Capps
 ENGINEER: Sumit Engineering Corp

NUMBER OF LOTS: 19
 ZONING: Residential

PREPARED BY: TOH
 DATE: 6/20/2018
 AREA: N/A +/- ACRES

- STREETS -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
3" AC PAVEMENT PARKING LOT	34,095	SF	\$2.08	\$70,887.26
9" BASE PARKING LOT	34,095	SF	\$1.50	\$51,142.50
TACK & PRIME COAT	1	LS	\$3,500.00	\$3,500.00

- GRADING -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
SITE GRADING	1	LS	\$15,000.00	\$15,000.00
CLEARING & GRUBING	1	LS	\$1,000.00	\$1,000.00

- CONCRETE -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
TYPE 1 CURB AND GUTTER	1,431	LF	\$13.00	\$18,603.00
4" SIDEWALK WITH BASE (Compacted)	5,724	SF	\$5.25	\$30,051.00
ADA RAMPS W/ DETECTABLE MARKERS	2	EA	\$1,611.65	\$3,223.30
VG & SPANDREL W/ #4 REBAR	522	SF	\$10.00	\$5,217.70

- SANITARY SEWER -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
8" DIAMETER SEWER MAIN	509	LF	\$25.00	\$12,725.00
4" DIAMETER SEWER SERVICE LATERAL	416	LF	\$22.50	\$9,360.00
TYPE 1 SEWER MANHOLE	3	EA	\$1,500.00	\$4,500.00
4" DIAMETER SEWER LATERAL SADDLE	16	EA	\$250.00	\$4,000.00

- WATER -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
WATER VALVE CONCRETE COLLARS	4	EA	\$650.00	\$2,600.00
10" DR 18 C900 PVC PIPE	254	LF	\$35.00	\$8,890.00
8" DR 18 C900 PVC PIPE	550	LF	\$37.00	\$20,350.00
8" DIAMETER 22' BEND	2	EA	\$800.00	\$1,600.00
10" by 8" Tee	1	EA	\$1,050.00	\$1,050.00
10" GATE VALVE W/ FITTING	1	EA	\$1,050.00	\$1,050.00
FIRE HYDRANT ASSEMBLY W/ THRUST BLOCKS	2	EA	\$4,500.00	\$9,000.00
TEMPORARY FLUSH VALVE ASSEMBLY	1	EA	\$1,000.00	\$1,000.00
WATER METER PIT	19	EA	\$300.00	\$5,700.00
2" POLY PIPE	416	LF	\$24.50	\$10,192.00

- MISCELLANEOUS -

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
EROSION CONTROL	1	LS	\$1,500.00	\$1,500.00
CONST. STREET SIGNS	1	EA	\$1,000.00	\$1,000.00
PAVEMENT MARKINGS (STRIPING, ETC.)	1	LS	\$3,000.00	\$3,000.00
TRAFFIC CONTROL FOR CONSTRUCTION	1	LS	\$1,000.00	\$1,000.00
MOBILIZATION & DE-MOBILIZATION	1	LS	\$3,000.00	\$3,000.00
2" PE PIPE FOR GAS SERVICE	450	LF	\$6.00	\$2,700.00

SUBTOTAL: \$302,841.76

10% CONTINGENCY \$30,140.33

Total on-site Improvements \$332,982.08

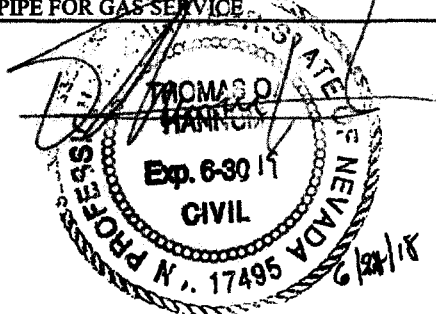
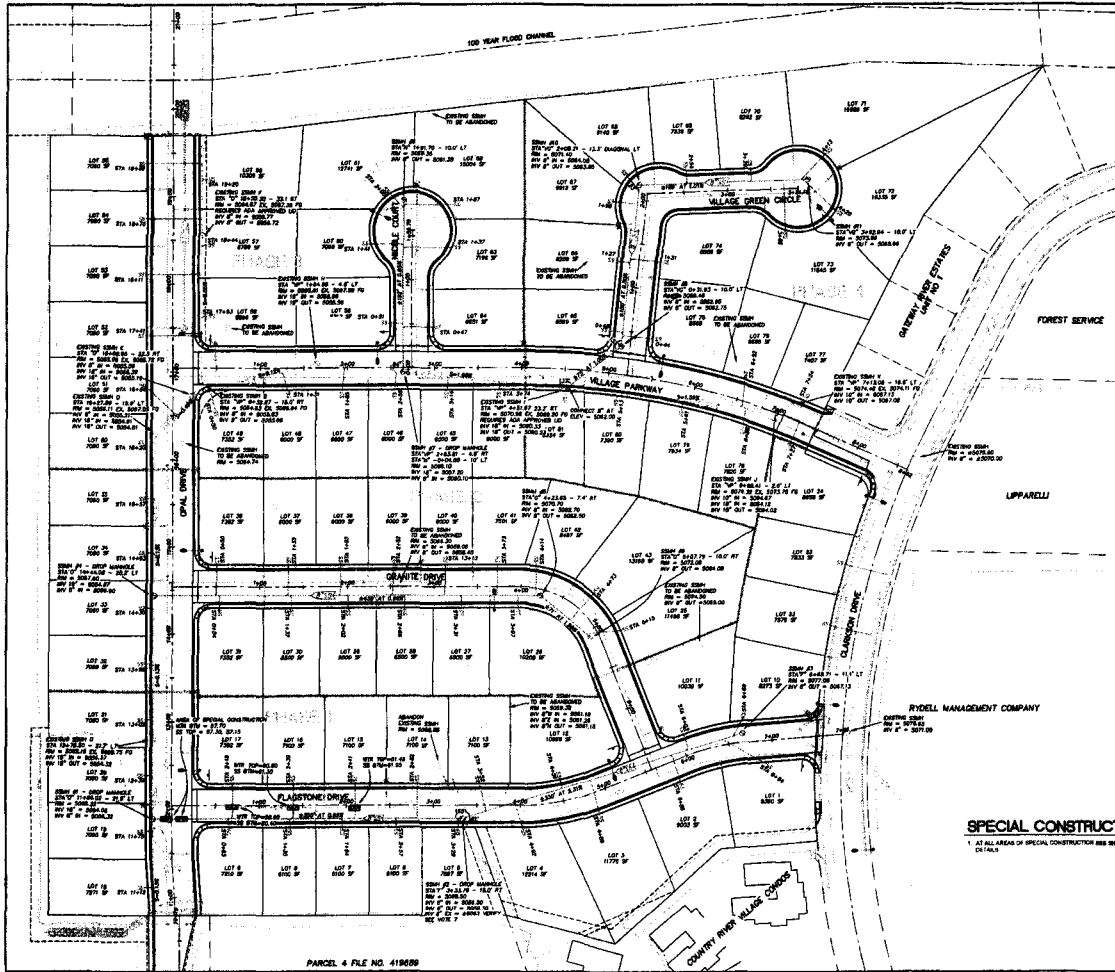


Exhibit B- Civil Improvement Plans



SANITARY SEWER NOTES:

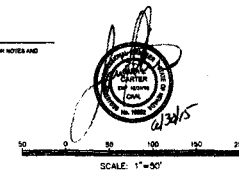
1. ALL SEWER LINES SHALL BE 30" DIA. PVC.
2. SEWER LINES SHALL BE LAYED OUT TO MAINTAIN MINIMUM LATERAL CONNECTION AND FREQUENT DETAIL FOR SEWER PIPE.
3. NO ONE SHALL LATERAL CONNECTION TO THE SEWER MAIN DIRECTLY ON THE TOP OF THE PIPE.
4. IF SEWER LATERALS SHALL HAVE A MINIMUM SLOPE OF 2% FOR 100 FEET.
5. THE SANITARY SEWER SHALL BE INSTALLED TO THE NEAREST UPSTREAM MANHOLE AT THESE LOCATIONS.
6. SEWER LATERAL CONNECTIONS IN CLARKSON DRIVE WILL REQUIRE SHAW DUT AND PATCH BACK FOR DETAILS ON SHEET C-5.
7. ELEVATION OF EXISTING SEWER AT SEWER MANHOLE IS IN DASHED LINE WILL NEED TO BE VERIFIED AT THE LOCATION PRIOR TO ANY INSTALLATION OF THE SANITARY SEWER. CHECK EXISTING THE CONTRACTOR HAS ONLY THE SHOWN FOR INFORMATION TO THE SEWER MAIN. THE CITY FROM THE SEWER MAIN IS SHOWN INTO THE PROPOSED SEWER IN PLAIN LINE DRIVE. IF IT IS SHOWN INTO THE SEWER MAIN IS SHOWN INTO THE PROPOSED SEWER AND WILL BE REQUIRED A DROP MANHOLE.

LEGEND

EXISTING SANITARY SEWER MANHOLE	1"
EXISTING SANITARY SEWER LINE	1"
EXISTING UNRECORDED SANITARY SEWER MANHOLE	1"
EXISTING UNRECORDED SANITARY SEWER LINE	1"
PROPOSED SANITARY SEWER MANHOLE	1"
PROPOSED SANITARY SEWER LINE	1"
PROPOSED STORM DRAIN	1"
PROPOSED STORM DRAIN MANHOLE	1"
PROPOSED STORM DRAIN	1"
EXISTING WATER LINE	1"
EXISTING WATER VALVE	1"
EXISTING WATER METER	1"
PROPOSED WATER LINE	1"
PROPOSED WATER VALVE	1"
PROPOSED WATER METER	1"
PROPOSED DOUBLE 1" WATER SERVICE DOUBLE METER	1"
PROPOSED DOUBLE 1" WATER SERVICE DOUBLE METER	1"

SPECIAL CONSTRUCTION

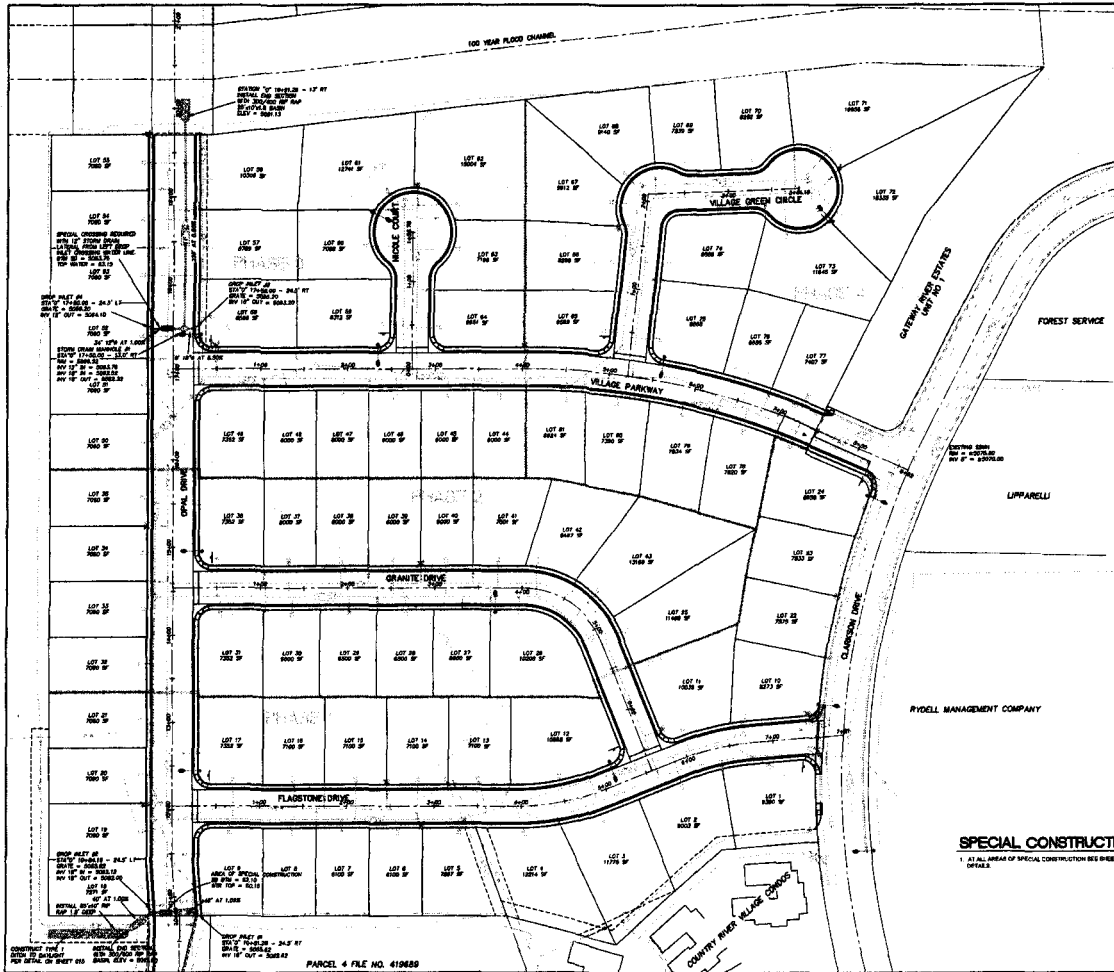
1. AT ALL AREAS OF SPECIAL CONSTRUCTION SEE SHEET C-1 FOR NOTES AND DETAILS.



Carder Engineering, LLC
Civil Engineering
P.O. Box 79
Elko, Nevada 89803
775-267-3071

THE CAPPS GROUP, INC.
SANITARY SEWER PLAN
GREAT BASIN ESTATES
ELKO, NEVADA

DATE: 01/24/15
BY: [Signature]
CHECKED: [Signature]
SCALE: 1"=50'
SHEET: C5
OF 17



STORM DRAIN NOTES

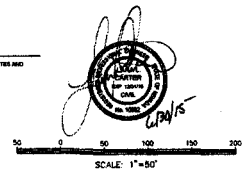
1. ALL STORM DRAIN LINES SHALL BE 18" DIA. UNLESS OTHERWISE NOTED.
2. SEE SHEET C-5 FOR DETAILS FOR TRENCH, DROP PILE, AND MANHOLE.

LEGEND

EXISTING STORM DRAIN MANHOLE	1
EXISTING STORM DRAIN VALVE	2
EXISTING ABANDONED STORM DRAIN MANHOLE	3
EXISTING ABANDONED STORM DRAIN VALVE	4
PROPOSED STORM DRAIN MANHOLE	5
PROPOSED STORM DRAIN VALVE	6
EXISTING WATER LINE	7
EXISTING WATER VALVE	8
PROPOSED WATER LINE	9
PROPOSED WATER VALVE	10
PROPOSED FIRE HYDRANT	11
PROPOSED DOUBLE FIRE HYDRANT SERVICE AREA	12
PROPOSED DOUBLE FIRE HYDRANT SERVICE AREA	13

SPECIAL CONSTRUCTION

1. AT ALL AREAS OF SPECIAL CONSTRUCTION SEE SHEET C-6 FOR NOTES AND DETAILS.

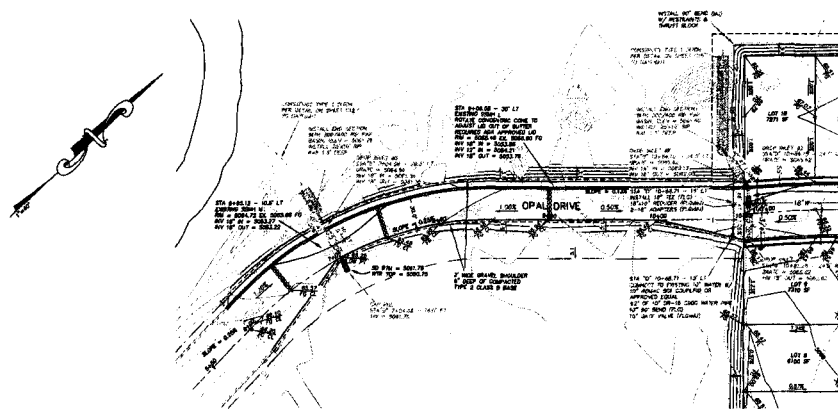


Carter Engineering, LLC
Civil Engineering
P.O. Box 794
Las Vegas, NV 89102
702.337.2001

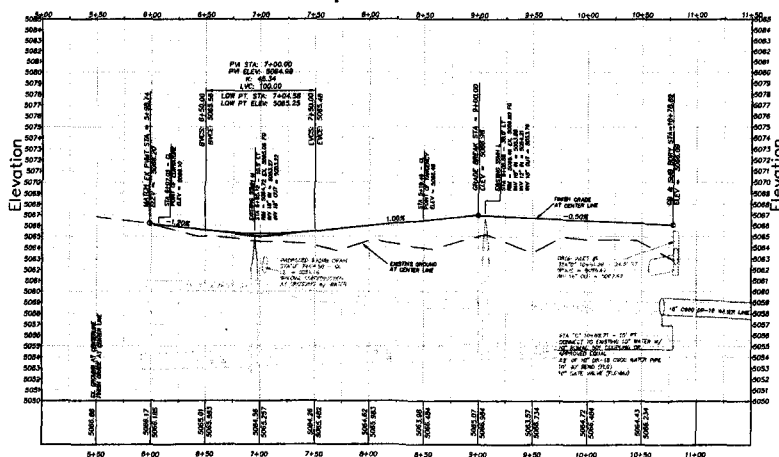
THE CAPPS GROUP, INC.
STORM DRAIN PLAN
GREAT BASIN ESTATES
LAS VEGAS, NEVADA

SCALE
HORIZONTAL
VERTICAL
1" = 40'

SHEET
C6
OF 17



OPAL DRIVE OFF SITE - PLAN & PROFILE



LEGEND	
EXISTING SANITARY SEWER MANHOLE	
EXISTING SANITARY SEWER LINE	
EXISTING ABANDONED SANITARY SEWER MANHOLE	
EXISTING ABANDONED SANITARY SEWER LINE	
PROPOSED SANITARY SEWER MANHOLE	
PROPOSED SANITARY SEWER LINE	
PROPOSED STORM DRAIN	
PROPOSED STORM DRAIN	
PROPOSED DRAIN SLOPE	
EXISTING WATER LINE	
EXISTING WATER VALVE	
EXISTING FIRE HYDRANT	
EXISTING WATER VALVE	
PROPOSED WATER LINE	
PROPOSED WATER VALVE	
PROPOSED FIRE HYDRANT	
PROPOSED SLOPE 1" IN 100 FEET SINKS SINGLE WATER	
PROPOSED DOUBLE 1" IN 100 FEET SINKS DOUBLE WATER	
EXISTING CIRCULAR DRAIN	
FRAM BENCH CONTOUR	
SPOT ELEVATION	
SLOPE OF SLOPE	

SANITARY SEWER NOTES:

1. ALL REINFORCING SHALL BE #30-39 X 1/2"
2. SEE SHEET #12 FOR DETAILS OF GUTTER/SEWER SYSTEM MANHOLE, LATERAL CONNECTION AND TIE-IN DETAIL. FOR SEWER PIPES
3. IN NO CASE SHALL A LATERAL CONNECT TO THE SEWER MAIN DIRECTLY ON THE TOP OF THE PIPE.
4. IF SEWER LATERALS SHALL HAVE A MINIMUM SLOPE OF 2% FOR 500' PIPES.
5. THE BATTERY SEWER SHALL BE INSTALLED TO THE NEXT UP STREAM MANHOLE AT PHASE BOUNDARIES.
6. REINFORC LATERAL CONNECTIONS IN GUTTER DRIVE WILL REQUIRE BAY CUT AND RAIN PITCH BACK TO THE MAIN STREET C/S.
7. ELEVATION OF GUTTERS, SEWERS AT SEWER MANHOLES IS TO UNIFORMED HIGHS WILL BE USED TO THE VERMONT AT THIS LOCATION PRIOR TO ANY INSTALLATION OF THE TANKED DRIVE. SINCE SUBSIDENCE OF THE SUBSTATION, THE LOW POINT OF THE TANKED DRIVE WILL BE SHOWN IN THE PRECISED HIGHER ELEVATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ACHIEVE THE PROPOSED DESIGN AND WILL REQUIRE A GROUP MANHOLE

NOTES:

- [illegible]

WATER NOTES:

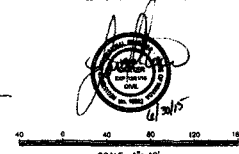
- [illegible]

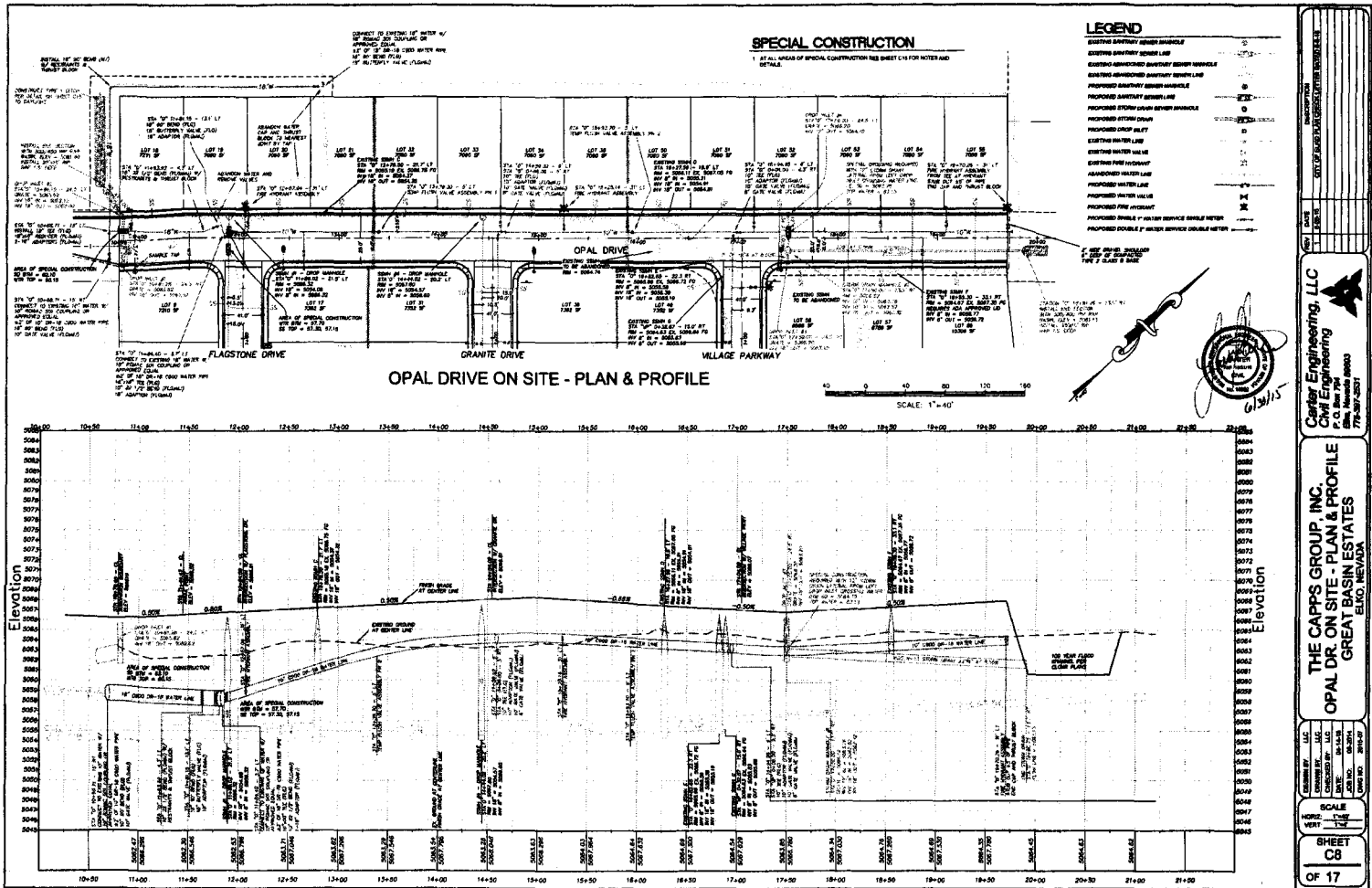
STORM DRAIN NOTES:

1. ALL STORM DRAIN LINES SHALL BE ADR 76-12 OR APPROVED EQUAL.
2. SEE SHEET C15 DETAILS FOR TRENCH DROP INLET AND MANHOLE.

SPECIAL CONSTRUCTION

1. AT ALL AREAS OF SPECIAL CONSTRUCTION SEE SHEET C15 FOR NOTES AND DETAILS.





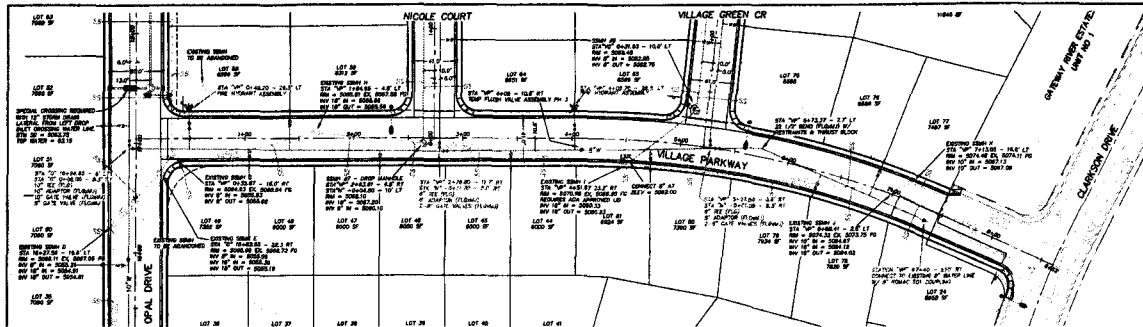
DATE: 01/27/15
SHEET: 08 OF 17

THE CAPPS GROUP, INC.
Civil Engineering
P.O. Box 794
Boulder, Colorado 80509
(303) 440-1234

PROJECT: OPAL DR. ON SITE - PLAN & PROFILE
GREAT BASIN ESTATES
ELMO, NEVADA

SCALE: 1"=40'

SHEET: 08 OF 17



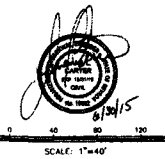
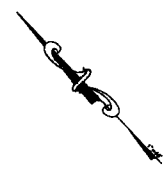
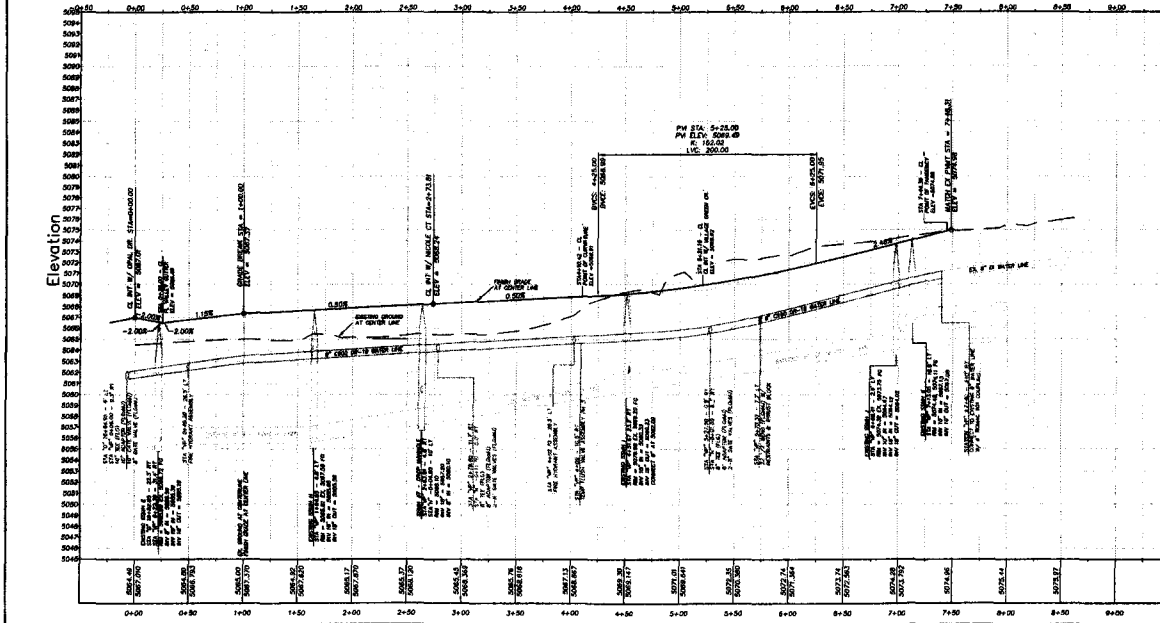
LEGEND

EXISTING SANITARY SEWER MAINLINE	5"
EXISTING SANITARY SEWER LINE	12"
EXISTING ADVANCED SANITARY SEWER MAINLINE	12"
EXISTING ADVANCED SANITARY SEWER LINE	12"
PROPOSED SANITARY SEWER MAINLINE	12"
PROPOSED SANITARY SEWER LINE	12"
PROPOSED STORM DRAIN SEWER MAINLINE	12"
PROPOSED STORM DRAIN SEWER LINE	12"
PROPOSED DRAIN PILE	12"
EXISTING WATER LINE	12"
EXISTING WATER PILE	12"
EXISTING FIRE HYDRANT	12"
PROPOSED WATER LINE	12"
PROPOSED WATER PILE	12"
PROPOSED FIRE HYDRANT	12"
PROPOSED 1" WATER SERVICE DOUBLE METERS	12"
PROPOSED 1" WATER SERVICE DOUBLE METERS	12"

SPECIAL CONSTRUCTION

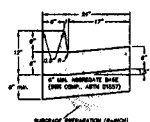
1. AT ALL AREAS OF SPECIAL CONSTRUCTION SEE SHEET C10 FOR NOTES AND DETAILS

VILLAGE PARKWAY - PLAN AND PROFILE

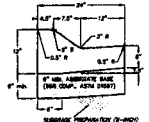


THE CARPS GROUP, INC.
Civil Engineering, LLC
VILLAGE PARKWAY - PLAN & PROFILE
GREAT BASIN ESTATES
ELKO, NEVADA

DATE: 8/24/15
SCALE: 1"=40'
SHEET: C11
OF 17



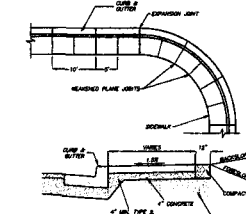
TYPE 1 CURB AND GUTTER
N.T.S.



TYPE 2 CURB AND GUTTER
N.T.S.

CURB AND GUTTER NOTES:

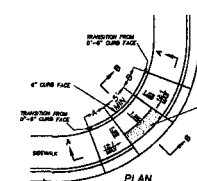
1. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.01 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND SHALL BE A CUT OF LANE APPROVED BY DESIGN.
2. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.02 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. ALL CURB AND GUTTER SHALL HAVE A MINIMUM CURB HEIGHT OF 4 INCHES AND AT ALL CURB RAMPING, MINIMUM PLANE JOINTS SHALL BE EVERY 15 FEET.
4. FINISHED SURFACE SHALL BE 1/2" TO 1" ABOVE TOP OF GUTTER FILL.



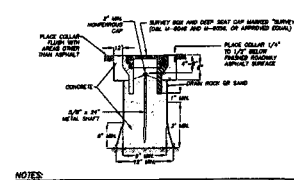
SEAWALK NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 211.01 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND SHALL BE A CUT OF LANE APPROVED BY DESIGN.
2. ALL SEAWALK SHALL HAVE A MINIMUM CURB HEIGHT OF 4 INCHES AND AT ALL CURB RAMPING, MINIMUM PLANE JOINTS SHALL BE EVERY 15 FEET.
3. FINISHED SURFACE SHALL BE 1/2" TO 1" ABOVE TOP OF GUTTER FILL.
4. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.01 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

P.C.C. SIDEWALK
N.T.S.



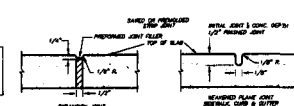
P.C.C. JOINTING DETAILS
N.T.S.



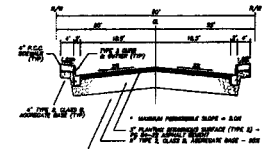
NOTES:

1. JOINTING DETAIL SHALL BE SUBMITTED FOR REVIEW BY THE DESIGNER OR APPROVED BY THE DESIGNER.
2. ALL JOINTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. JOINTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

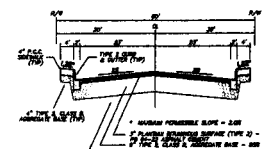
CLASS A MONUMENT
N.T.S.



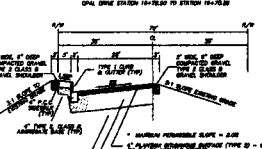
P.C.C. JOINTING DETAILS
N.T.S.



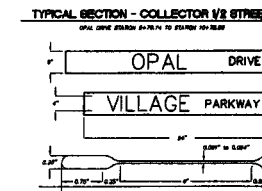
TYPICAL SECTION - LOCAL RESIDENTIAL
PLAN: DRIVE WIDTH 10'-0" TO 15'-0" TO SECTION 101-10.00



TYPICAL SECTION - COLLECTOR RESIDENTIAL
PLAN: DRIVE WIDTH 15'-0" TO 20'-0" TO SECTION 101-10.00



TYPICAL SECTION - COLLECTOR STREET
PLAN: DRIVE WIDTH 20'-0" TO 30'-0" TO SECTION 101-10.00



TYPICAL SECTION - COLLECTOR STREET
PLAN: DRIVE WIDTH 30'-0" TO 40'-0" TO SECTION 101-10.00

NOTES:

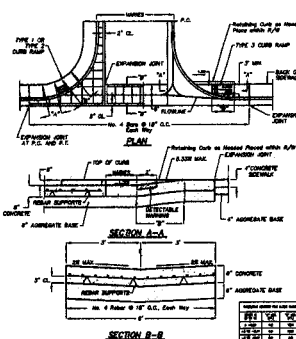
1. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.01 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND SHALL BE A CUT OF LANE APPROVED BY DESIGN.
2. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.02 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. CURB AND GUTTER SHALL MEET THE REQUIREMENTS OF SECTION 211.03 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.

STREET NAME SIGN



STREET NAME SIGN

PAVEMENT SAW CUT AND JOIN
N.T.S.



SECTION B-B

SECTION B-B

P.C.C. VALLEY GUTTER WITH APRON

P.C.C. VALLEY GUTTER WITH APRON

TYPE 3 CURB RAMP

TYPE 3 CURB RAMP

TYPE 3 CURB RAMP

TYPE 3 CURB RAMP

TYPE 3 CURB RAMP

TYPE 3 CURB RAMP

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SECTION B-B

SECTION B-B

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Type of Truss	6" Band	4" Band	11-1/2" or 12-1/2" Band	2" or 3" Band End	End with Plug	Ends with Plug
6"	2	3	1	2	2	2
8"	4	4	2	4	4	4
10"	7	6	4	6	7	7
12"	10	6	3	9	12	10
14"	16	10	5	12	16	16
16"	23	23	13	20	23	23

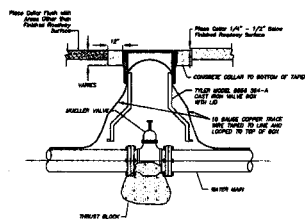
Type of fitting	Groove with Plug	Top with Plug
Typical Installation		

NOTES:

1. Thrust block to be constructed of Class "D" concrete.
2. Areas given are for class 150 pipe at test pressure of 150 psi. with 150 psi. bearing capacity. Increases using different pipe, test pressure, and bearing capacity should adjust areas accordingly subject to approval of the Engineer.
3. Thrust block to be poured against undisturbed soil.
4. Joints and face of plugs to be kept clear of concrete.

THRUST BLOCKS

N.T.S.



NOTES

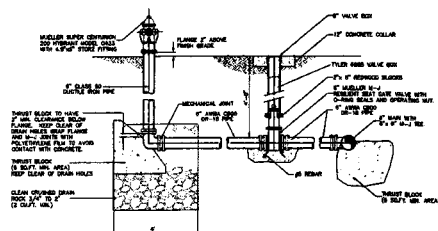
1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 317.06 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION UNLESS OTHERWISE SPECIFIED.

2. WHERE DOLLAR SHALL BE SET 1" TO 1 1/2" BELOW FINISHED CONCRETE OR STRUTTING SURFACE, VALUE COLLAR IN ANY OTHER AREAS SHALL BE SET FLUSH WITH FINISHED SURFACE, UNLESS OTHERWISE SPECIFIED.

3. GORNETTE COLLAR REQUIRED WHEN VALUE IS NOT LOCATED IN CONCRETE OR STRUTTING SURFACE.

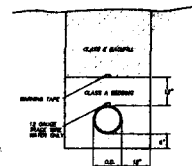
VALVE AND BOX

NTS



FIRE HYDRANT ASSEMBLY

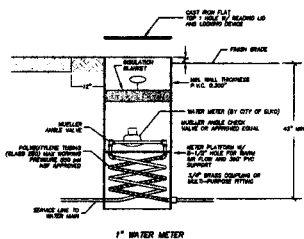
NFS



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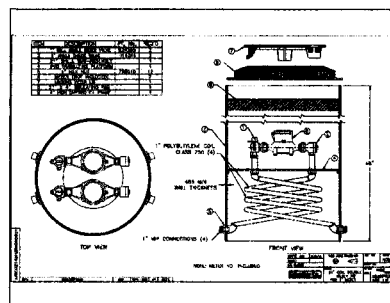
TRENCH DETAIL

B/S

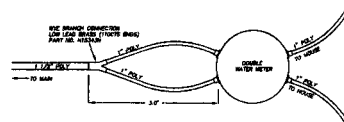


1" WATER METER

KEYWORDS: child abuse; child sexual abuse; child sexual exploitation; child sexual abuse investigation; child sexual abuse assessment

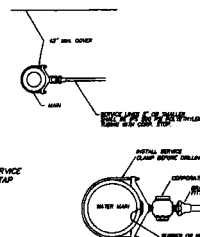


1" DOUBLE WATER METER

[illegible]

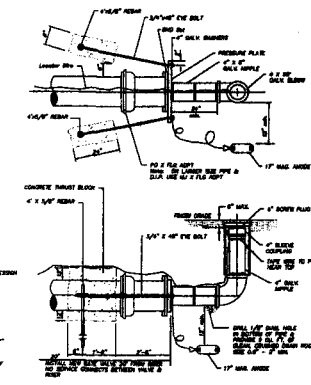
WATER METER

M.T.9



SERVICE
END

TAP



TEMPORARY FLASH ASSEMBLY

418

NOTE

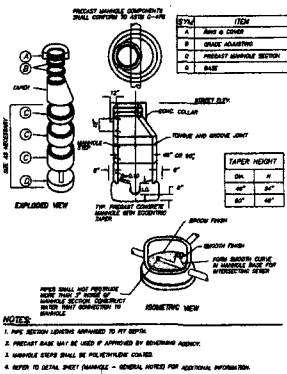
1. CORPORATION STOP, CLAMP STOP, (NAME HERE 4" OR LARGER) AND SERVICE LINE TO BE SAME SIZE.
2. SERVICE CLAMPS SHALL BE DOUBLE STOP FOR ALL SERVICE TAP WELDS, EXCEPT WHERE SIZE IS 1/2" OR LARGER MANUFACTURER'S RECOMMENDATION. TAP FOR SIZE OF MAIN.
3. TAPS SHALL BE STOPPED AND PLACED A MINIMUM OF 12" APART FOR OUTSIDE IRON PIPE. THIS SHALL BE 18" APART FOR 1/2" OR LARGER. TAP SHALL BE 18" APART FOR 1/2" OR LARGER. TAP SHALL BE CLOSER THAN 2 FEET FROM THE END OF PIPE.
4. ALL JOINT FITTINGS SHALL BE OF BRASS COMPRESSION PIPE.

WATER SERVICE CONNECTION

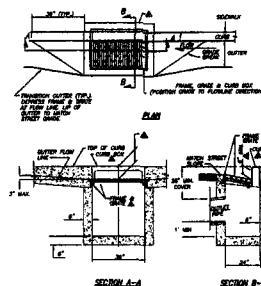
N.Y.S.



6/30/15

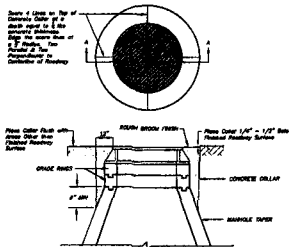


TYPE 1 MANHOLE
N.T.S.
FOR STANDARD SIZES
AND STORM DRAIN



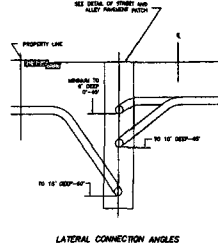
TYPE 4-R CATCH BASIN

USE CONCENTRIC CONE

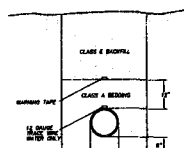


- NOTES:**
1. CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 202 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
 2. MANHOLE COLLAR SHALL BE SET TO 1/4\" - 1/2\" BELOW FINISHED GRADE OR SURROUNDING SURFACE. SURROUNDING SURFACE SHALL BE SET TO 1/4\" - 1/2\" BELOW FINISHED GRADE, UNLESS OTHERWISE SPECIFIED.
 3. CONCRETE COLLAR IS REQUIRED WHEN MANHOLE IS NOT LOCATED IN CONCRETE OR BITUMINOUS SURFACE.
 4. REFER TO DETAIL SHEET MANHOLE - GENERAL NOTES FOR ADDITIONAL INFORMATION.

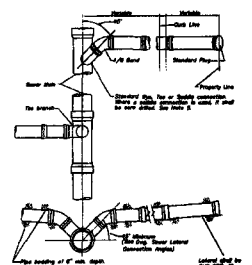
MANHOLE COLLAR
N.T.S.



LATERAL CONNECTION ANGLES

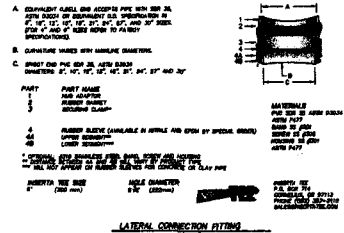


TRENCH DETAIL
N.T.S.
FOR WATER, SEWER AND STORM DRAIN



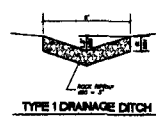
- NOTES:**
1. IN NO CASE SHALL A LATERAL CONNECT TO THE SEWER MAIN DIRECTLY ON TOP OF EXISTING PIPE.
 2. SEWER LATERALS SHALL HAVE A MINIMUM SLOPE OF .02.
 3. ALL JOINTS ON SEWER LATERAL PIPE WITHIN THE RIGHT-OF-WAY SHALL BE COMPRESSION TYPE.
 4. LATERAL SHALL EXCEED TO PROPERTY LINE UNLESS OTHERWISE SHOWN ON PLANS.
 5. SINKABLE CONNECTION SHALL BE P.C. DOUBLE WITH STRAINLESS STEEL SPRINGS.
 6. ANY EXISTING SEWER LATERAL IS THE RESPONSIBILITY OF THE OWNER AND SHALL BE THE OWNER'S RISK. ALL LATERALS SHALL BE SET TO 1/4\" - 1/2\" BELOW FINISHED GRADE, UNLESS OTHERWISE SPECIFIED.
 7. SEWER MANHOLE/LATERAL CONNECTIONS SHALL MEET THE REQUIREMENTS OF SDC 202.

FOR 24\" DIAMETER RELL DENSITY APPLICATIONS



LATERAL CONNECTION FITTING
FOR 12\" TO 18\" P.C. USE LATERAL CONNECTION ONLY

SEWER LATERAL CONNECTION
N.T.S.



TYPE 1 DRAINAGE DITCH

- NOTES:**
1. DITCH DEPTH SHALL BE 12\"
 2. DITCH SHALL MEET THE REQUIREMENTS OF SECTION 202 OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
 3. DITCH SHALL BE SET TO 1/4\" - 1/2\" BELOW FINISHED GRADE, UNLESS OTHERWISE SPECIFIED.
 4. PLACE MANHOLE LOCATIONS TO BE 12\"
 5. DITCHES SHALL BE TO BE 12\"

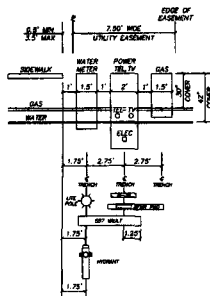
THE CAPPS GROUP, INC.
SEWER AND STORM DRAIN DETAILS
GREAT BASIN ESTATES
ELKO, NEVADA

Carlier Engineering, LLC
Civil Engineering
P.O. Box 704
Elko, NV 89801
(775) 265-1001

SCALE
VERTICAL 1\"/>

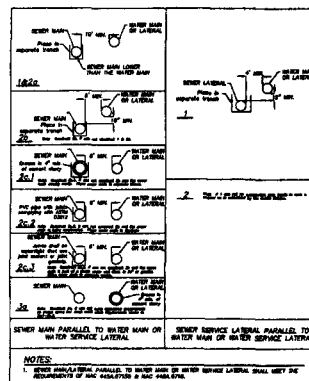
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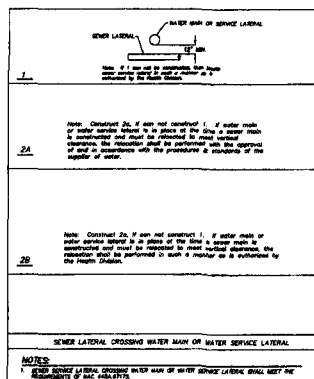
NOTE: MAINTAIN UTILITY SEPARATIONS IN ACCORDANCE WITH NV ENERGY, FRONTIER COMMUNICATIONS, SATEVIEW BROADBAND, SOUTHWEST GAS CORP. AND CITY OF ELKO REQUIREMENTS.

TYPICAL UTILITY TRENCH LOCATIONS



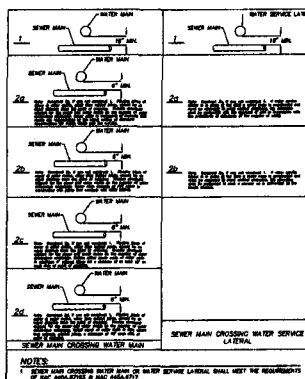
PARALLEL LINE REPAIRATION

PARALLEL LINE REPAIR
SEWER LINE PARALLEL TO WATER MAIN OR WATER LATERAL



CROSSING LINE SEPARATION

CROSSING LINE SEPARATION



CROSSING LINE SEPARATION

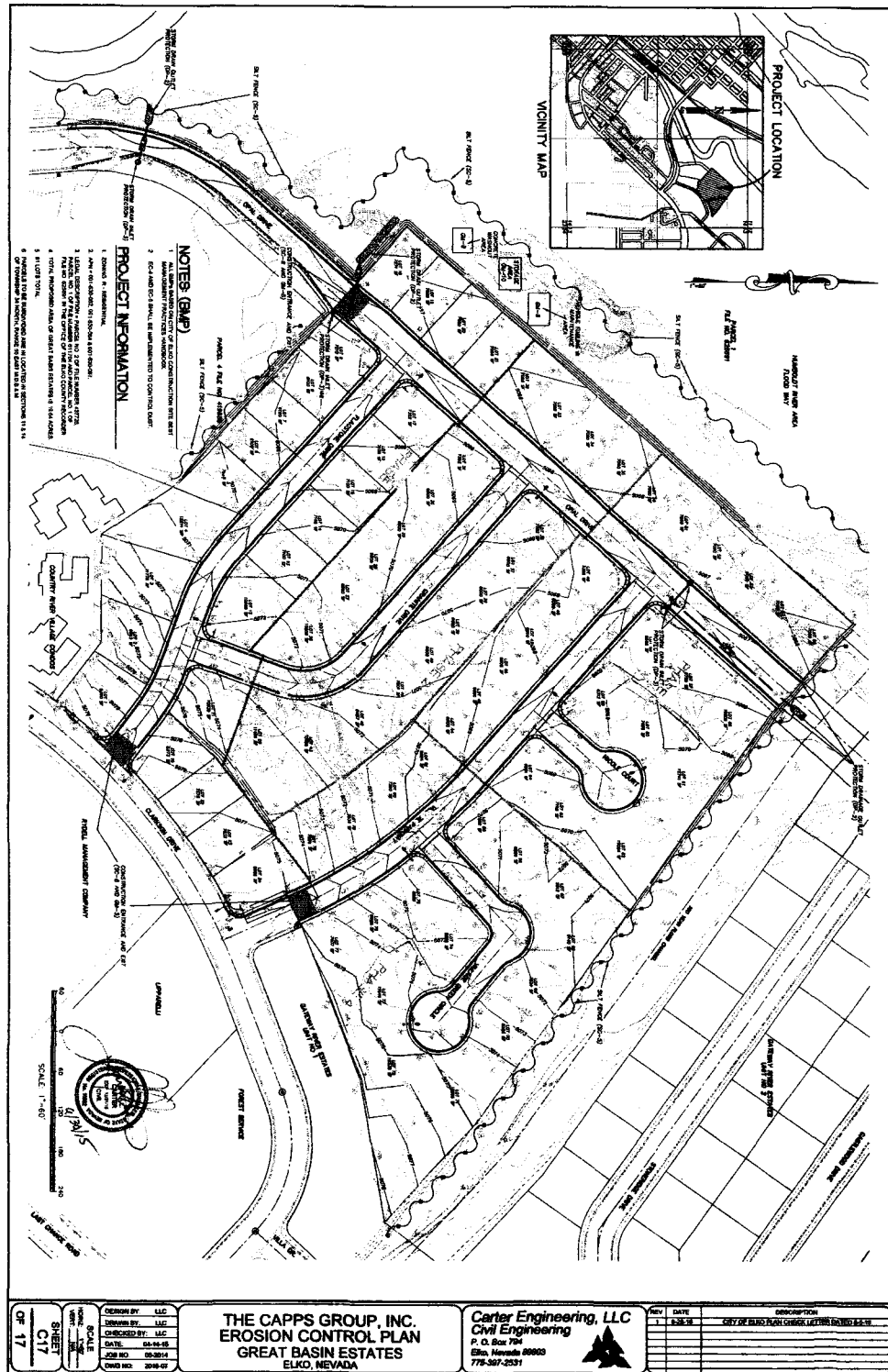
CROSSING LINE SEPARATION

Carter Engineering, LLC
Civil Engineering

THE CAPPS GROUP, INC.
UTILITY CROSSING & LOCATION DETAIL
GREAT BASIN ESTATES

DESIGNED BY:	U.C.
DRAWN BY:	M.C.
CHECKED BY:	U.C.
DATE:	09-14-15
ACS NO:	09-3914

SCALE
HORIZ. 1/4" = 1'-0"
VERT. 1/4" = 1'-0"
SHEET
C16
OF 17



THE CAPPS GROUP, INC.
EROSION CONTROL PLAN
GREAT BASIN ESTATES
ELKO, NEVADA

Carter Engineering, LLC
Civil Engineering
P. O. Box 704
Elko, Nevada 89803
775-567-2331

REV	DATE	DESCRIPTION
1	6-15-15	REVISED EROSION CONTROL PLAN

**Elko City Council
Agenda Action Sheet**

1. Title: **Review for possible approval or denial of a House of Prostitution License Application and Retail Liquor License Application made by Louis R. Goldberg, dba Mona's Ranch located at 103 S 3rd Street, Elko, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Mr. Goldberg has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council. BR**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application; memo from Police Chief.**
9. Recommended Motion: **Pleasure of the Council.**
10. Prepared By: **Elko Police Chief Ben Reed, Jr.**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:
 Louis Goldberg
 4636 Crow Canyon Place
 Castro Valley, CA 94552



ELKO POLICE DEPARTMENT

1448 Silver Street
Elko Nevada 89801
775.777.7310
775.738.1415 Fax
epd@elkocitynv.gov

Ben Reed, Jr.
Police Chief

DATE: August 8, 2018

TO: Mayor Johnson and City Council

FROM: Ben Reed, Jr., Police Chief *BRJ*

SUBJECT: House of Prostitution License Application – Louis R. Goldberg

On June 28, 2018, applicant Louis R. Goldberg submitted application to the City Clerk to operate a House of Prostitution titled Mona's Ranch, (103 S 3rd Street, Elko, NV). On July 2, 2018, the Elko Police Department received the associated paperwork and detectives were assigned to conduct a comprehensive background investigation.

The comprehensive background investigation of Mr. Goldberg included a personal interview, personal history review, employment history review, financial records, residential neighborhood canvas, legal documents, criminal history, drug use history, as well as interviews with listed relatives, references, and acquaintances.

Louis R. Goldberg disclosed on his application one criminal arrest in 1990, in California, for possession of a controlled substance. The case was eventually dismissed for successful completion of a diversion program. The background investigation confirmed his disclosure.

Mr. Goldberg is currently separated from his wife and lives in two locations in Northern California. He maintains an address in San Francisco and another in Castro Valley, California. He frequently travels back and forth from Northern California to Northern Nevada. Regarding his living circumstances, he provided a written comment on the application which states in part, "Louis Goldberg will be onsite 24/7, 15 days a month."

In January and February 2018, Elko Police Patrol Officers and Detectives, and the Elko Combined Narcotics Unit conducted a drug possession and sales investigation involving an individual who was employed at the time by the Mona's Ranch Brothel, which was managed by Mr. Goldberg. The individual also lived at the same brothel. Upon the execution of a search warrant at Mona's Ranch Brothel, detectives located numerous items of evidence to support drug trafficking charges against that employee, in addition to locating a significant quantity of methamphetamine under control of that same employee. Mr. Goldberg was the brothel manager during this timeframe. The owners and licensees of the brothel lived in Las Vegas, Nevada. On February 27, 2018, at the conclusion of a special hearing, the Elko City Council suspended the license to operate Mona's

Ranch for a period of 180 days. That suspension expires August 27, 2018. It should be noted, Mr. Goldberg was not the brothel licensee at that time; however, he was the manager.

The financial records review of Mr. Goldberg revealed his assets far exceed his liabilities. His financial status appears to be sufficient to support the business.

There is no evidence of Mr. Goldberg being involved in organized crime, human trafficking, drug use, or other felonious activities.

The Elko City Council may wish to question Mr. Goldberg about his future business plans and procedures associated with the successful and lawful operation of a house of prostitution, in order to assist Council Members with their decision. I requested Mr. Goldberg to be present at the scheduled Elko City Council meeting of August 14, 2018.

At the Council Members discretion, I can provide additional details as necessary.

BR/tle

Burley 2 July 2018
CHIEF OF POLICE



CITY OF ELKO
HOUSE OF PROSTITUTION
LICENSE APPLICATION

Date Filed: 6-28-18

Investigation Fee: 2200.00
✓3018

1. APPLICANT:

(a) Full Name: Louis Robert Goldberg

(b) Resident Address: _____

Street

City

State

94552

(c) Telephone Number 6 -

(d) Mailing Address if different: currently same

SF, CA 94121

(e) Date of Birth: 12/16/1970

Social Security Number: [REDACTED]

(f) Position: Owner

2. Name (Trade Name) of establishment to be licensed: Mona's Ranch

(a) Address of establishment: 103 S 3rd St Elko Nevada

Street

City

State

89801

(b) Mailing address of establishment if different: _____

3. Property Owned: () yes () no

Property Leased: () yes () no

(a) Name and address of owner: currently under contract

Kim Watson & Son Yescott

Attach copy of deed and deeds of trust on property. _____

(b) Name and address of Lessor (if leased): _____

Attach copy of lease _____

(c) If property is leased, please state the name and address of the owner of the business only together with any others who have any financial interest in the business: _____

4. Business Structure: Sole Proprietorship (☒) Partnership () Corporation ()

(a) If corporation, state percentage of total stock owned by applicant: _____

(b) List below all members of the partnership or, if a corporation, all officers, directors and stockholders, together with the percentage owned by each or, if a partnership, the amount invest by each (to include owner of real property if the real property is also owned by the owner of the business):

Name

Address

% Of Ownership

Amount Invested

(c) Please include a recent photograph and complete set of fingerprints of all persons listed above.

5. If different from above, list the names, ages and address of all persons who will be personally responsible for the management of the operation.

6. List names and address of every other business in which the applicant has any financial interest, including the type of such business and the nature of the applicant's interest:

Monas & Inez's D&D Management

7. Names and addresses of all employers of the applicant in the preceding five (5) years:

Monas Ranch Past 3 years Elko, Nevada & INEZ'S Elko, NV
Deluxe Entertainment Burbank, CA
attach additional sheet if needed.

8. List cities in which you have lived during the last five (5) years giving street address and dates:

Castro Valley CA 94552
SF, CA 94121

9. List all prior criminal convictions, if any, (excluding minor traffic violations) include the nature of the offense, the date of offense, the place of its occurrence, and the penalty imposed:

<u>Offense</u>	<u>Place of Offense</u>	<u>Date of Offense</u>	<u>Penalty Imposed</u>
<u>Not sure</u>	<u>SFSU Campus</u>	<u>1990-1</u>	<u>Dismissal/sealed</u>

10. Financial Statement: Please attach to this application, a current financial statement of the applicant.

THE UNDERSIGNED APPLICANT hereby certifies that the foregoing information is true and correct to the best of his/her knowledge and belief, and further that such certification is made with the full knowledge that any failure to disclose, misstatement, or other attempt to mislead may be considered sufficient cause for denial or revocation of a license to do business as provided by the City of Elko ordinances.

Dated: 5/31, 20 18

[Signature]
Signature of Applicant

Californic
STATE OF ~~NEVADA~~)
COUNTY OF San Francisco : ss.

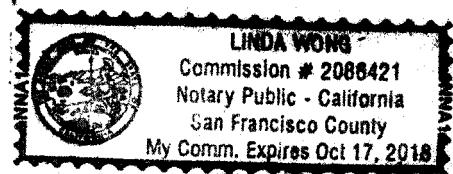
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On this 31st day of May, 20 18, personally appeared before me a Notary Public, Linda Wong, who acknowledged that Louis Robert Goldberg

Executed the foregoing instrument.

[Signature]
NOTARY PUBLIC

Received by: _____
Clerk



Checklist:
Fingerprints _____
Photographs _____
Deed or Lease _____
Financial Statement _____

**Elko City Council
Agenda Action Sheet**

1. Title: **Review for possible approval or denial of a House of Prostitution License Application made by Anna L. Brown, dba Mona's Ranch located at 103 S 3rd Street, Elko, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Ms. Brown has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council. BR**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application, memo from Police Chief.**
9. Recommended Motion: **Pleasure of the Council.**
10. Prepared By: **Elko Police Chief Ben Reed, Jr.**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:
 Anna Brown
 1255 Stitzel Road
 Elko, NV 89801



ELKO POLICE DEPARTMENT

1448 Silver Street
Elko Nevada 89801
775.777.7310
775.738.1415 Fax
epd@elkocitynv.gov

Ben Reed, Jr.
Police Chief

DATE: August 8, 2018

TO: Mayor Johnson and City Council

FROM: Ben Reed, Jr., Police Chief *BRJ*

SUBJECT: House of Prostitution License Application – Anna Brown

On June 28, 2018, applicant Anna L. Brown submitted application to the City Clerk to operate a House of Prostitution titled Mona's Ranch, (103 S 3rd Street, Elko, NV). On July 2, 2018, the Elko Police Department received the associated paperwork and detectives were assigned to conduct a comprehensive background investigation.

The comprehensive background investigation of Ms. Brown included a personal interview, personal history review, employment history review, financial records, legal documents, criminal history, as well as interviews with listed relatives, references, and acquaintances.

A summary of the findings of the applicant's background investigation include the following: Anna L. Brown has no criminal history. She lives in Elko with her son. Her personal references were positive.

Because she lives in Elko, Ms. Brown will be able to be onsite frequently as a licensee. She provided a written comment on the application which states in part, "Anna Brown is being added to the license application so that we have 24/7, local person on the license as she will be Head Manager and may have future ownership / partnership benefits. Further, Louis Goldberg will be onsite 24/7, 15 days a month."

Ms. Brown filed for bankruptcy protection in April 2014. She has numerous negative credit history reports. They all appear to be of a medical nature. She is current on her house and vehicle payments. A review of her income tax filings appear to be proper and consistent for the past several years. Her financial assets and liabilities are minimal, yet balanced.

In January and February 2018, Elko Police Patrol Officers and Detectives, and the Elko Combined Narcotics Unit conducted a drug possession and sales investigation involving an individual who was employed at the time by the Mona's Ranch Brothel. The individual also lived at the same brothel. Upon the execution of a search warrant at Mona's Ranch Brothel, detectives located

numerous items of evidence to support drug trafficking charges against that employee, in addition to locating a significant quantity of methamphetamine under control of that same employee. Ms. Brown was employed as a Bartender / Manager at Mona's Ranch Brothel during this timeframe. The owners and licensees of the brothel lived in Las Vegas, Nevada. On February 27, 2018, at the conclusion of a special hearing, the Elko City Council suspended the license to operate Mona's Ranch for a period of 180 days. That suspension expires August 27, 2018. It should be noted, Ms. Brown was not the brothel licensee at that time; however, she was a Bartender / Manager.

There is no evidence of Ms. Brown being involved in organized crime, human trafficking, drug use, or other felonious activities.

The Elko City Council may wish to question Ms. Brown about her future business plans and procedures associated with the successful and lawful operation of a house of prostitution, in order to assist Council Members with their decision. I requested Ms. Brown to be present at the scheduled Elko City Council meeting of August 14, 2018.

At the Council Members discretion, I can provide additional details as necessary.

BR/tle

B. H. H. H. 2 July 2018
CHIEF OF POLICE



CITY OF ELKO
HOUSE OF PROSTITUTION
LICENSE APPLICATION

Date Filed: 6-28-18

Investigation Fee: 2500.00
3019

1. APPLICANT:

- (a) Full Name Anna Liza Brown
- (b) Resident Address: Elko NV
City State
- (c) Telephone Number: _____
- (d) Mailing Address if different: _____
- (e) Date of Birth: 8/5/76 Social Security Number [REDACTED]
- (f) Position: On Site Manager

2. Name (Trade Name) of establishment to be licensed: Mona's Ranch

- (a) Address of establishment: 103 S. 3rd St. Elko NV
Street City State
- (b) Mailing address of establishment if different: _____

3. Property Owned: () yes ☒ no Property Leased: () yes () no

- (a) Name and address of owner: Kim Watson & Soon Ye Scott

Attach copy of deed and deed of trust on property.

- (b) Name and address of Lessor (if leased): _____

Attach copy of lease

- (c) If property is leased, please state the name and address of the owner of the business only together with any others who have any financial interest in the business:

4. Business Structure: Sole Proprietorship ☒ Partnership () Corporation ()

- (a) If corporation, state percentage of total stock owned by applicant: _____
- (b) List below all members of the partnership or, if a corporation, all officers, directors and stockholders, together with the percentage owned by each or, if a partnership, the amount invest by each (to include owner of real property if the real property is also owned by the owner of the business):

Name	Address	% Of Ownership	Amount Invested
------	---------	----------------	-----------------

(c) Please include a recent photograph and complete set of fingerprints of all persons listed above.

on hand with current workcard.

5. If different from above, list the names, ages and address of all persons who will be personally responsible for the management of the operation.

Louis Goldberg 47

Anne Brown 41

XXXXXXXXXXXXXX

6. List names and address of every other business in which the applicant has any financial interest, including the type of such business and the nature of the applicant's interest:

7. Names and addresses of all employers of the applicant in the preceding five (5) years:

Inez's D&D 232 S. 3rd St. Elko, NV 89801, Mona's Ranch 103 S. 3rd St. Elko, NV 89801

Dollar Loan Center 4469 W. Ann Rd. North Las Vegas, NV 89103, Sutherland Global Services 8725 W. Sahara Ave. Las Vegas, NV 89147

8. List cities in which you have lived during the last five (5) years giving street address and dates:

Elko 2118-current 651 Bullion Rd #38, 10/18-2/18

Las Vegas 7116-3/17 440 Grant St. #42 4/13-4/15

Las Vegas 317-10/17

9. List all prior criminal convictions, if any, (excluding minor traffic violations) include the nature of the offense, the date of offense, the place of its occurrence, and the penalty imposed:

Offense	Place of Offense	Date of Offense	Penalty Imposed
---------	------------------	-----------------	-----------------

10. Financial Statement: Please attach to this application, a current financial statement of the applicant.

THE UNDERSIGNED APPLICANT hereby certifies that the foregoing information is true and correct to the best of his/her knowledge and belief, and further that such certification is made with the full knowledge that any failure to disclose, misstatement, or other attempt to mislead may be considered sufficient cause for denial or revocation of a license to do business as provided by the City of Elko ordinances.

Dated: June 4th, 2018.

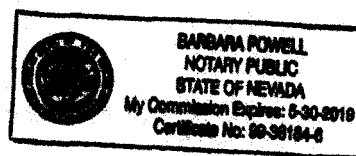
Anna Brown
Signature of Applicant

STATE OF NEVADA)
 : ss.
COUNTY OF Elio)

On this 4th day of June, 2018, personally appeared before me a Notary Public, Barbara Powell, who acknowledged that Anna Brown Executed the foregoing instrument.

Barbara Powell
NOTARY PUBLIC

Received by: _____
Clerk



Checklist:
Fingerprints _____
Photographs _____
Deed or Lease _____
Financial Statement _____

**Elko City Council
Agenda Action Sheet**

1. Title: **Consideration of a request from Mr. Tony Giles to appeal a work permit denial by Police Chief Ben Reed, Jr., and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **PETITIONS, APPEALS, AND COMMUNICATIONS**
4. Time Required: **10 Minutes**
5. Background Information: **Any person whose application for a work permit has been denied or revoked by the Police Chief may appeal to the City Council for a hearing to show cause why the work permit should be issued or should not be revoked.**

In this instance, the Police Chief denied the work permit based upon the following three (3) City Code provisions:

5-11-4 (E) 4: The Police Chief may deny any application made by any applicant who does not meet the requirements of this chapter, or who has failed to disclose, misstated or otherwise misled the Police Chief in respect to any facts or statement contained within the application, or who has refused or neglected to comply with any of the provisions of this chapter.

5-11-2 A: To better define the policy of the City and this chapter, the following persons may be declared to be unqualified, disqualified or unsuitable persons to be granted or to hold bar employee work permits under the provisions of this chapter: A person who within the past three (3) years, has been convicted of a felony or of any crime which, under the laws of this state, is punishable as a felony.

5-11-2 C: A person who the Police Chief determines is not a suitable person to receive a work permit under the provisions of this chapter, having due consideration for the proper protection of the public health, safety, morals, good order and general welfare of the inhabitants of the City.

A copy of Mr. Giles' letter requesting an appeal and Work Permit Application have been enclosed in the agenda packet for review. CC

6. Budget Information:

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Request Letter, Work Permit Application**

Agenda Item VI.C.

9. Recommended Motion: **Pleasure of the Council.**

10. Prepared By: **Curtis Calder, City Manager**

11. Committee/Other Agency Review:

12. Council Action:

13. Council Agenda Distribution:

Tony Giles
425 Trescartes Ave.
Spring Creek, NV 89815

City council

My name is Tony Giles and I
want to be put on the agenda for Aug 14.
To appeal my bar card denial.

Tony Giles

7-30-18

Tony Giles
702-444-6860
425 trescartes Ave
Spring Creek NV 89815

RECEIVED

JUL 30 2018

[Signature]



DENIED
GR401

#5-11-2(6)
JUL 30 2018

Elko Police Department

Application for Work Permit

Date: 7-26-18

Work Permit # 10099L

Jacket # _____

Personal Information

Full Name Giles Tony L Nickname/Maiden/Other _____
Last First Middle

Sex M Race W Height 5'10" Weight 205 Hair Brown Eyes Blue

Birth Date [REDACTED] Place of Birth [REDACTED] Soc Sec. No. [REDACTED]

Street Address 425 trescantos Ave Spring Creek NU 89815
Street Address City State ZIP Code

Mailing Address _____ City _____ State _____ ZIP Code _____
Mailing Address City State ZIP Code

E-mail Address [REDACTED] Driver's License/State [REDACTED]

Home Phone [REDACTED] Cell Phone same

Scars/Marks/Tattoos _____

Place of Employment Red lion Occupation Bar tender

U.S. Citizen Yes ☒ No _____ If No List Country _____

Alien Reg. No. _____ Passport No. _____

HAVE YOU EVER BEEN ARRESTED? yes If Yes List ALL Arrests on the back of application

Please note that the City of Elko must deny any application or application for renewal that is submitted without an answer to one of the three responses listed below. If you mark the third response (meaning you are delinquent on a child support order), then we must deny the application pursuant to NRS 425.540. Please mark the appropriate response.

I am not subject to a court order for the support of a child.

☒ I am subject to a court order for support of one or more children and am in compliance with the order or am in compliance with a plan by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, or

I am subject to a court order for the support of one or more children and am not in compliance with the order or a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

Pursuant NRS 425.520 only applicable to individuals

WARNING

A work permit expires unless renewed after a change of employment.

The undersigned certifies that the foregoing information is true and correct to the best of his/her knowledge and belief and further that such certification is made with the full knowledge that any failure to disclose, misstatement, or other attempt to mislead may be considered sufficient cause for denial or revocation of a permit to be employed, or grounds for arrest pursuant to NRS 197.190 and City Code (5-14-4 D-4), (5-11-4 D-4), (4-9-13 C-6), (5-7-4 D-4).

I hereby authorize the Elko Police Department to conduct a complete Criminal History and Wants and Warrants check on me in order to determine my truthfulness and eligibility under Elko City Codes for a Work Permit

[Signature]
Officer Receiving Application

[Signature]
Applicant's Signature

Date	Charge	Arresting Agency	City/State	Disposition	Felony/Misdemeanor
------	--------	------------------	------------	-------------	--------------------

10-2014 possession of stolen vehicle Las Vegas NV Probation Felony
11-2014 paraphernalia & 2 North Las Vegas NV Fine misdemeanor
11-2014 possession of controlled substance North Las Vegas NV Fine misdemeanor
12-2014 petty theft Henderson NV Fine misdemeanor

**Elko City Council
Agenda Action Sheet**

1. Title: **Second reading, public hearing, and possible adoption of Ordinance No. 833, an ordinance amending Title 7, Chapter 2 and Title 7, Chapter 5, of the Elko City Code entitled "TRAFFIC REGULATIONS", and other matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **August 14, 2018**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **10 Minutes**
5. Background Information: **At its July 24, 2018 meeting, Council held the first reading of Ordinance No. 833. BR**
6. Budget Information:

 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Ordinance No. 833**
9. Recommended Motion: **Conduct second reading, public hearing, and adopt Ordinance No. 833.**
10. Prepared By: **Ben Reed, Jr., Police Chief**
11. Committee/Other Agency Review: **City Attorney**
12. Council Action:
13. Agenda Distribution:

CITY OF ELKO
ORDINANCE NO. 833

AN ORDINANCE AMENDING TITLE 7 CHAPTER 2 AND TITLE 7 CHAPTER 5 OF THE ELKO CITY CODE ENTITLED "TRAFFIC REGULATIONS" BY REPEALING EXISTING TRAFFIC LAWS EXCEPT AS OTHERWISE PROVIDED AND ADOPTING BY REFERENCE NRS CHAPTERS 484A THROUGH 484E, INCLUSIVE, TO BE THE TRAFFIC LAWS OF THE CITY INsofar AS THEY MAY BE MADE TO BE APPLICABLE AND RETAINING SPECIFIC TRAFFIC AND TRAFFIC RELATED LAWS OF THE CITY AND OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to the Elko City Charter, the City of Elko City Council Members may regulate all vehicular, pedestrian and other traffic within the City; and,

WHEREAS, the State of Nevada has generally adopted its traffic laws as set forth in the Nevada Revised Statutes Chapters 484A through 484E, inclusive, and the City desires to adopt such laws by reference to the extent the same may be made applicable to the City; and,

WHEREAS, the City Council desires to enact this ordinance amending and adding sections to the Traffic Regulations Code to adopt within the City of Elko a code which is uniform with the state traffic laws except as otherwise specifically provided herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELKO DOES ORDAIN:

For amendment purposes, words which are bold and underlined are additions to the Code and words which are bold and in brackets are deleted from the code.

SECTION 1: PURPOSE, AMENDMENT AND INTERPRETATION.

A. The purposes of this amendment are to adopt, by reference, specified traffic laws of NRS Chapters 484A through 484E, inclusive, as amended from time to time, to apply to the City insofar as such may be made applicable. In the event the City may not enact or exercise jurisdiction over various portions of any such laws by reason of preemption by State law or otherwise, those portions shall be of no force and effect within the Municipal Court of the City and may only be enforced as allowed by State law. In the event a specific State law is not adopted, it has been specifically excluded. In the event a specific City code is retained from prior codifications or adopted, which code is not part of the State law, it has been specifically retained or included.

B. The City Council may amend the provisions adopted by reference at any time by ordinance as provided by law. In the event that the State Legislature amends any provisions which the

City has adopted by reference, the City Council may ratify such amendments by resolution and, once such ratification occurs, the amendments of the State Legislature shall immediately become effective, unless the context of the amendment otherwise provides.

C. Whenever an adopted provision of NRS Chapters incorporated herein refers to another provision of the Nevada Revised Statutes, the referenced provision is also adopted by reference to the extent it is consistent with the purpose herein set forth.

SECTION 2: REPEAL AND ADOPTION. The current provisions of Title 7 Chapter 2 of the Elko City Code are hereby repealed as shown hereafter and Title 7 Chapter 2 is further amended as shown hereafter:

(For purposes of this Amendment, text which is bold and underlined is an addition to the provision(s); text which is bold, underlined and in brackets is a deletion to the provision(s)).

Drafter's Note – Changes to Title 7 Chapter 2 follow. The majority of the current provisions of this Chapter will be repealed and replaced by the corresponding state laws on point, but some existing City codes are retained as matters of particular local concern. As shown hereafter, laws of the state of Nevada concerning traffic, set forth by title only, are hereby adopted by reference to the extent the same may be made applicable to the City. The provisions adopting state law by reference will all be within 7-2-__, which may be cited as "7-2-__, as referenced in NRS 484 ____" (whichever the appropriate state law provision may be). For ease of review, the yellow highlighted portions show the provisions retained from the existing City Code.

Chapter 2 ELKO TRAFFIC CODE

7-2-1: TITLE **AND CONFLICT RESOLUTION:**

7-2-2: **LOCAL** DEFINITIONS:

{7-2-3: TRAFFIC ADMINISTRATOR:}

{7-2-4: ACCIDENTS AND ACCIDENT REPORTS:}

7-2-~~3~~**{5}**: AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS:

{7-2-6: OBEDIENCE TO POLICE OFFICERS:}

{7-2-7: PERSONS PROPELLING PUSHCARTS OR RIDING OR DRIVING ANIMALS TO OBEY TRAFFIC REGULATIONS: }

7-2-4**{8}**: PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS:

{7-2-9: AUTHORIZED EMERGENCY VEHICLES:}

7-2-5{10}: AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES:

{7-2-11: OBEDIENCE TO TRAFFIC CONTROL DEVICES:}

7-2-6{12}: OFFICIAL TRAFFIC CONTROL DEVICES PRESUMPTION {REQUIRED FOR ENFORCEMENT PURPOSES:}

{7-2-13: TRAFFIC AND PEDESTRIAN CONTROL SIGNAL; LEGEND:}

{7-2-14: DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS AND MARKINGS:}

{7-2-15 INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS:}

7-2-7{16}: CITY ENGINEER TO DESIGNATE CROSSWALKS, ESTABLISH SAFETY ZONES AND TRAFFIC LANES:

{7-2-17: AVOIDING TRAFFIC SIGNALS:}

7-2-8{18}: SPEED REGULATIONS

{7-2-19: DRAG RACING: }

{7-2-20: RECKLESS DRIVING (REP.BY ORD. 448, 8-9-1994):}

7-2-9{21}: CARELESS AND INATTENTIVE DRIVING:

{7-2-22: DIRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR CONTROLLED SUBSTANCE (REP. BY ORD 341, 8-9-1983):}

{7-2-23: RULES OF THE ROAD:}

7-2-10{24}: DESIGNATION OF RIGHT OF WAY AND STOP AND YIELD INTERSECTIONS:

7-2-11{25}: AUTHORITY REGARDING TURNING MOVEMENTS AND SIGNS:

{7-2-26: FOLLOWING FIRE APPARATUS AND CROSSING THE FIRE HOSE:}

{7-2-27: FUNERAL PROCESSIONS:}

{7-2-28: VEHICLE SHALL NOT BE DRIVEN ON SIDEWALK:}

7-2-12{29}: PERMITS FOR PROMOTIONAL USE OF CITY STREETS:

7-2-13{30}: PERMITS REQUIRED FOR PARADES, PROCESSIONS AND ASSEMBLAGES:

{7-2-31: CLINGING TO, BOARDING, ALIGHTING FROM OR UNLAWFUL RIDING IN VEHICLES:}

{7-2-32: TRAINS ON CROSSING:}

{7-2-33: HAULING VEHICLES:}

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BODY OF CODE

7-2-1: TITLE AND CONFLICT RESOLUTION:

This chapter may be cited as the *ELKO TRAFFIC CODE*. In the event of a conflict between any State law incorporated in the City Code and any applicable specific City code set forth herein, the City Code shall be controlling. In the event any of the State laws hereafter amends any of the codes adopted herein by reference and such amendment may be made applicable to the traffic laws of the City, such amendments are adopted by the City to the extent permissible by law. If amendments are made by the State and the foregoing is not sufficient to establish the City Code is thereby so amended, the City Council may adopt such amendments as deemed desirable by resolution.

7-2-2: LOCAL DEFINITIONS:

The following terms whenever used in this chapter shall have the meanings indicated:}

{ALLEY OR ALLEYWAY: A. A street or highway within a city block set apart for public use, vehicular traffic and local convenience;}

{AUTHORIZED EMERGENCY VEHICLE: Vehicles publicly owned and operated in the performance of the duty of the police department, fire department, county sheriff's office, Nevada highway patrol, public ambulance agency, public lifeguard or lifesaving agency and such vehicles of government or public service as are designated by the city council or the Police Chief.}

BUSINESS DISTRICT: All areas in the city zoned nonresidential, commercial or industrial.

CITY ENGINEER: The engineer or person designated by the city council to be the Elko traffic engineer.

{COMMERCIAL VEHICLE: Every vehicle designed, maintained or used primarily for the transportation of property in the furtherance of commercial enterprise.}

{CONTROLLED ACCESS HIGHWAY: Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.}

{CONTROLLED SUBSTANCE: A drug, substance or immediate precursor as given in Nevada Revised Statutes sections 453.161 through 453.206, inclusive.}

{CROSSWALK: A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway;}

{CURB LOADING ZONE: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.}

{DRIVER: Every person who drives or is in actual physical control of a vehicle.}

{FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.}

{HIGHWAY: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.}

{INTERSECTION: A. The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict;}

{B. Where a highway includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty feet (30') or more apart, then every crossing of such highways shall be regarded as a separate intersection.}

{INTOXICATING LIQUOR: Beer, wine, gin, whiskey, cordials, ethylalcohol or rum, and every liquid or solid, patented or not, containing one-half of one percent (.5%) or more of alcohol by volume and which is so used for beverage purposes.}

{LANED HIGHWAY: A highway which is divided into two (2) or more clearly marked lanes for vehicular traffic.}

{MOTOR VEHICLE: Every vehicle which is self-propelled but not operated upon rails.}

{OFFICIAL TIME STANDARD: Whenever certain hours are named herein they shall mean standard time or daylight savings time as may be in current use in this city.}

{OFFICIAL TRAFFIC CONTROL DEVICES: All signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.}

{PARK OR PARKING: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of merchandise or passengers.}

{PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.}

{PEDESTRIAN: Any person afoot.}

{POLICE OFFICER: Every officer of the city police department and every other officer authorized to direct or regulate traffic or to make arrests for violations of traffic laws, ordinances or regulations.}

{PRIVATE ROAD OR DRIVEWAY: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.}

{RAILROAD: A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.}

{RESIDENCE DISTRICT: All areas of the city zoned residential.}

{RIGHT OF WAY: The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.}

{SAFETY ZONE: The area or space officially set apart within a highway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.}

{SIDEWALK: That portion of a highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.}

{STAND OR STANDING: The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.}

{STOP: When required, means complete cessation from movement.}

{STOP OR STOPPING: When prohibited, means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.}

{STREET: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.}

{THROUGH STREET OR HIGHWAY: Every street or highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such through street or highway in obedience to either a stop sign or a yield sign, when such signs are erected as provided in this chapter.}

{TRAFFIC: Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any street or highway for purposes of travel.}

{VEHICLE: Every device in, upon or by which any person or property is, or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks. }

{7-2-3: TRAFFIC ADMINISTRATION:}

{A. Establishment: There is hereby established in the police department of this city a traffic division to be under the control of a police officer appointed by and directly responsible to the Police Chief.}

{B. Duty Of Traffic Division: It shall be the duty of the traffic division, with such aid as may be rendered by other members of the police department, to enforce the traffic regulations of this city, to make arrests for traffic violations, to investigate accidents as may be necessary to determine if there has been a violation of this code, and to cooperate with the city engineer and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions and to carry out those duties specially imposed upon said division by this chapter.}

{C. Records Of Traffic Violations:}

{1. The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of this city or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show all types of violations and the total of each. Said record shall accumulate during at least a five (5) year period and from that time on the record shall be maintained complete for at least the most recent five (5) year period.}

{2. All forms for records of violations and notices of violations shall be serial numbered. For each month and year, a written record shall be kept available to the public showing the disposal of all such forms.}

{3. All such records shall be public records and copies may be obtained upon payment of such fees as the city council may set from time to time.}

{4. Copies of public records made by the police department shall be charged at the rate of one dollar (\$1.00) for the first page and twenty five cents (\$0.25) for each additional page.}

{D. Traffic Accident Studies: Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the city engineer in conducting studies of such accidents and determining remedial measures.}

{E. Traffic Division To Submit Annual Traffic Safety Report: The traffic division shall annually prepare a traffic report, which shall be filed with the city manager and submitted to the city council. Such report shall contain information on traffic matters in the city as follows:}

{1. The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data;}

{2. The number of traffic accidents investigated and other pertinent data on the safety activities of the police;}

{3. The plans and recommendations of the division for future traffic safety activities.}

{F. City Traffic Engineer: The city engineer shall be designated as the city traffic engineer.}

{7-2-4: ACCIDENTS AND ACCIDENT REPORTS:}

{A. Accidents Involving Death, Personal Injury Or Damage To Vehicle Or Property:}

{1. The driver of any vehicle involved in an accident within the city resulting in injury to or death of any person, or damage to a vehicle or other property, which is driven or attended by any person, shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, and shall forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of subsection B of this section.}

{2. Every such stop shall be made without obstructing traffic more than is necessary.}

{B. Duty To Give Information And Render Aid:}

{1. The driver of any vehicle involved in an accident within the city resulting in injury to or death of any person or damage to any vehicle or other property which is driven or attended by any person shall:}

{a. Give his name, address and the registration number of the vehicle he is driving, and shall upon request and if available exhibit his license to operate a motor vehicle to any person injured in such accident or to the driver or occupant of or person attending any vehicle or other property damaged in such accident; and}

{b. Give such information and upon request manually surrender such license to any police officer at the scene of the accident or who is investigating the accident; and}

{c. Render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary, or if such carrying is requested by the injured person.}

{2. If no police officer is present, the driver of any vehicle involved in such accident after fulfilling all other requirements of subsections A and B1 of this section, insofar as possible on his part to be performed, shall forthwith report such accident to the police department, county sheriff's office or Nevada highway patrol and submit the information specified in subsection B1 of this section.}

{C. Duty Upon Damaging Unattended Vehicle Or Other Property: The driver of any vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended within the city, resulting in any damage to such other vehicle or property, shall immediately stop and shall then and there locate and notify the operator or owner of such vehicle or other property of the name and address of the driver and owner of the vehicle striking the unattended vehicle or other property, or shall attach securely in a conspicuous place in or on such vehicle or property a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.}

{D. Immediate Notice Of Accident:}

{1. The driver of a vehicle which collides with or is involved in an accident with any vehicle or other property which is unattended within the city, resulting in any damage to such other vehicle or property, shall immediately by the quickest means of communication give notice of such accident to the police department, county sheriff's office or Nevada highway patrol.}

{2. Whenever the driver of a vehicle is physically incapable of giving an immediate notice of an accident as required in subsection D1 of this section and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make or cause to be given the notice not given by the driver.}

7-2-3{5}: AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS:

A. Enforcement: It shall be the duty of the officers of the police department or such police employees as are assigned by the Police Chief to enforce all traffic laws of this city and all of the state vehicle laws applicable to traffic in this city.

B. Direct Traffic: Officers of the police department or such police employees as are assigned by the Police Chief are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws; provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

C. Employees of Fire Department: Officers of the fire department, when at the scene of an emergency, may direct, or assist, the police in directing traffic thereat or in the immediate vicinity.

{7-2-6: OBEDIENCE TO POLICE OFFICERS:}

{A. Required: Drivers of motor vehicles shall, at all times, comply with any direction, by voice or hand or whistle, of any police officer, as to stopping, starting, approaching or departing from any place, and as to the manner of taking on or discharging passengers or loading or unloading goods, or as to parking vehicles, or as to the speed at which a motor vehicle is being driven. It is unlawful for any person to fail or refuse to comply with any lawful order or direction of any police officer while he is performing his duties in the enforcement of this chapter.}

{B. Failure To Comply: It is unlawful for any driver of a motor vehicle to willfully fail or to refuse to bring his vehicle to a stop or to otherwise flee or attempt to elude a peace officer in a readily identifiable vehicle of any police department or regulatory agency, when given a visual or audible signal to bring his vehicle to a stop. The signal by the peace officer may be by flashing red lamp or siren. As used in this section, "regulatory agency" means any agency granted police or enforcement powers under Nevada Revised Statutes section 407.065, 472.040, 481.048, 481.049, 501.349, 565.155, 703.155 or 706.8821.}

{7-2-7: PERSONS PROPELLING PUSHCARTS OR RIDING OR DRIVING ANIMALS TO OBEY TRAFFIC REGULATIONS:}

{Every person propelling any pushcart or riding an animal upon a street or highway and every person driving any animal drawn vehicle, shall be subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their very nature can have no application.}

7-2-4{8}: PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS:

The provisions of this chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, a state, county or city, and it shall be unlawful for any said driver to violate any of the provisions of this chapter except as otherwise permitted in this chapter or by state statute.

{7-2-9: AUTHORIZED EMERGENCY VEHICLES:}

{A. Applicability: The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.}

{B. Privileges: The driver of an authorized emergency vehicle may:}

{1. Park or stand, irrespective of the provisions of this chapter.}

{2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.}

{3. Exceed the maximum speed limits so long as he does not endanger life or property.}

{4. Disregard regulations governing direction of movement or turning in specified directions.}

{C. Signal And Light Requirements: The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of said vehicle, while in motion, sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red or blue light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle.}

{D. Safe Driving: The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.}

7-2-5{10}: AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES:

The city engineer shall place and maintain or cause to be placed or maintained, traffic control signs, signals and devices when and as required under the traffic ordinances of this city and approved by the city council to make effective the provisions of this chapter, and may place and maintain such additional traffic control devices as he may deem necessary, with approval of the city council, to regulate traffic under the traffic ordinances of this city or under state law or to guide or warn traffic.

{7-2-11: OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES:}

{The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this chapter unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.}

7-2-6{12}: OFFICIAL TRAFFIC CONTROL DEVICES PRESUMPTION {REQUIRED FORENFORCEMENT PURPOSES:}

{A. Proper Position Of Device: No provision of this chapter for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position.}

A{B}. Presumption Of Proper Placement: Whenever official traffic control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

B{C}. Compliance: Any official traffic control device placed pursuant to the provisions of this chapter and purporting to conform to the legal requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter unless the contrary shall be established by competent evidence.

{7-2-13: TRAFFIC AND PEDESTRIAN CONTROL SIGNALS; LEGEND:}

{Whenever traffic is controlled by official traffic control devices exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:}

{A. Green Signal:}

{1. Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless another device at such place prohibits either or both such turns. Such vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.}

{2. Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.}

{3. Unless otherwise directed by a pedestrian control signal, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway, street or alley within any marked or unmarked crosswalk.}

{B. Steady Yellow Signal:}

{1. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter and such vehicular traffic shall not enter the intersection when the red signal is exhibited.}

{2. Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal, are thereby advised that there is insufficient time to cross the roadway and no pedestrian shall then start to cross the roadway.}

{C. Steady Red Signal:}

{1. Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection, or, if none, then before entering the intersection and shall remain stopped or standing except as provided in subsection C2 of this section, until a green signal is shown.}

{2. After complying with the requirement to stop, the driver of a vehicle which is stopped as close as practicable to the right hand curb or edge of the roadway and as close as practicable to the crosswalk on the near side of the intersection or, if none, to the

intersection in obedience to a red signal may make a right turn except where prohibited by sign, or the intersecting highway is one way to the left, but shall yield the right of way to pedestrians and other traffic proceeding as directed by the signal at such intersection before making such turn.}

{3. Unless otherwise directed by a pedestrian control device, pedestrians facing a steady red signal shall not enter the roadway.}

{4. Vehicular traffic facing the signal may not proceed on or through any private or public property to enter the intersecting street where traffic is not facing a red signal to avoid the red signal.}

{D. Signals At Other Than Intersections: In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop, shall be made at the signal.}

{E. Flashing Signals:}

{1. Whenever an illuminated flashing red or yellow signal is used in conjunction with an official traffic control device, it shall require obedience by vehicular traffic as follows:}

{a. Flashing Red (Stop Signal): When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a required stop.}

{b. Flashing Yellow (Caution Signal): When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or other hazardous location only with caution.}

{2. This subsection shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in subsection 7-2-24I of this chapter.}

{7-2-14: DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS AND MARKINGS:}

{A. Prohibitions: It shall be unlawful for any person to place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal. This subsection shall not apply in cases of emergency when temporary warning

signs, flares or barricades are necessary to avoid a hazard which constitutes an immediate and impending danger to traffic; providing, that the police department is immediately notified of such hazard and of the placing of any temporary warning signs, flares or barricades.}

{B. Commercial Advertising Prohibited: It shall be unlawful for any person to place or maintain upon any highway any traffic sign or signal bearing thereon any commercial advertising. The city shall not permit any commercial advertising to be placed upon any traffic sign or signal.}

{C. Exception: This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs providing useful directional information and of a type that cannot be mistaken for official traffic control devices.}

{D. Removal: Every such prohibited sign, signal or marking within the city is hereby declared to be a public nuisance and the city council is empowered to remove the same or cause it to be removed without notice.}

{E. Amber Warning Lights: It is unlawful to operate or display a flashing amber warning light on a vehicle except when an unusual traffic hazard exists. This subsection does not prohibit the use of amber lights in electric turn signals. It is unlawful for any person to mount flashing amber warning lights permanently on a vehicle without a permit from the Nevada highway patrol. This subsection does not apply to an agency of any state or political subdivision thereof, or to an agency of the United States government.}

{7-2-15: INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL DEVICES OR RAILROAD SIGNS OR SIGNALS:}

{No person shall, without lawful authority, attempt to or in fact, alter, deface, injure, knock down or remove any official traffic control device or any railroad sign or signal, or any inscription, shield or insignia thereon, or any other part thereof.}

7-2-7{16}: CITY ENGINEER TO DESIGNATE CROSSWALKS, ESTABLISH SAFETY ZONES AND TRAFFIC LANES:

The city engineer is hereby authorized to:

A. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

B. Establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

C. Mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary. Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to refuse to keep such vehicle within the boundaries of any such lane

except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

{7-2-17: AVOIDING TRAFFIC SIGNALS:}

{It shall be unlawful for any person to ride, drive or propel any vehicle over, across or through any public or private property to avoid having to obey traffic control signals or any other official traffic control device or signs, unless directed to do so by a police officer or other authorized person.}

7-2-8{18}: SPEED REGULATIONS:

A. General Provisions:

1. Whenever a speeding violation is alleged under the incorporated state law as provided in this chapter, the applicable provisions of 7-2-8 of this code are incorporated also as if fully set forth. {No person shall drive a vehicle on a street, alley or highway at a rate of speed greater than those specified in this chapter and which is reasonable or proper, having due regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid endangering any person, vehicle or other conveyance on or entering the highway and in compliance with legal requirements and the duty of all persons to use due care.}

2. Except when a special hazard exists that requires lower speed for compliance with subsection A1 of this section, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a street, alley or highway at a speed in excess of such maximum limits.

{3. The driver of every vehicle shall, consistent with the requirements of subsection A1 of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding highway, street or alley, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway, street or alley conditions.}

B. Maximum Limits: No person shall drive a vehicle at a speed greater than:

1. Fifteen (15) miles per hour in an area designated as a school zone except: a) on a day on which school is not in session; b) during the period from a half hour after school is no longer in operation to a half hour before school is next in operation; c) if the zone is designated by an operational speed limit beacon, during the hours when the pupils of the school are in class and the yellow lights of the speed limit beacon are not flashing in the manner which indicates that the speed limit is in effect; or d) if the zone is not designated by an operational speed limit beacon, during the times when the sign designating the school zone indicates that the speed limit is not in effect. The foregoing speed limits and restrictions also shall apply when passing any school grounds which are not separated from the street or highway by a fence, gate or any other physical barrier, while such grounds are in use by children.

2. Twenty five (25) miles per hour on all streets, alleys and highways unless a different speed limit is posted pursuant to the provisions set forth in this code. All speed zones established for which signs have been posted for a rate of speed other than twenty five (25) miles per hour as of the effective date hereof are hereby ratified and approved subject to change pursuant to subsection C of this section.

C. Establishment Of Speed Zones: Whenever the city engineer shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any highway, street, alley or other thoroughfare open to the public, the city engineer may determine and declare a reasonable and safe maximum limit thereat, which shall be effective upon approval of the city council and appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

D. Minimum Speed Regulation:

1. {No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.}

{2.} Whenever the city engineer determines on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the city engineer may determine and declare upon approval of the city council, a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with law.

E. Exceeding Speed Limit Unlawful: The speed of any vehicle in excess of any of the limits specified herein or established as authorized in this chapter is unlawful.

F. Determination Of Speed: Any relevant evidence of speed is admissible, including, without being limited to, the following:

1. Estimation by visual observation of a moving vehicle.

2. The speedometer reading of a following vehicle at a speed not greater than the speed of the vehicle being followed.

2}{3}. Readings from radar equipment designed for such purpose when the calibration of the equipment has been checked.

3}{4}. Speed may be determined by a speedometer in the vehicle.

{7-2-19: DRAG RACING:}

{A. Definitions: "Drag race" or "drag racing" is defined as the operation of two (2) or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, wherein timing is made of the participating vehicles involving competitive accelerations or speeds.}

{B. Prohibition: No person shall participate in a drag race within the city unless authorized in an area approved by the Police Chief, the city engineer and the city council.}

{C. Persons Assisting: Persons rendering assistance in any manner to such competitive use of vehicles shall be equally charged as a participant.}

{D. Prima Facie Evidence Of Violation: The operation of two (2) or more vehicles side by side at speeds in excess of maximum lawful speeds or the operation of one or more vehicles rapidly accelerating from a common starting point to a speed in excess of the maximum lawful speed, shall be prima facie evidence of drag racing.}

{7-2-20: RECKLESS DRIVING: (repealed)}

7-2-9{21}: CARELESS AND INATTENTIVE DRIVING:

A. Careless Driving: Every person operating, driving or in charge of a motor vehicle shall operate, drive or propel such vehicle in a careful manner and with due regard to the safety and convenience of pedestrians and other vehicles and persons not so operating, driving or propelling the vehicle shall be deemed guilty of careless driving.

B. Inattentive Driving: It is unlawful for any person to operate a motor vehicle within the city in an inattentive manner. For purposes of this section, "inattentive manner" means the operation of a motor vehicle in a manner which evidences a lack of the degree of attentiveness required to safely operate the vehicle under the prevailing conditions, including, but not limited to, the nature and condition of the roadway, presence of other traffic, presence of pedestrians and weather conditions. It shall further include, without limitations, any driver whose vehicle, because of his driving error or negligent attention, collides with another vehicle, person or fixed object.

{7-2-22: DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR CONTROLLED SUBSTANCE:}

{7-2-23: RULES OF THE ROAD:}

{A. Drive On Right Side Of Streets, Alleys And Highways:}

{1. Upon all streets, alleys and highways of sufficient width, a vehicle shall be driven upon the right half of the street, alley and highway, except as follows:}

{a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;}

{b. When an obstruction exists making it necessary to drive to the left of the center of the street, provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the street within such distance as to constitute an immediate hazard;}

{c. Upon a street, alley or highway divided into three (3) marked lanes for traffic under the rules applicable thereon; or}

{d. Upon a street, alley or highway designated and signposted for one-way traffic.}

{2. Upon all streets, alleys and highways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right hand lane then available for traffic, or as close as practicable to the right hand curb or edge of the street, alley or highway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection of a street, alley, highway or driveway.}

{3. Upon any street, alley or highway having four (4) or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the centerline of the street, alley or highway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the street, alley or highway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection A1b of this section.}

{B. Passing Vehicles Proceeding In Opposite Directions: Drivers of vehicles proceeding in opposite directions shall pass each other, keeping to the right, and upon streets, alleys or highways having width for not more than one lane of traffic in each direction, each driver shall give to the other at least one-half ($\frac{1}{2}$) of the main traveled portion of the roadway as nearly as possible.}

{C. Overtaking Vehicle On Left: The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:}

{1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the street, alley or highway until safely clear of the overtaken vehicle;}

{2. Except when overtaking and passing on the right is permitted the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible or visual signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.}

{D. When Overtaking On Right Permitted:}

{1. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:}

{a. When the vehicle overtaken is making or signaling to make a left turn;}

{b. Upon a street, alley or highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width for two (2) or more lines of moving vehicles in each direction;}

{c. Upon a one-way street, alley or highway or upon any street, alley or highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lines of moving vehicles.}

{2. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main traveled portion of the street, alley or highway.}

{E. Limitations On Overtaking On Left: No vehicle shall be driven to the left side of the center of the street, alley or highway in overtaking and passing another vehicle proceeding in the same direction, unless authorized by the provisions of this chapter and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet (200') of any approaching vehicle.}

{F. Further Limitations On Driving To Left Of Center Of Roadway: No vehicle shall at any time be driven to the left side of the street, alley or highway under the following conditions:}

{1. When approaching the crest of a grade or upon a curve in the street, alley or highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;}

{2. When approaching within one hundred feet (100') of or traversing any intersection or railroad grade crossing;}

{3. When the view is obstructed upon approaching within one hundred feet (100') of any bridge, viaduct or tunnel;}

{4. The foregoing limitations shall not apply upon a one-way street, alley or highway.}

{G. No Passing Zones:}

{1. The city engineer is hereby authorized to determine those portions of any street, alley or highway where overtaking and passing or driving to the left of the street, alley or highway, or making a left hand turn, would be especially hazardous and may by appropriate signs or markings on the street, alley or highway indicate the beginning and end of such zones. When such signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof.}

{2. Where signs or markings are in place to define a no passing zone as set forth in subsection G1 of this section, no driver shall at any time drive on the left side of the street, alley or highway within such no passing zone or on the left side of any pavement striping designed to mark such no passing zone throughout its length.}

{3. A double yellow line shall constitute the paving striping designed to make a no passing zone.}

{H. One-Way Streets, Alleys, Highways And Rotary Traffic Islands:}

{1. The city engineer, with approval of the city council, may designate any street, alley or highway under its jurisdiction for one-way traffic and shall erect appropriate signs giving notice thereof.}

{2. Upon a street, alley or highway designated and a sign posted for one-way traffic, a vehicle shall be driven only in the direction designated.}

{I. Driving On Streets, Alleys Or Highways Laned For Traffic: Whenever any street, alley or highway has been divided into two (2) or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:}

{1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has given the appropriate turn signal and ascertained that such movement can be made with safety.}

{2. Upon a street or highway which is divided into three (3) lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic control devices.}

{3. Official traffic control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such sign.}

{4. Official traffic control devices may be installed prohibiting the changing of lanes on sections of streets or highways and drivers of vehicles shall obey the directions of every such device.}

{J. Following Too Closely: It shall be unlawful for a driver of a motor vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the street, alley or highway.}

{K. Driving On Divided Streets, Alleys Or Highways: Whenever any street, alley or highway has been divided into two (2) or more lanes by leaving an intervening space or by a physical barrier or clearly indicated dividing section so as to impede vehicular traffic, every vehicle shall be driven only upon the right hand lane unless directed or permitted to use another lane by official traffic control devices or police officers. No vehicle shall be driven over, across or within any such dividing space, barrier or section, nor make any left turn, semicircular turn or U-turn, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection established by a public authority.}

{L. Controlled Access: No person shall drive a vehicle onto or from any controlled access street, highway, lane or alley except at such entrances and exits as are indicated by official traffic control devices. The driver of a vehicle about to enter a controlled access street, highway, lane or alley shall yield the right of way to all vehicles on the street, highway, lane or alley. Only after determining that the entry can be made safely, may the driver enter the highway, street, lane or alley.}

{M. Driving In Parking Lanes: It shall be unlawful for any person riding, driving, operating or propelling any vehicle to drive, ride, operate or propel such vehicle in lanes or areas designated for parking of vehicles and posted with official signs designating parking only.}

7-2-10{24}: DESIGNATION OF RIGHT OF WAY AND STOP AND YIELD INTERSECTIONS:

{A.} Authority To Designate Through Streets And Stop And Yield Intersections: The city engineer is hereby authorized, on the basis of engineering and traffic investigation, and upon approval of the city council, to designate through streets, alleys or highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersections.

{B. Vehicle Approaching Or Entering Uncontrolled Intersection:}

{1. The driver of a vehicle approaching an uncontrolled intersection shall yield the right of way to a vehicle which has first entered the intersection from a different highway, street or alley.}

{2. When two (2) vehicles enter an uncontrolled intersection from different streets, highways or alleys at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right. }

{3. When two (2) vehicles enter an intersection at approximately the same time, one vehicle traveling on a highway which ends at the intersection and the other vehicle traveling on a through highway, the driver of the vehicle on the highway which ends at the intersection shall yield the right of way to the other vehicle.}

{C. Vehicle Turning Left: The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, street, highway or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right of way to the vehicle making the left turn.}

{D. Stop Signs And Yield Signs:}

{1. The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersection roadway where the driver has a view of approaching traffic on the intersection street, alley or highway.}

{2. Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway before entering the intersection.}

{E. Vehicle Entering Stop Intersection: Except when directed to proceed by a police officer or a traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop as required by subsection D1 of this section and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another street or which is approaching so closely on said street as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.}

{F. Vehicle Entering Yield Intersection: The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way to any vehicle in the intersection or approaching on another street so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way.}

{G. Emerging From Alley, Driveway Or Building: The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or driveway, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.}

{H. Stop When Traffic Obstructed: No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.}

{I. Obedience To Signal Indicating Approach Of Railroad Train:}

{1. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop not less than ten feet (10') from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:}

{a. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;}

{b. A crossing gate is lowered or when a human flag person gives or continues to give a signal of the approach or passage of a railroad train;}

{c. A railroad train approaching within approximately five hundred feet (500') of the street crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;}

{d. An approaching railroad train is plainly visible and is in a hazardous proximity to such crossing.}

{2. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.}

{J. Operation Of Vehicles On Approach Of Emergency Vehicles:}

{1. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by police officer.}

{2. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. }

7-2-11{25}: AUTHORITY REGARDING TURNING MOVEMENTS AND SIGNS:

{A. Required Position And Method Of Turning At Intersection: The driver of a vehicle intending to turn at an intersection shall do so as follows:}

{1. Right Turns: Both the approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.}

{2. Left Turns On Two-Way Streets, Alleys Or Highways: At any intersection where traffic is permitted to move in both directions on each street, alley or highway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the street, alley or highway nearest the centerline where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the centerline of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.}

{3. Left Turns On Other Than Two-Way Streets, Alleys Or Highways: At any intersection where traffic is restricted to one direction on one or more of the streets, alleys or highways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the street, alley or highway being entered.}

A.{B.} Authority To Place And Obedience To Turning Markers:

1. The city engineer, upon approval by the city council, is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections.

2. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

B{C}. Authority To Place Restricted Turn Signs: The city engineer is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall place proper signs at such intersections upon approval by the city council. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted.

{D. Obedience To No Turn Signs: Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, it shall be unlawful for a driver of a vehicle to disobey the direction of any such signs.}

{E. U-Turns:}

{1. The driver of a vehicle shall not make a U-turn at any intersection controlled by an official traffic control device unless permitted by an official traffic control device located at such intersection.}

{2. A U-turn may be made on any highway, street or alley where such turn can be made with safety, except as prohibited by subsections D and E1 of this section.}

{F. Turning On Curve Or Crest Of Grade Prohibited: No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500').}

{G. Starting Parked Vehicle: No person shall start a vehicle which is stopped, standing or parked without first yielding the right of way to any approaching vehicle and after having so yielded, only when such movement can be made with reasonable safety.}

{H. Turning Movements And Required Signals:}

{1. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the street, alley or highway as required in subsection A of this section, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a street, alley or highway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.}

{2. A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning.}

{3. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.}

{4. The signals provided for in subsection H2 of this section shall be used to indicate an intention to turn, change lanes or start from a parked position and shall not be flashed on one side only on a parked or disabled vehicle, or flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear.}

{I. Signals By Hand And Arm Or Signal Lamps:}

{1. Any stop or turn signal when required herein shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection I2 of this section.}

{2. Any motor vehicle in use on a street, alley or highway shall be equipped with and a required signal shall be given by a signal lamp or lamps when the distance from the center

of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty four inches (24"), or when the view from the rear of a hand or arm signal could be obstructed.}

{J. Method Of Giving Hand And Arm Signals: All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:}

{1. Left turn; hand and arm extended horizontally.}

{2. Right turn; hand and arm extended upward.}

{3. Stop or decrease speed; hand and arm extended downward.}

{7-2-26: FOLLOWING FIRE APPARATUS AND CROSSING FIRE HOSE:}

{A. Distance Requirements: No driver of any motor vehicle other than an authorized emergency vehicle on official business shall follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500'), or drive into or park such vehicle within five hundred feet (500') of where the fire apparatus has stopped in answer to a fire alarm.}

{B. Driving Over Fire Hose: No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, alley or highway, private driveway or streetcar track, to be used at any fire or alarm of fire, without the consent of the fire department official in command. }

{7-2-27: FUNERAL PROCESSIONS:}

{No driver of a vehicle shall drive between the vehicles comprising a funeral procession. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers, nor to authorized emergency vehicles. Each driver in a funeral procession shall drive as near to the right edge of the street or highway as practicable and shall follow the vehicle as close as is practicable and safe.}

{7-2-28: VEHICLE SHALL NOT BE DRIVEN ON A SIDEWALK:

It shall be unlawful for the driver of a vehicle to drive within any sidewalk area except at a permanent or temporary driveway or alley entrance.}

7-2-12{29}: PERMITS FOR PROMOTIONAL USE OF CITY STREETS:

Upon proper application to the city, a permit may be granted by the city council for promotional use of a portion of a city street to display or exhibit prizes or educational materials not to be offered for sale. The permit is discretionary with the city council who shall consider traffic interruptions and pedestrian safety before passing on such permit. Each application is to be considered on its own merits with no application to issue for displays of vehicles or materials held for sale.

A. Application; Information Required: Each application to the city for promotional use of a portion of a city street, alley or highway is to contain the following information:

1. Name and address of applicant.
2. Exact description of the portion of which city street, alley or highway is to be used.
3. Type of promotional materials to be placed in city street, alley or highway.
4. Proposed promotional purpose.
5. Proposed period of time that the portion of the city street, alley or highways are to be used.

B. Fees: Each applicant will pay to the city the sum as set by resolution of the city council, before such permit for promotional use of the city streets, alleys or highways will be considered, except that such fees may be waived for nonprofit organizations.

C. Permits: Upon approval of the city council, the Police Chief will issue a permit for promotional use of a specified portion of a particular city street, alley or highway. Such permit shall set forth:

1. Name and address of permittee (nontransferable).
2. Exact description of that portion of which city street, alley or highway is to be used for promotional purposes.
3. Limitations on types of materials or promotional schemes to be used on the street, alley or highway.
4. Limitation of time that permit is to be valid, not to exceed ninety (90) days.
5. Any other conditions of the permit that the city council deems necessary to preserve the health, safety and welfare of persons or places of business.

D. Termination: All permits are discretionary with the city council and may be terminated by the city council for any reason detrimental to the orderly affairs of the city or the health and safety of its inhabitants.

7-2-~~13~~30: PERMITS REQUIRED FOR PARADES, PROCESSIONS AND ASSEMBLAGES:

A. Permit Required: A permit from the City Clerk is required for all parades, processions or assemblages which will occupy, march or proceed along or over any street, alley or highway within the city, except those parades, processions and assemblages of forces of the United States armed services, military forces of the state and forces of the county and city police and fire departments.

B. Application; Issuance Conditions: Upon proper application to the City Clerk, a permit may be granted by the City clerk with the concurrence of the city staff for a parade, procession or assemblage upon certain alleys, streets or highways within the city. Before granting a permit, the city staff shall consider traffic interruptions and pedestrian safety before passing on such permit. Any permit may be terminated or revoked for any reason detrimental to the public health, safety or welfare of the city or its inhabitants.

C. Information Included In Application: Applications shall include:

1. Name and address of applicants.
2. Exact description of those portions of city streets, alleys or highways to be utilized.
3. Proposed period of time that portions of city streets, alleys or highways are to be utilized.
4. Proposed purpose of such parade, procession or assemblage.

D. Fees: Each applicant shall pay to the city the sum as set by resolution of the city council, before such permit will be considered, except such fee may be waived for nonprofit organizations by the Police Chief with the concurrence of the city manager or city engineer.

E. Permit: The City Clerk shall issue all permits which terms and conditions shall contain:

1. Name and address of permittee (nontransferable).
2. Exact description of that portion of the city streets, alleys or highways which are to be utilized.
3. Limitations and conditions regarding the use of said streets, alleys or highways.
4. Specific time that permit is valid, not to exceed twenty four (24) hours.
5. Any other conditions the Police Chief and the city manager or city engineer deem necessary to preserve the health, safety and welfare of the city and its inhabitants.

F. Regulation And Enforcement: All parades, processions and assemblages for which a permit is issued shall be regulated by the police department through the Police Chief.

G. Appeal: Any person whose application for a parade permit has been denied or revoked by the Police Chief may appeal to the city council for a hearing to show cause why the parade permit should be issued or should not be revoked. Such appeal must be filed with the city clerk on or before the thirtieth day following such denial or revocation. Such appeal shall be heard by the city council at the earliest next regular meeting that will allow for proper notice under the state open meeting law. At such hearing, the city council shall receive such evidence and take such testimony as it deems necessary. After such hearing, the city council shall review the testimony

taken and any other evidence submitted and shall announce its decision sustaining or reversing the denial or revocation of the parade permit.

{7-2-31: CLINGING TO, BOARDING, ALIGHTING FROM OR UNLAWFUL RIDING IN VEHICLES:}

{A. It shall be unlawful for any person to, in any manner, catch on, hold or otherwise attach any sled, sleigh, bicycle or object to any motor vehicle. No person shall board or alight from any vehicle while such vehicle is in motion.}

{B. It shall be unlawful for any person to ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to employees engaged in the necessary discharge of a duty, or to persons riding within truck bodies in a space intended for merchandise. }

{7-2-32: TRAINS ON CROSSING:}

{It shall be unlawful for any person in charge or control either as engineer, conductor, brake person or otherwise of any engine, car, train of cars, or any part of a train of cars, on any railroad operated within or passing through the city to cause or allow such engine, car, train of cars, or part of a train of cars to stand or remain on or across any street crossing so as to hinder or obstruct travel and traffic on or over any street, except when making up a train or stopping a train at a station, and then only for a period of time not exceeding five (5) minutes; provided, that this section shall not apply to any passenger train running through the city; provided, further, that at no time shall more than two (2) railroad crossings within the city on any one line of a railroad be blocked.}

{7-2-33: HAULING VEHICLES:}

{It shall be unlawful for any person driving or operating any vehicle, for the purpose of hauling or conveying sand, gravel, earth, rock, oil, rubbish, garbage or similar material to cause or permit such sand, gravel, earth, rock, oil, rubbish, garbage or other similar material to spill out or fall on such street, alley or highway over which it is passing. }

{7-2-34: THROWING TACKS, INJURIOUS MATERIALS:}

{It shall be unlawful for any person to throw, deposit or place upon any public highways any nails, tacks, crockery, scrap iron, tin, wire, bottles, glass or any other article or thing likely to puncture or injure the tire of any motor vehicle. Any person who drops or permits to be dropped or thrown, upon any highway, any destructive or injurious material shall immediately remove the same or cause it to be removed.}

{7-2-35: WEIGHTS, LOADS:}

{A. Weight Limitation: No vehicle and/or trailer shall be operated nor moved which has a total weight, including vehicle and load, in excess of the weight limits established by the laws of the state for like equipment upon the public highways of the state.}

{B. Metal Tires: No vehicle equipped with tires of metal shall be operated or moved upon any public highways when the weight of such vehicle, and any load thereon, resting upon the surface of the public highways exceeds six hundred (600) pounds upon any inch of the channel base width of tire; and no vehicle equipped with tires, rollers or wheels, the rolling surface of which resting upon public highways is made in whole or in part of metal, shall be operated when the weight of such vehicle and load thereon resting upon the surface of the public highways exceeds six hundred (600) pounds upon any inch of width of tire, roller or wheel of such vehicle.}

{C. Exception: The provisions of this section shall not apply to traction engines or tractors, the power of which is exerted not through wheels resting upon the ground but by means of a flexible band or chain known as a movable track, when the portions of the movable tracks in contact with the surface of the public highways presents plane surfaces; provided, that no traction engines or tractors having lugs, grousers, or other mechanical contrivance on its wheels or track, designed to give tractive effect shall be operated on any public highway unless a circular metal band of a width of not less than three inches (3") is placed entirely around the periphery of such wheel or track, such band to serve as a protection against the tearing up or marring of the surface of any street, alley or highway.}

7-2-14{36}: NEW PAVING OR PAVEMENTS:

It shall be unlawful for any person to drive or operate any vehicle over or across any newly laid paving or pavement around which there has been placed a barrier, or at or near which there is a person or a sign warning persons against riding or driving or operating vehicles over such paving or pavements, or a sign stating that the street, alley or highway is closed. The provisions of this section shall not apply to the employees of the city actually engaged in the paving or repair of such pavement.

{7-2-37: REQUIREMENTS REGARDING HORNS, LIGHTS, MUFFLERS AND OTHER DEVICES:}

{A. Horn: Every motor vehicle operated or driven on any of the public streets, alleys or highways of the city shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200'), but no horn shall emit an unreasonably loud or harsh sound or whistle. Every person operating a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with the horn and it shall be unlawful to otherwise use such horn except as provided for parades.}

{B. Siren, Whistle Or Bell: It shall be unlawful for any person to use upon a vehicle any siren, whistle or bell except on police and fire equipment of the city or emergency equipment of any other governmental agency or upon ambulances.}

{C. Lighting: All vehicles operated upon public streets, alleys or highways shall be equipped with lighting equipment required by the laws of the state and it shall be unlawful for any person driving or in charge of a vehicle to fail to display lights in compliance with the laws of the state.}

{D. Bicycle Operation: It shall be unlawful for any person to operate any bicycle upon any public street, alley or highway or elsewhere after sunset and before sunrise unless such bicycle shall be equipped with a lamp emitting a white light visible under normal weather conditions from a distance of three hundred feet (300'), in front of such bicycle and with a red reflector or lamp on the rear so designated and located as to be visible for at least three hundred feet (300').}

{E. Muffler: Every motor vehicle operated or driven on public streets, alleys or highways of the city shall be equipped with a muffler or silencer which will reduce the sound of the explosion of the engine to the greatest possible degree; provided, that it shall be unlawful for any person to drive and operate or permit to be driven or operated any motor vehicle at any time with the muffler cut out or not in operation.}

{F. Brakes: Every motor vehicle operated or driven on public streets, alleys or highways of the city shall be equipped with brakes adequate to control the movement of and to stop and to hold such motor vehicle.}

{G. Inspection By Officers: It shall be lawful for police officers of the city to inspect or cause to be inspected at any time the lights or brakes on any and all motor vehicles and to prohibit the driving and/or operating of the same when such motor vehicles have defective lights or brakes, and to cause the arrest of any person so driving, operating or in charge of any such motor vehicle who fails to equip the motor vehicle with proper lights and brakes.}

{H. Prohibited Use: A person shall not drive, move, park or stop any vehicle, or cause or knowingly permit any vehicle to be driven, moved, stopped or parked, except for purposes of repair, on any street, alley or highway if such vehicle:}

{1. Is in unsafe condition as to endanger any person or property.}

{2. Is not equipped with lamps, reflectors, brakes, horn and other warning and signaling devices, windows, windshield, mirrors, safety glass, mufflers, fenders and tires, and other parts and equipment in the position, condition and adjustment, required by the laws of the state as to such parts and equipment of a vehicle.}

{7-2-38: OVERHANGING LOADS:}

{The driver or operator of every vehicle carrying a load extending beyond the end of the vehicle shall attach to the rear of the load a red flag of sufficient size to show the end of the load and shall display at the extreme end of the load in the nighttime, in addition to the ordinary rear ortailight herein required to be displayed on such vehicle, a red light plainly visible under normal atmospheric conditions at least two hundred feet (200') from the rear.}

{7-2-39: PEDESTRIANS AND HITCHHIKING:}

{A. Pedestrians Right Of Way In Crosswalks:}

{1. When official traffic control devices are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be so to yield to a pedestrian crossing the highway, street or alley within a crosswalk when the pedestrian is upon the half of the highway, street or alley upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the highway, street or alley as to be in danger.}

{2. A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.}

{3. Subsection A1 of this section shall not apply under the conditions stated in subsection D2 of this section.}

{4. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle until the driver has determined that the vehicle being overtaken was not stopped for purposes of permitting a pedestrian to cross the highway, street or alley.}

{B. Pedestrians To Use Right Half Of Crosswalks: Pedestrians shall move, whenever practicable, upon the right half of crosswalks.}

{C. Crossing At Right Angles: No pedestrian shall cross a street or highway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk. }

{D. When Pedestrian Shall Yield: Except as provided in subsection K of this section:}

{1. Every pedestrian crossing a street or highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.}

{2. Any pedestrian crossing a street or highway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the street and highway.}

{3. The foregoing rules in this subsection have no application under the conditions stated in subsection E of this section when pedestrians are prohibited from crossing at certain designated places.}

{E. Prohibited Crossing:}

{1. Between adjacent intersections at which official traffic control devices are in operation, pedestrians shall not cross at any place except in a marked crosswalk.}

{2. No pedestrian shall cross a street or highway other than in a crosswalk in any business district.}

{3. No pedestrian shall cross a street or highway intersection diagonally unless authorized by official traffic control devices and when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.}

{F. Obedience Of Pedestrians To Railroad Signals: No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.}

{G. Pedestrians Walking Along Street Or Highway:}

{1. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent street or highway.}

{2. Where sidewalks are not provided, any pedestrian walking along and upon a street or highway shall when practicable walk only on the left side of the street or highway or its shoulder facing traffic which may approach from the opposite direction.}

{H. Pedestrians Soliciting Rides Or Business:}

{1. It shall be unlawful for any person to stand in a street or highway for the purpose of hitchhiking, soliciting a ride, employment or business from the occupant of any vehicle.}

{2. No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.}

{I. Drivers To Exercise Due Care: Notwithstanding the foregoing provisions of this section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any street, highway or alley and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a street, highway or alley.}

{J. "Walk" Or "Don't Walk" Signals:}

{1. While the "walk" indication is illuminated, pedestrians facing the signal may proceed across the highway or street in the direction of the signal and must be given the right of way by drivers of all vehicles.}

{2. While the "don't walk" indication is illuminated either steady or flashing, a pedestrian shall not start to cross the highway or street in the direction of the signal, but any pedestrian who has partially completed his crossing during the "walk" indication shall proceed to a sidewalk, or to a safety zone if one is provided.}

{3. Whenever the word "wait" appears in a signal, the indication has the same meaning as assigned in this subsection to the "don't walk" indication.}

{K. Blind Pedestrians:}

{1. A blind person who is on foot and using a guide dog or carrying a cane or walking stick white in color, or white tipped with red, has the right of way when entering or when on a highway, street or road of this city. Any driver of a vehicle who approaches or encounters such a blind person shall yield the right of way, come to a full stop, if necessary, and take precautions before proceeding to avoid accident or injury to the blind person.}

{2. Any person who violates subsection K1 of this section shall be punished by imprisonment in the county or city jail for not more than six (6) months or by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or both fine and imprisonment.}

7-2-15{40}: STOPPING, STANDING AND PARKING:

{A. Outside Of Business Or Residence Districts:}

{1. Upon any highway, street or alley, outside of a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the highway, street or alley when it is practicable to stop, park or so leave such vehicle off such part of the highway, street or alley, but in every event an unobstructed width of the highway, street or alley opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of two hundred feet (200') in each direction upon such highway, street or alley.}

{2. This subsection shall not apply to the driver of any vehicle which is disabled while on the paved or main traveled portion of a highway, street or alley in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.}

A{B}. Police Officers Authorized To Remove Vehicles:

1. Whenever any police officer finds a vehicle standing upon a highway, street or alley in violation of any of the provisions of this chapter, such officer may move such vehicle, or require the driver or person in charge of the vehicle to move it to a position off the paved or improved or main traveled part of such highway, street or alley.

2. Whenever any police officer finds a vehicle unattended upon any highway, street, alley, bridge or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle in any manner provided by law.

3. Any police officer may remove any vehicle or part of a vehicle found on the highway, street or alley, or cause it to be removed, to the nearest garage or other place of safekeeping if:

a. The vehicle has been involved in an accident and is so disabled that its normal operation is impossible or impractical and the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle; or}

b. The person driving or in actual physical control of the vehicle is arrested for any alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay; or

c. Whenever any police officer provides for the removal of any vehicle pursuant to this{sub}section {B3b of this section} and has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, the police officer may shall take such steps as he/she deems reasonably necessary in consideration of evidence concerns or other matters.

B{C}. Prohibited In Specified Places:

1. **In addition to any other prohibitions under state law adopted by reference hereafter,** **{N}no** person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or official traffic control device, in any of the following places:

{a. On a sidewalk;}

{b. In front of a public or private driveway;}

{c. Within an intersection;}

{d. Within fifteen feet (15') of a fire hydrant;}

{e. In a crosswalk;}

{f. Within fifteen feet (15') of a crosswalk at an intersection;}

{g. Within fifteen feet (15') upon the approach to any official traffic control signal located at the side of a highway;}

{h. Between a safety zone and the adjacent curb or within fifteen feet (15') of points on the curb immediately opposite the ends of a safety zone;}

{i. Within ten feet (10') of the nearest rail of a railroad;}

{j. Within twenty feet (20') of a driveway entrance to any fire station and, on the side of a highway opposite the entrance to any fire stations, within seventy five feet (75') of such entrance;}

{k. Alongside or opposite any highway excavation or obstruction when such stopping, standing or parking would obstruct traffic;}

{l. On the highway side of any vehicle stopped or parked at the edge of or curb of a highway;}

{m. Upon any bridge or other elevated structure or within a highway tunnel;}

{n. Within five feet (5') of a public or private driveway;}

a{o}. At any place where official traffic control devices prohibit stopping, standing or parking; and

{p. In any fire lane established under the uniform fire code.}

{2. A person shall not move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful.}

b{3}. The City Engineer {A local authority} may place official traffic control devices prohibiting or restricting the stopping, standing or parking of vehicles on any highway, street or alley where in its opinion such stopping, standing or parking is dangerous to those using the highway, street or alley or where the stopping, standing or parking vehicles would unduly interfere with the free movement of traffic thereon. It is unlawful for any person to stop, stand or park any vehicle in violation of the restrictions stated on such devices.

{D. Parallel, Angle Parking; Parking On Highways Under Jurisdiction Of City:}

{1. Except as otherwise provided in this section, every vehicle stopped or parked upon a highway, street or alley, where there are adjacent curbs shall be stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches (18") of the right hand curb.}

c{2}. The city may permit angle parking on any highway except that angle parking shall not be permitted on any highway, street or alley unless the city engineer has determined that such highway, street or alley is of sufficient width to permit angle parking without interfering with free movement of traffic.

{E. Placement Of Traffic Control Devices: The city engineer, upon approval of the city council, may place official traffic control devices prohibiting or restricting the stopping, standing or parking of vehicles on any such highway, street or alley, where, in his opinion, such stopping, standing or parking is dangerous to those using the highway, street or alley, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. It is unlawful for any person to stop, stand or park any vehicle in violation of the restrictions stated on such devices.}

{F. Angle Parking: Upon those highways, streets and alleys which have official traffic control devices permitting angle parking, a person shall not stop, stand or park a vehicle other than at the angle to the curb or edge of the highway indicated by such devices.}

{G. Parked Vehicles At Nighttime; Reflectors, Lights:}

{1. Except as otherwise provided by law, whenever a vehicle equipped with all reflectors required by law is lawfully parked at nighttime upon any highway, street or alley, no lights need be displayed upon such parked vehicle.}

{2. Whenever lights are displayed upon a vehicle lawfully parked at nighttime upon any highway, street or alley, such lights shall be depressed or dimmed, in the event cowl or parking lamps are not used.}

{H. Parking Alleys:

1. Unless otherwise provided by this chapter, a person shall not:

a. Stop, stand or park a vehicle within an alley in a business district except for the expeditious loading or unloading of goods.

b. Stop, stand or park a vehicle in any other alley in such a manner or under such condition as to leave available less than ten feet (10') of the width of the alley for the free movement of vehicular traffic.

2. A person shall not stop, stand or park a vehicle within an alley in such position as to block the driveway or entrance to any abutting property.}

{I. Parking For Certain Purposes Prohibited: No person shall park a vehicle upon any highway for the principal purpose of:

1. Displaying such vehicle for sale.

2. Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

3. Soliciting business.

4. Selling merchandise from such vehicle except in a duly established marketplace, or one so authorized or licensed by the local authority.

5. Storage, or as junkage of dead storage, for more than twenty four (24) hours.}

{J. School Area: When official traffic control devices are erected giving notice thereof, a person shall not park a vehicle upon either side of any highway, street or alley adjacent to any school.}

{K. Narrow Highway, Street Or Alley: When official traffic control devices are erected prohibiting parking upon a narrow highway, street or alley, a person shall not park a vehicle upon any such highway, street or alley.}

{L. Left Side Of One-Way Street: When official traffic control devices are erected giving notice thereof, a person shall not stand or park a vehicle upon the left hand side of a one-way street.}

{M. Hazardous Or Congested Places: When official traffic control devices are erected at hazardous or congested places, a person shall not stop, stand or park a vehicle in any such designated place.}

{N. Passenger Curb Loading Zone: A person shall not stop, stand or park a vehicle for any purpose or period of time except for the expeditious loading or unloading of passengers in anyplace marked as a passenger curb loading zone during hours when the regulations applicable to such passenger curb loading zone are effective.}

{O. Standing In Freight Curb Loading Zone:

1. A person shall not stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect.

2. The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone.}

{P. Restricted Parking Zone: A person shall not stop, stand or park a vehicle for any purpose or length of time in any restricted parking zone other than for the purpose to which parking in such zone is restricted, except that a driver of a passenger vehicle may stop temporarily in such zone for the purpose of and while actually engaged in loading or unloading of passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter the zone for the purpose of parking in accordance with the purpose to which parking is restricted.}

{Q. Bus And Taxicab:

1. The operator of a bus or taxicab shall not stop, stand or park upon any highway in any business district at any place other than a bus stop or taxicab stand, respectively, except that this provision does not prohibit the driver of any such vehicle from temporarily stopping in accordance with other stopping, standing or parking regulations at any place for the purpose of and while engaged in the expeditious unloading or loading of passengers.

2. A person shall not stop, stand or park a vehicle other than a bus in a bus stop, or a taxicab in a taxicab stand, when such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop there and for the purpose of and while actually engaged in expeditiously loading or unloading of passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

{R. Parking In Metered Parking Zones; Tampering With Meter:

1. When parking meters are erected by any local authority pursuant to an adopted ordinance giving notice thereof, it is unlawful for any person to stop, stand or park a vehicle in any metered parking zone for a period of time longer than designated by such parking meters upon a deposit of a coin of United States currency of the designated denomination.

2. Every vehicle shall be parked wholly within the metered parking space for which the meter shows parking privilege has been granted.

{S. Overtime Parking:

1. The city engineer may erect, place and maintain official traffic control devices regulating the stopping, standing or parking of vehicles on any highway, street or alley within the city.

2. When such devices are erected or placed giving notice thereof, it is unlawful for any person to stop, stand or park a vehicle for longer than the time designated by any such sign.

{T. Handicapped Parking:

1. Enforcement Of Handicapped Parking Spaces:

a. It shall be unlawful for any person to park a motor vehicle in a parking space designated and reserved for the physically handicapped, on either public or private property, unless:

(1) The vehicle visibly bears the parking permit issued pursuant to subsection T2 of this section; or

(2) The vehicle visibly bears the parking permit or license plate issued to the physically handicapped by the state department of motor vehicles, pursuant to Nevada Revised Statutes section 482.384; or

(3) The vehicle visibly bears a current parking permit or license plate issued to the physically handicapped by a state other than Nevada; or

(4) The vehicle visibly bears the special license plates for a disabled veteran issued pursuant to Nevada Revised Statutes section 482.377.

b. Handicapped parking spaces shall be designated by the installation of appropriate traffic control devices which comply with Nevada Revised Statutes section 484.408.

c. "Private property", as used in this section, means parking areas to which the public is invited and that are located on property other than that owned by the city.

d. A violation of this subsection shall be punished as provided for in Title 1 Chapter 3 of this code.

2. Temporary Parking Permits For Physically Handicapped Persons:

a. Applications for temporary parking permits for motor vehicles used by or for persons having temporary handicaps which impair their ability to walk may be made through the police department.

b. Upon receipt of a completed application for a temporary parking permit on a form for that purpose supplied by the police department, together with a written statement from the applicant's treating physician which states the nature of the disability, the length of time the disability is expected to last, and that the disability impairs the applicant's ability to walk, the police department shall issue a temporary parking permit for a period of time not to exceed ninety (90) days. The police department may demand such additional supporting documents or information as it deems appropriate prior to issuing the temporary permit.

c. A temporary parking permit issued pursuant to this subsection may be renewed for an additional period or periods of time not to exceed ninety (90) days per renewal upon submission to the police department of a supplemental statement by the applicant's treating physician which contains the information above required.

d. This subsection does not authorize the parking of a motor vehicle in any privately or publicly owned parking space without paying the required fee for the time during which such vehicle is so parked.}

d{U}. Registered Owners: In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such

vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

{7-2-41: LIMITATIONS ON BACKING:}

{A. Prohibitions: It shall be unlawful for the driver of any vehicle to:}

{1. Back a vehicle unless such movement can be made with reasonable safety and without interfering with other traffic;}

{2. Back a vehicle into any intersection, on or over any crosswalk, or around a street corner.}

{B. Yield Right Of Way: The driver of a vehicle when engaged in backing shall in every case yield the right of way to moving traffic and pedestrians.}

{7-2-42: PERSONS WORKING ON HIGHWAYS, STREETS AND ALLEYS; EXCEPTIONS:}

{Unless specifically made applicable, the provisions of this chapter (except those relating to driving under the influence of controlled substances or intoxicating liquor), shall not apply to persons, motor vehicles and other equipment while actually engaged in work upon the surface of a highway, street or alley, but shall apply to such persons and vehicles when traveling to or from such work.}

{7-2-43: OBEDIENCE TO AUTHORIZED FLAG PERSONS:}

{It is unlawful for a driver of a vehicle to fail or refuse to comply with any signal of an authorized flag person serving in a traffic control capacity in a clearly marked area of highway construction or maintenance. "Authorized flag persons serving in a traffic control capacity" means an employee of the city, county or state or a contractor performing highway construction or maintenance while he is carrying out the duties of his employment.}

7-2-16{44}: AUTHORITY TO CLEAR FIRE LANES ON PUBLIC OR PRIVATE PROPERTY:

{Officers of the police department are hereby authorized to keep all fire lanes on public or private property, including, but not limited to, those set forth in section 6-1-5 of this code, clear of any and all vehicles and other obstructions and impediments which may prevent, hinder or in any other manner deter fire department personnel or equipment from immediate use of such fire lane.}

7-2-17{45}: PENALTIES:

Every person violating any of the provisions of this chapter shall, upon conviction thereof, be punished as provided in title 1, chapter 3 of this code. Each violation of a provision of this chapter shall constitute a separate offense and shall be punishable as such hereunder.

7-2-18{46}: REQUIRED OBEDIENCE TO TRAFFIC CODE:

It is unlawful and a violation of this chapter for any person to do any act forbidden or fail to perform any act required by this chapter.

7-2-19{47}: TOWING CARS AWAY:

A. Authority: The police department, and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away, or have removed and towed away by commercial towing service, any vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, obstructs or may obstruct the movement of any emergency vehicle, is in a fire lane or parked in any location prohibited by subsection 7-2-40C of this chapter.

B. Storage; Return To Owner: Vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such vehicle upon payment of a fee as set by resolution of the city council, within twenty four (24) hours after the time such car was removed, plus a fee as set by resolution of the city council for each additional twenty four (24) hours or fraction thereof, plus all costs incurred for towing and storing such vehicle.

{7-2-48: ABANDONED MOTOR VEHICLES:}

{A. Prohibited: No person may abandon a vehicle upon any alley, highway, street or road.}

{B. Consent Required: No person may abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of such property.}

{C. Removal And Disposal: Abandoned vehicles shall be removed and disposed of in the manner provided in chapter 3 of this code.}

7-2-20{49}: MANDATORY MOTOR VEHICLE INSURANCE:

The provisions of Nevada Revised Statutes section 485.187 are adopted by reference.

{7-2-50: FAILURE TO OBEY CITATION:}

{A. Prohibited: It is unlawful for any person to violate his written promise to appear given to a peace officer upon the issuance of a traffic citation regardless of the disposition of the charge for which such citation was originally issued.}

{B. Appearance By Counsel: A written promise to appear in court may be complied with by an appearance by counsel.}

{C. Warrant: A warrant may issue upon a violation of a written promise to appear.}

{D. Double Fine: Failure to appear in court after a written promise to appear given to a peace officer upon the issuance of a traffic citation shall be punished by doubling the fine}

regularly imposed or a fine of twenty five dollars (\$25.00), whichever is greater. (Ord. 302, 2-10-1981)}

{7-2-51: FAILURE TO OBEY CITATION FOR PARKING:}

{When a traffic citation for a parking violation has been issued identifying by license number a vehicle registered to a person who has not signed the citation, a bench warrant may not be issued for that person for failure to appear before the court unless:}

{A. Notice Required: A notice to appear concerning the violation is first sent to the person by first class mail within sixty (60) days after the citation is issued; and}

{B. Nonappearance: The person does not appear within twenty (20) days after the date of the notice or the notice to appear is returned with a report that it cannot be delivered.}

7-2-21{52}: PARKING OF TRUCK-TRACTORS AND TRAILERS:

A. Definitions: As used in this section:

TRAILER: As defined by Nevada Revised Statutes section 482.125. The definition at the time of the adoption hereof is every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

TRUCK-TRACTOR: As defined by Nevada Revised Statutes section 482.130. The definition at the time of the adoption hereof is every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

B. Parking:

1. It is unlawful for any truck-tractor or trailer with an individual gross vehicle weight rating in excess of twenty six thousand one (26,001) pounds to be parked or left unattended upon any highway, street, alley, city public parking area, and/or public property under the jurisdiction of the city, unless the parking of any such truck-tractor or trailer falls within any of the exception set forth in {section 7-2-53 of} this chapter.

2. It is unlawful for any trailer with a gross vehicle weight rating in excess of twenty six thousand one (26,001) pounds to be detached from a truck-tractor and left parked or unattended upon any highway, street, alley, city public parking area, and/or public property under the jurisdiction of the city.

3. The driver or registered owner of any truck-tractor or trailer shall be liable for any violations of the provisions of this section or {section 7-2-54} of this chapter. Upon conviction of a first offense, a person who violates any provision of any of these sections of the city code shall be fined not less than one hundred dollars (\$100.00), nor more than one thousand dollars

(\$1,000.00). Any person convicted of a second offense within three (3) years shall be fined not less than two hundred fifty dollars (\$250.00), nor more than one thousand dollars (\$1,000.00). The general penalty provision of section 1-3-1 of this code shall apply to any sentence of imprisonment imposed by the judge.

7-2-22{53}: EXCEPTIONS FOR PARKING OF TRUCK-TRACTORS OR TRAILERS:

"Truck-tractors" or "trailers", as defined in {section 7-2-52 of} this chapter, may be parked on highways, streets or alleys within the jurisdiction of the city under any of the following conditions:

A. Generally: Any such vehicles involved in the expeditious loading or unloading of materials, goods or products; all truck-tractors or trailers owned or operated by the city, any public utility, or any contractor while engaged in the repair, maintenance or construction of city streets, street improvements or street utilities within the city.

B. Special Parking Permit: The city manager or designee may at their discretion, upon application in writing, filed with the city clerk, issue a special parking permit stating the conditions for and authorizing the applicant to park a designated number of truck-tractors or trailers on certain streets or alleys within the jurisdiction of the city as long as the applicant meets the conditions set forth in the permit and the applicant has a fixed place of business located within the city, which is the applicant's principal place of business.

C. Permit Process: The process, rules and regulations for obtaining such a special parking permit are as follows:

1. An application fee for the permit shall be established by resolution of the city council and included in the appendix to this code. The application form shall also be approved by resolution of the city council.

2. Every public street parking permit issued shall be personal to the permittee and applicable only to the specific use and to the specific property for which it is issued. Permits for public street parking are nontransferable and do not run with the land.

3. Parking of a truck-tractor or trailer by a property owner shall be allowed only along their own property frontage.

4. Permits shall be subject to periodic review by the city for compliance.

5. The procedure and time periods for filing and obtaining a public street parking permit are as follows:

a. The application for the permit must:

(1) Specifically describe the type and number of truck-tractors and/or trailers which may be parked on the public street or alley.

(2) Indicate the public street or alley to be used and provide the exact area the vehicles may be parked.

(3) State the days of the week and the hours of the day when the vehicles may be parked on designated streets or alleys.

(4) State that the public street or alley parking shall be confined to the area depicted on the map.

(5) Certify that there will be no other use of the public parking space or other activity conducted from the area of the public street or alley designated for the parking.

(6) Acknowledge that the public parking permit does not guarantee the applicant that the public parking area will be available at all times.

(7) Acknowledge that no signs or other indications of commercial activity will be permitted in the public street.

(8) Certify that the public street parking space shall not generate vehicular or pedestrian traffic visibility problems, block driveways or other safety issues.

(9) Certify that the character of the public street parking area shall be maintained in appearance and cleanliness.

(10) Certify that no vehicles parked shall produce excess noise, odor, dust or smoke.

b. Procedure and time limitations for obtaining a permit include:

(1) The city manager or duly authorized representative shall make a determination on the application within ten (10) days of receiving the completed application and all required information.

(2) Any denial of an application by the city manager shall include, in writing, the reason for such denial.

(3) The decision to grant or deny a public street parking permit may be appealed by the applicant or any interested party to the city council. A written appeal from the applicant or interested party shall be filed with the city clerk within ten (10) days of the date of the decision of the city manager to deny or grant the permit. In the event of any such appeal, the notice requirements and procedures set forth in section 3-2-25 of this code shall be followed. The city council shall hear and consider facts and evidence from any persons or material presented and shall consider any relevant written communications from any persons at the appeal.

{7-2-54: DISCHARGE OF VEHICLE FLUIDS UPON PUBLIC STREETS AND ALLEYS:}

{A. Definitions: As used in this section:}

{ DISCHARGE: Any spilling, pouring, leaking, emitting, pumping, emptying, discharge, escaping, dumping or disposing of any vehicle fluids.}

{VEHICLE FLUIDS: Any petroleum products, including, but not limited to, gasoline, diesel, oil and lubricants or other fluids used in the operation of truck-tractors and/or trailers, including, but not limited to, antifreeze, power steering fluid, transmission fluid.}

{B. Prohibition: It is unlawful for any driver or registered owner of any truck-tractor and/or trailers to discharge or allow the discharge of any vehicle fluid upon any city street, highway, alleyway, city public parking area and/or public property under the jurisdiction of the city.}

Drafter's Note - Changes to Title 7 Chapter 5 follow. The entirety of the Chapter is being repealed and will be replaced with the corresponding state laws on DUI and aggressive driving.

{Chapter 5}
{RECKLESS DRIVING; DRIVING UNDER THE INFLUENCE}

{7-5-1: NEVADA REVISED STATUTES SECTION 484.377:}

{7-5-2: NEVADA REVISED STATUTES SECTION 484.379: }

{7-5-3: NEVADA REVISED STATUTES SECTION 484.3792:}

{7-5-4: NEVADA REVISED STATUTES SECTION 484.3793: }

{7-5-5: NEVADA REVISED STATUTES SECTION 484.37935:}

{7-5-6: NEVADA REVISED STATUTES SECTION 484.3794: }

{7-5-7: NEVADA REVISED STATUTES SECTION 484.37943:}

{7-5-8: NEVADA REVISED STATUTES SECTION 484.37945: }

{7-5-9: NEVADA REVISED STATUTES SECTION 484.37947: }

{7-5-10: NEVADA REVISED STATUTES SECTION 484.3797: }

{7-5-11: NEVADA REVISED STATUTES SECTION 484.3798: }

{7-5-12: NEVADA REVISED STATUTES SECTION 484.382: }

{7-5-13: NEVADA REVISED STATUTES SECTION 484.383: }

{7-5-14: NEVADA REVISED STATUTES SECTION 484.384: }

{7-5-15: NEVADA REVISED STATUTES SECTION 484.385: }

{7-5-16: NEVADA REVISED STATUTES SECTION 484.386: }

{7-5-16: NEVADA REVISED STATUTES SECTION 484.389: }

{7-5-18: NEVADA REVISED STATUTES SECTION 484.391: }

{7-5-19: NEVADA REVISED STATUTES SECTION 484.393: }

{7-5-20: NEVADA REVISED STATUTES SECTION 484.3935: }

{7-5-21: NEVADA REVISED STATUTES SECTION 484.394: }

{7-5-1: NEVADA REVISED STATUTES SECTION 484.377: }

Reckless driving. It is unlawful for any person to: A) drive a vehicle in wilful or wanton disregard of the safety of persons or property; B) drive a vehicle in an unauthorized speed contest on a public highway. A violation of this section constitutes reckless driving. Excluded from adoption is Nevada Revised Statutes section 484.377(2) relating to penalty for wilful or wanton disregard for safety causing death or substantial bodily harm. }

{7-5-2: NEVADA REVISED STATUTES SECTION 484.379: }

Driving under the influence of intoxicating liquor or controlled substance: unlawful acts; affirmative defense. }

{7-5-3: NEVADA REVISED STATUTES SECTION 484.3792: }

Driving under the influence of intoxicating liquor or controlled substance: penalties; segregation of offender; probation, suspension of sentence and plea bargaining restricted; intermittent confinement; consecutive sentences. Excluded from adoption is Nevada Revised Statutes section 484.3792(1)(c) relating to third offense DUI. }

{7-5-4: NEVADA REVISED STATUTES SECTION 484.3793: }

Evaluation and treatment for alcohol or drug abuse: Definitions. }

{7-5-5: NEVADA REVISED STATUTES SECTION 484.37935: }

Evaluation and treatment for alcohol or drug abuse: Standards for approval of evaluation center. }

{7-5-6: NEVADA REVISED STATUTES SECTION 484.3794: }

Driving under the influence of intoxicating liquor or controlled substance: Application to undergo program of treatment for alcoholism or drug abuse; sentencing of offender and conditional suspension of sentence; notice to department.}

{7-5-7: NEVADA REVISED STATUTES SECTION 484.37943:

Evaluation and treatment for alcohol or drug abuse: Evaluation of certain offenders; assessment for support of evaluation center.}

{7-5-8: NEVADA REVISED STATUTES SECTION 484.37945:

Evaluation and treatment for alcohol or drug abuse: Placement of offender under clinical supervision of treatment facility; payment of charges for treatment facility; payment of charges for treatment; liability of facility limited.}

{7-5-9: NEVADA REVISED STATUTES SECTION 484.37947:

Evaluation and treatment for alcohol or drug abuse: Evaluation of treatment by private company authorized.}

{7-5-10: NEVADA REVISED STATUTES SECTION 484.3797:

Driving under the influence of intoxicating liquor or controlled substance: Attendance of meeting of panel of victims of injuries caused by violations of Nevada Revised Statutes section 484.379 or 484.3795.}

{7-5-11: NEVADA REVISED STATUTES SECTION 484.3798:

Driving under the influence of intoxicating liquor or controlled substance: Fee for chemical analysis.}

{7-5-12: NEVADA REVISED STATUTES SECTION 484.382:

Driving under the influence of intoxicating liquor or controlled substance: Implied consent to preliminary test; failure to submit to test; use of results of test.}

{7-5-13: NEVADA REVISED STATUTES SECTION 484.383:

Driving under the influence of intoxicating liquor or controlled substance: Implied consent to evidentiary test; exemption from blood test; choice of test; restrictions on requiring urine test; failure to submit to test.}

{7-5-14: NEVADA REVISED STATUTES SECTION 484.384:

Driving under the influence of intoxicating liquor or controlled substance: Failure to consent to evidentiary or preliminary test; test showing 0.10 percent alcohol in blood; revocation of license, permit or privilege; periods of ineligibility.}

{7-5-15: NEVADA REVISED STATUTES SECTION 484.385:

Driving under the influence of intoxicating liquor or controlled substance: Seizure of license; order of revocation; administrative and judicial review; temporary license; certificate of officer transmitted to department. }

{7-5-16: NEVADA REVISED STATUTES SECTION 484.386:

Driving under the influence of intoxicating liquor or controlled substance: Requirements for evidentiary test of breath to determine percentage of alcohol in breath.}

{7-5-17: NEVADA REVISED STATUTES SECTION 484.389:

Driving under the influence of intoxicating liquor or controlled substance: Admissibility of evidence of refusal to submit to evidentiary test and results of test; availability of results of test.}

{7-5-18: NEVADA REVISED STATUTES SECTION 484.391:

Driving under the influence of intoxicating liquor or controlled substance: Opportunity of arrested person to choose qualified person to administer test; substitution of test prohibited.}

{7-5-19: NEVADA REVISED STATUTES SECTION 484.393:

Driving under the influence of intoxicating liquor or controlled substance: Admissibility of results of blood tests; persons authorized to administer test; immunity from liability.}

{7-5-20: NEVADA REVISED STATUTES SECTION 484.3935:

Driving under the influence of intoxicating liquor or controlled substance: Presumption that solution or gas used to calibrate devices for testing breath, blood or urine is properly prepared.}

{7-5-21: NEVADA REVISED STATUTES SECTION 484.394:

Driving under the influence of intoxicating liquor or controlled substance: Analysis of blood for presence of alcohol of deceased victim of accident involving motor vehicle.}

7-2-23 Adoption of state traffic law by reference. The following state laws are adopted hereby by reference.

CHAPTER 484A. TRAFFIC LAWS GENERALLY

GENERAL PROVISIONS

NRS 484A.005 Purposes of chapters 484A to 484E, inclusive, of NRS.

NRS 484A.010 Definitions.

NRS 484A.015 "Alley" defined.

NRS 484A.020 "Authorized emergency vehicle" defined.

NRS 484A.025 "Bicycle" defined.

NRS 484A.030 "Bus" defined.

NRS 484A.035 "Bus stand" defined.

NRS 484A.040 "Center" and "centerline" defined.

NRS 484A.045 "City" defined.

NRS 484A.050 "Combination of vehicles" defined.

NRS 484A.055 "Commercial vehicle" defined.

NRS 484A.060 "Controlled-access highway" defined.

NRS 484A.065 "Crosswalk" defined.

NRS 484A.070 "Divided highway" defined.

NRS 484A.075 "Driveaway-towaway operation" defined.

NRS 484A.080 "Driver" defined.

NRS 484A.085 "Explosives" defined.

NRS 484A.090 "Funeral procession" defined.

NRS 484A.095 "Highway" defined.

NRS 484A.100 "House trailer" defined.

NRS 484A.105 "Intersection" defined.

NRS 484A.110 "Laned highway" defined.

NRS 484A.115 "Local authority" defined.

NRS 484A.120 "Manufactured home" defined.

NRS 484A.125 "Moped" defined.

NRS 484A.130 "Motor vehicle" defined.

NRS 484A.135 "Motorcycle" defined.

- NRS 484A.140 "Nonresident" defined.
- NRS 484A.145 "Official traffic-control device" defined.
- NRS 484A.147 "Original equipment manufacturer" defined. [Effective January 1,
2012, through December 31, 2017.]
- NRS 484A.150 "Owner" defined.
- NRS 484A.155 "Park" and "parking" defined.
- NRS 484A.160 "Passenger car" defined.
- NRS 484A.165 "Pedestrian" defined.
- NRS 484A.170 "Person with a disability which limits or impairs the ability to walk"
defined.
- NRS 484A.175 "Pole trailer" defined.
- NRS 484A.180 "Police officer" defined.
- NRS 484A.185 "Premises to which the public has access" defined.
- NRS 484A.190 "Private way" and "driveway" defined.
- NRS 484A.195 "Public authority" defined.
- NRS 484A.196 "Qualified alternative fuel" defined. [Effective January 1, 2012,
through December 31, 2017.]
- NRS 484A.197 "Qualified alternative fuel vehicle" defined. [Effective January 1,
2012, through December 31, 2017.]
- NRS 484A.198 "Qualified vehicle modifier of alternative fuel vehicles" defined.
[Effective January 1, 2012, through December 31, 2017.]
- NRS 484A.200 "Railroad" defined.
- NRS 484A.205 "Regulatory agency" defined.
- NRS 484A.210 "Right-of-way" defined.
- NRS 484A.215 "Road" defined.
- NRS 484A.220 "Roadway" defined.
- NRS 484A.225 "Rural area" defined.

NRS 484A.230 "School bus" defined.

NRS 484A.235 "Semitrailer" defined.

NRS 484A.240 "Sidewalk" defined.

NRS 484A.245 "Special mobile equipment" defined.

NRS 484A.250 "Stand" and "standing" defined.

NRS 484A.255 "Stop" defined.

NRS 484A.260 "Stop" and "stopping" defined.

NRS 484A.265 "Street" defined.

NRS 484A.270 "Taxicab" defined.

NRS 484A.275 "Through highway" defined.

NRS 484A.280 "Tow car" defined.

NRS 484A.285 "Traffic" defined.

NRS 484A.290 "Traffic-control signal" defined.

NRS 484A.295 "Trailer" defined.

NRS 484A.300 "Traveled portion of highway" defined.

NRS 484A.305 "Truck" defined.

NRS 484A.310 "Truck-tractor" defined.

NRS 484A.315 "Urban area" defined.

NRS 484A.320 "Vehicle" defined.

POWERS OF STATE AND LOCAL AUTHORITIES

NRS 484A.400 Provisions uniform throughout State; local authority prohibited from
enacting certain ordinances; trial for same offense prohibited.

NRS 484A.410 City may adopt penalties for certain violations of driving under
influence of alcohol or prohibited substance.

NRS 484A.420 Powers of local authority.

NRS 484A.430 Adoption of manual and specifications for devices for control of traffic by Department of Transportation.

ADMINISTRATIVE REGULATIONS

NRS 484A.440 Local device for control of traffic.

NRS 484A.450 Designation of through highways and intersections requiring stop or yield; vehicle entering intersection.

NRS 484A.460 Authority of Department of Transportation to designate carpool lanes; duties of Department of Transportation; regulations.

NRS 484A.463 Authority of Department of Transportation to adopt regulations to allow certain low emission and energy-efficient vehicles to be operated in lane designated for high-occupancy vehicles. [Effective January 1, 2018.]

NRS 484A.467 County or city authorized to adopt ordinance to allow low emission and energy-efficient vehicles to travel in designated lane in planned community.

NRS 484A.468 Parking program for qualified alternative fuel vehicles: Requirements for establishment by local authorities; fee authorized; authorization for participating qualified vehicle to stop, stand or park without payment; exceptions. [Effective January 1, 2012, through December 31, 2017.]

NRS 484A.470 Authority of Department to adopt regulations concerning special mobile equipment.

NRS 484A.480 Designation of authorized emergency vehicles; equipment; limitations on use of warning devices.

NRS 484A.490 Permit for authorized emergency vehicle issued to other vehicles; certain vehicles not considered emergency vehicles.

CITATIONS AND ARRESTS FOR VIOLATIONS OF TRAFFIC LAWS

NRS 484A.600 Use by governmental entity or agent of photographic, video or digital equipment to gather evidence for issuance of traffic citation.

NRS 484A.610 Issuance of forms for traffic citations; records.

NRS 484A.620 Copy of citation deemed lawful complaint.

- NRS 484A.630 Citation: Contents; 5-day notice to appear in court; written promise to appear.
- NRS 484A.640 Matching of certain information before officer issues citation or makes arrest; when officer may arrest driver for prior offense.
- NRS 484A.650 Officer to demand proof of insurance; citation for operation of vehicle without insurance or for failure to present proof of insurance.
- NRS 484A.660 Issuance of citation at scene of accident.
- NRS 484A.670 Effect of violation of written promise to appear; when appearance by counsel in lieu of personal appearance is authorized.
- NRS 484A.680 Disposition and records of traffic citations.
- NRS 484A.690 Audit of records of traffic citations.
- NRS 484A.700 When warrant for failure to obey citation for parking violation may be issued.

ARRESTS

- NRS 484A.710 Arrest without warrant for certain offenses.
- NRS 484A.720 When person must be taken immediately before magistrate.
- NRS 484A.730 When peace officer has option to give citation or take person before magistrate.
- NRS 484A.740 Arrest of nonresident.
- NRS 484A.750 Appearance before magistrate having jurisdiction.
- NRS 484A.760 Release of defendant when magistrate not available.
- NRS 484A.770 Procedure prescribed for arrest without warrant not exclusive.

MISCELLANEOUS PROVISIONS

- NRS 484A.800 Sponsor of special event to provide for control of vehicular traffic.

GENERAL VIOLATIONS

NRS 484A.900 Penalty for violation of traffic law when no penalty provided in
statute; authority of court to order repeat offender to pay for and
attend school for driver training.

CHAPTER 484B. RULES OF THE ROAD

DEFINITIONS

NRS 484B.003 Definitions.

NRS 484B.007 "Administrative roadblock" defined.

NRS 484B.010 "Business district" defined.

NRS 484B.017 "Electric bicycle" defined.

NRS 484B.020 "Flammable liquid" defined.

NRS 484B.023 "Freight curb loading zone" defined.

NRS 484B.027 "House coach" defined.

NRS 484B.030 "Parking meter" defined.

NRS 484B.033 "Passenger curb loading zone" defined.

NRS 484B.037 "Person with a disability of moderate duration" defined.

NRS 484B.040 "Person with a permanent disability" defined.

NRS 484B.043 "Person with a temporary disability" defined.

NRS 484B.047 "Railroad sign" and "railroad signal" defined.

NRS 484B.050 "Railroad train" defined.

NRS 484B.053 "Residence district" defined.

NRS 484B.057 "Safety zone" defined.

NRS 484B.060 "School crossing zone" defined.

NRS 484B.063 "School zone" defined.

NRS 484B.067 "Taxicab stand" defined.

NRS 484B.070 "Temporary roadblock" defined.

NRS 484B.073 "Two-directional highway" defined.

NRS 484B.077 "U-turn" defined.

GENERAL RULES AND APPLICABILITY

NRS 484B.100 Obedience to police officer.

NRS 484B.103 Rights and duties of person riding animal or driving vehicle drawn
by animal.

NRS 484B.107 Applicability of chapters 484A to 484E, inclusive, of NRS to person,
motor vehicle or other equipment engaged in work upon highway.

NRS 484B.110 Driving through safety zone prohibited.

NRS 484B.113 Limitations on backing.

NRS 484B.117 Driving upon sidewalk.

NRS 484B.120 Driving on defiles, canyons or mountain highways.

NRS 484B.123 Coasting prohibited in certain circumstances.

NRS 484B.127 Following too closely.

NRS 484B.130 Double penalty for certain traffic violations committed in work
zones; exception in certain temporary traffic control zones.

NRS 484B.135 Double penalty for certain traffic violations committed in pedestrian
safety zones; exceptions in certain pedestrian safety zones.

RESTRICTIONS ON PERSONS IN VEHICLES

NRS 484B.150 Drinking alcoholic beverage while driving motor vehicle unlawful;
open container of alcoholic beverage; additional penalty for
violation committed in work zone.

NRS 484B.153 Boarding or alighting from vehicle; opening door of vehicle.

NRS 484B.157 Child less than 6 years of age and weighing 60 pounds or less to
be secured in child restraint system while being transported in
motor vehicle; requirements for system; penalties; programs of
training; waiver or reduction of penalty under certain circumstances;
application of section.

- NRS 484B.160** **Person riding upon bed of flatbed truck or within bed of pickup truck.**
- NRS 484B.163** **Obstruction of or interference with driver's view; interference with driver's control over driving mechanism; vision of driver through required glass equipment; additional penalty for violation committed in work zone.**
- NRS 484B.165** **Using handheld wireless communications device to type or enter text, send or read data, engage in nonvoice communication or engage in voice communications without use of hands-free device unlawful; exceptions; penalty.**
- NRS 484B.167** **Riding in house trailer.**

DIRECTION OF TRAVEL, OVERTAKING AND PASSING

- NRS 484B.200** **Driving on right half of highway required; exceptions; additional penalty for violation committed in work zone.**
- NRS 484B.203** **Duties of drivers passing vehicles proceeding in opposite directions; additional penalty for violation committed in work zone.**
- NRS 484B.207** **Overtaking vehicle on left side: Duties of drivers of overtaking and overtaken vehicle; additional penalty for violation committed in work zone.**
- NRS 484B.210** **When overtaking on right side allowed; additional penalty for violation committed in work zone.**
- NRS 484B.213** **Limitations on overtaking on left side; additional penalty for violation committed in work zone.**
- NRS 484B.217** **Zones in which overtaking on left side or making left-hand turn prohibited; exceptions; additional penalty for violation committed in work zone.**
- NRS 484B.220** **One-way highway; rotary traffic island.**
- NRS 484B.223** **Driving on highway having multiple marked lanes for traffic; additional penalty for violation committed in work zone.**
- NRS 484B.227** **Driving on divided highway: Prohibited turns; additional penalty for violation committed in work zone.**

RIGHT-OF-WAY

- NRS 484B.250 Vehicle approaching or entering intersection.
- NRS 484B.253 Vehicle turning left.
- NRS 484B.257 Vehicle entering intersection marked stop or yield.
- NRS 484B.260 Vehicle entering highway from private way.
- NRS 484B.263 Vehicle entering or exiting controlled-access highway: Duty to yield
right-of-way.
- NRS 484B.267 Operation of vehicle on approach of authorized emergency vehicle
or official vehicle of regulatory agency.
- NRS 484B.270 Vehicles, bicycles and electric bicycles: Driver's duty of due care;
additional penalty if driver is proximate cause of collision with
person riding bicycle.

PEDESTRIANS

- NRS 484B.280 Duties of driver of motor vehicle to pedestrian; additional penalty if
driver is proximate cause of collision with pedestrian.
- NRS 484B.283 Right-of-way in crosswalk; impeding ability of driver to yield
prohibited; overtaking vehicle at crosswalk; obedience to signals
and other devices for control of traffic; additional penalty if driver is
proximate cause of collision with pedestrian.
- NRS 484B.287 When pedestrian must yield right-of-way to vehicle; when crossing
at crosswalk is required; crossing diagonally.
- NRS 484B.290 Right-of-way of person who is blind; penalty.
- NRS 484B.293 Direction of movement on crosswalk.
- NRS 484B.297 Walking along and upon highways; solicitation of ride, business or
contribution from driver or occupant of vehicle prohibited in certain
circumstances; intoxicated pedestrian prohibited within traveled
portion of highway; applicability to riders of animals; penalty.

TRAFFIC SIGNS, SIGNALS AND MARKINGS

NRS 484B.300	<u>Obedience to devices for control of traffic; placement of devices; additional penalty for violation committed in work zone.</u>
NRS 484B.303	<u>Disobedience of directions of device for control of traffic unlawful; additional penalty for violation committed in work zone.</u>
NRS 484B.307	<u>Traffic controlled by official traffic-control devices exhibiting different colored lights: Rights and duties of vehicular traffic and pedestrians depending upon particular signal displayed; signals placed over individual lanes; certain restrictions upon local authorities.</u>
NRS 484B.310	<u>Flashing signals.</u>
NRS 484B.313	<u>Display of unauthorized signs, signals, markings or street banners; limitation on placement of commercial advertising; removal as public nuisance; exceptions; use of advertising revenues to repay bonds.</u>
NRS 484B.317	<u>Interference with official device for control of traffic or sign or signal for railroad prohibited; additional penalty for violation committed in work zone.</u>
NRS 484B.320	<u>Devices and mechanisms capable of interfering with or altering signal of traffic-control signal: General prohibition against operating and selling; seizure by police; presence in or on vehicle as prima facie evidence of violation; penalty; exceptions for providers of mass transit and response agencies.</u>
NRS 484B.323	<u>Carpool lanes: Use of carpool lanes in conformance with signs; penalty.</u>
NRS 484B.327	<u>Unlawful to remove barriers and signs stating highway is closed to traffic; driving on such highway unlawful; additional penalty for violation committed in work zone.</u>
NRS 484B.330	<u>Obedience to signal of authorized flagger; prosecution of violations; penalties.</u>

SCHOOL CROSSING GUARDS, SCHOOL ZONES AND SCHOOL BUSES

NRS 484B.350	<u>Stop required in obedience to direction or traffic-control signal of school crossing guard; penalty; additional penalty if driver is proximate cause of collision with pedestrian or person riding bicycle.</u>
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- NRS 484B.353** **Overtaking and passing school bus: Duties of driver; exceptions; penalties.**
- NRS 484B.357** **Report by driver of school bus of failure of driver of vehicle to stop; submission of report to school district and Department; provision of notice to owner of vehicle.**
- NRS 484B.360** **Maximum speed of school bus.**
- NRS 484B.363** **School zone or school crossing zone: Speed limit; designation; signs; determination of hours in which speed limit is in effect; additional penalty if driver is proximate cause of collision with pedestrian or person riding bicycle.**
- NRS 484B.367** **School zone or school crossing zone: Requirements for signs; placement of portable signs.**

TURNING AND STARTING

SIGNALS ON STOPPING AND TURNING

- NRS 484B.400** **Required position and method of turning at intersections.**
- NRS 484B.403** **When U-turns are authorized and prohibited; additional penalty for violation committed in work zone.**
- NRS 484B.407** **Turning on curve or crest of grade prohibited in certain circumstances.**
- NRS 484B.410** **Starting parked vehicle.**
- NRS 484B.413** **Requirements for turning on highway; signal for stopping or decreasing speed.**
- NRS 484B.417** **Signal by hand and arm or signal lamp or device authorized.**
- NRS 484B.420** **Methods of giving signals by hand and arm.**

STOPPING, STANDING AND PARKING

- NRS 484B.440** **Stopping, standing or parking outside of business or residence district.**

<u>NRS 484B.443</u>	<u>Police officer authorized to remove certain vehicles; protocol for selection and use of towing services; duties and liability of tow car operator.</u>
<u>NRS 484B.447</u>	<u>Preservation of criminal evidence when vehicle is removed from highway.</u>
<u>NRS 484B.450</u>	<u>Stopping, standing or parking prohibited in specified places.</u>
<u>NRS 484B.453</u>	<u>Prohibited parking in front of theaters, hotels and other buildings.</u>
<u>NRS 484B.457</u>	<u>Parallel and angle parking; stopping, standing and parking on highways under jurisdiction of Department of Transportation.</u>
<u>NRS 484B.460</u>	<u>Parking at angle designated by devices permitting angle parking.</u>
<u>NRS 484B.463</u>	<u>Special license plate or plates and special or temporary parking placards and stickers: Use; alternative use of special plate or plates issued to veteran with a disability; limitations. [Both versions in 2015 NRS Volume].</u>
<u>NRS 484B.467</u>	<u>Parking space designated for persons who are handicapped: Signs; required plates, stickers or placards for parking; prohibited acts; penalty. [Both versions in 2015 NRS Volume].</u>
<u>NRS 484B.470</u>	<u>Local law enforcement agency authorized to appoint volunteers to enforce certain laws concerning parking for persons who are handicapped.</u>
<u>NRS 484B.473</u>	<u>Parked vehicle at nighttime: Reflectors; lights.</u>
<u>NRS 484B.477</u>	<u>Stopping, standing or parking in alley.</u>
<u>NRS 484B.480</u>	<u>All-night parking.</u>
<u>NRS 484B.483</u>	<u>Parking for certain purposes prohibited.</u>
<u>NRS 484B.487</u>	<u>Parking adjacent to school.</u>
<u>NRS 484B.490</u>	<u>Parking on narrow highway.</u>
<u>NRS 484B.493</u>	<u>Standing or parking on one-way street.</u>
<u>NRS 484B.497</u>	<u>Standing or parking on one-way roadway.</u>
<u>NRS 484B.500</u>	<u>Stopping, standing or parking near hazardous or congested place.</u>

- NRS 484B.503 Stopping, standing or parking in zone for loading passengers at curb.
- NRS 484B.507 Stopping, standing or parking in zone for loading freight at curb.
- NRS 484B.510 Stopping, standing or parking in restricted parking zone.
- NRS 484B.513 Stopping, standing and parking of bus or taxicab.
- NRS 484B.517 Restricted use of bus and taxicab stands.
- NRS 484B.520 Regulation of stopping, standing or parking by local authority.
- NRS 484B.523 Stopping, standing or parking in metered parking zone; unlawful tampering with meter. [Effective January 1, 2018.]
- NRS 484B.527 Local authority authorized to file notice of nonpayment with Department if registered owner of motor vehicle fails to pay certain penalties, fines or other charges; contents of notice; regulations.
- NRS 484B.530 Unattended motor vehicle: Stopping engine, locking ignition and removing key.
- NRS 484B.533 Unattended motor vehicle: Standing on grade.

SPECIAL STOPS

SIGNAL BY PEACE OFFICER

- NRS 484B.550 Stop required upon signal of peace officer; manner in which signal must be given; penalties.

RAILROAD GRADE CROSSINGS

- NRS 484B.553 Obedience to signal indicating approach of railroad train.
- NRS 484B.557 Stop required at certain railroad grade crossings.
- NRS 484B.560 Certain vehicles required to stop at all railroad grade crossings; exceptions.
- NRS 484B.563 Moving heavy equipment at railroad grade crossing.

ROADBLOCKS

- NRS 484B.570 Administrative roadblock: Establishment; minimum requirements.
- NRS 484B.573 Temporary roadblock: Establishment; minimum requirements.

NRS484B.574 Flooding or water on roadway: Liability for expense if person travels through temporary roadblock or is convicted of reckless driving; Limitations on liability and expenses; Immunity from liability.

NRS 484B.577 Authority of police officers not limited by provisions relating to roadblocks.

NRS 484B.580 Failure to stop at roadblock; penalties.

CONTROLLED-ACCESS HIGHWAY

NRS 484B.587 Obedience to signs relating to controlled-access highway; restrictions on driving on controlled-access highway; additional penalty for violation committed in work zone.

NRS 484B.590 Heavy-vehicle lanes: Authority of Department of Transportation to erect advisory signs on controlled-access facilities.

NRS 484B.593 Restrictions on use of controlled-access highway; penalty.

RESTRICTIONS ON SPEED

NRS 484B.600 Basic rule; additional penalties for violation committed in work zone or if driver is proximate cause of collision with pedestrian or person riding bicycle.

NRS 484B.603 Duty of driver to decrease speed under certain circumstances; additional penalty for violation committed in work zone.

NRS 484B.607 Duties of driver when approaching authorized emergency vehicle which is stopped and using flashing lights or tow car which is stopped and using flashing amber warning lights; penalty.

NRS 484B.610 Speed limit in unincorporated town; additional penalty for violation committed in work zone.

NRS 484B.613 Speed limit: Establishment for vehicles on highways constructed and maintained by Department of Transportation; additional penalty for violation committed in work zone.

- NRS 484B.617** **Certain violations of speed limit in rural areas: Fines; Department not to record violation on driver's record; violation not deemed moving traffic violation.**
- NRS 484B.620** **Speed zones and signs.**
- NRS 484B.621** **Establishment of State Route 159 Safety Speed Zone; considerations when establishing maximum speed; adequate signage or other forms of notice required to be evaluated and installed to support maximum speed established.**
- NRS 484B.623** **Slow driving; establishment of minimum speed limit.**
- NRS 484B.627** **Duties of driver driving motor vehicle at speed so slow as to impede forward movement of traffic; prohibition against stopping vehicle on roadway so as to impede or block normal and reasonable movement of traffic; exception.**
- NRS 484B.630** **Circumstances in which driver of slow-moving vehicle has duty to turn off roadway; penalty.**
- NRS 484B.633** **Special limitations on speed.**
- NRS 484B.637** **"Low-speed vehicle" defined; highways upon which low-speed vehicles may be operated; exception.**

AGGRESSIVE DRIVING; RECKLESS DRIVING

VEHICULAR MANSLAUGHTER

- NRS 484B.650** **Acts constituting aggressive driving; penalties; additional penalty for violation committed in work zone.**
- NRS 484B.653** **Reckless driving and organization of unauthorized speed contests prohibited; penalties; court to suspend driver's license of certain offenders; additional penalties for violation committed in work zone or if driver is proximate cause of collision with pedestrian or person riding bicycle.**
- NRS 484B.657** **Vehicle manslaughter; penalty; additional penalty for violation committed in work zone.**

EMERGENCY VEHICLES AND PROCESSIONS

- NRS 484B.700** **Privileges granted to driver of authorized emergency vehicle, official vehicle of regulatory agency or vehicle escorting funeral procession; application of privileges; limitation of privileges.**
- NRS 484B.703** **Driving through funeral or other procession.**
- NRS 484B.707** **Driving in procession.**
- NRS 484B.710** **Following fire apparatus prohibited.**

ACTIONS AND DEVICES RELATED TO SAFETY

- NRS 484B.740** **Fusee: Limitation on color.**
- NRS 484B.743** **Reflective material required for person directing or controlling traffic near school.**
- NRS 484B.747** **Operator of tow car to place warning signs when rendering assistance to disabled vehicle on certain roadways.**
- NRS 484B.748** **Use of flashing amber warning lights on tow car at scene of traffic hazard.**
- NRS 484B.750** **Placement of red flares, red lanterns, warning lights or reflectors by tow car operator near warning signs when rendering assistance to disabled vehicle on highway in certain circumstances.**
- NRS 484B.753** **When operator of tow car authorized to tow vehicle with person inside. [Effective until the date on which the Secretary of the United States Department of Transportation, or his or her authorized representative, rescinds that portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles, unless the Secretary's decision to rescind is not based on the enactment or continued operation of section 1 of chapter 29, Statutes of Nevada 2009.]**
- NRS 484B.753** **When operator of tow car authorized to tow vehicle with person inside. [Effective on the date on which the Secretary of the United States Department of Transportation, or his or her authorized representative, rescinds that portion of the Federal Motor Vehicle**

Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the
installation of automatic restraints in new private passenger motor
vehicles, unless the Secretary's decision to rescind is not based on
the enactment or continued operation of section 1 of chapter 29,
Statutes of Nevada 2009.]

NRS 484B.757 Use of flashing amber warning lights by private patrol officer.

OPERATION OF BICYCLES

ELECTRIC BICYCLES AND VEHICLES FOR PLAY

NRS 484B.760 Penalty for violation of provisions; responsibility of parent of child or
guardian of ward; applicability of provisions to bicycles and electric
bicycles.

NRS 484B.763 Application of traffic laws to person riding bicycle or electric bicycle.

NRS 484B.767 Certain persons operating bicycle or electric bicycle while on duty
not required to comply with laws in certain circumstances.

NRS 484B.768 Required action of operator of bicycle or electric bicycle when
turning from direct course; when signal not required.

NRS 484B.769 Signals required to be given by operator of bicycle or electric
bicycle on roadway.

NRS 484B.770 Where bicycles or electric bicycles may be ridden; limitation on
number of persons carried on bicycle or electric bicycle.

NRS 484B.773 Attaching to vehicle upon roadway prohibited.

NRS 484B.777 Operating bicycle or electric bicycle on roadway.

NRS 484B.780 Carrying articles on bicycle or electric bicycle.

NRS 484B.783 Lamps, reflectors and brakes required on bicycles and electric
bicycles.

MISCELLANEOUS RULES

NRS 484B.900 Rental agency not liable for traffic violation by user of rented
vehicle.

NRS 484B.903 Putting glass or other injurious substance on highway prohibited.

NRS 484B.907 Violation of curfew by drivers who are 16 or 17 years of age;
exception for scheduled events; violation does not constitute
primary offense.

NRS 484B.910 Motor must be shut off when supply tank being filled with fuel.

NRS 484B.913 Crossing fire hose.

NRS 484B.917 Police officer to remove and destroy lights and sirens unlawfully
installed or operated.

NRS 484B.920 Permits required for certain parades and processions, sound trucks
and oversized or overweight vehicles or equipment; duties of
Department of Transportation; authority of cities and counties to
provide recommendations and notice; regulations; penalty.

CHAPTER 484C - DRIVING UNDER THE INFLUENCE

OF ALCOHOL OR A PROHIBITED SUBSTANCE

GENERAL PROVISIONS

NRS 484C.010 Definitions.

NRS 484C.020 "Concentration of alcohol of 0.08 or more in his or her blood or breath"
defined. [Effective until the date of the repeal of the federal law
requiring each state to make it unlawful for a person to operate a motor
vehicle with a blood alcohol concentration of 0.08 percent or greater as
a condition to receiving federal funding for the construction of
highways in this State.]

NRS 484C.020 "Concentration of alcohol of 0.10 or more in his or her blood or breath"
defined. [Effective on the date of the repeal of the federal law requiring
each state to make it unlawful for a person to operate a motor vehicle
with a blood alcohol concentration of 0.08 percent or greater as a
condition to receiving federal funding for the construction of highways
in this State.]

NRS 484C.030 "Concentration of alcohol of 0.18 or more in his or her blood or breath"
defined.

NRS 484C.040 “Concentration of alcohol of less than 0.18 in his or her blood or breath” defined.

NRS 484C.050 “Evaluation center” defined.

NRS 484C.060 “License to drive a motor vehicle” defined.

NRS 484C.070 “Nonresident's driving privilege” defined.

NRS 484C.080 “Prohibited substance” defined.

NRS 484C.090 “Revocation of driver's license” defined.

NRS 484C.100 “Treatment facility” defined.

NRS 484C.105 “Under the Influence” defined.

NRS 484C.109 Person deemed not to be in actual physical control of vehicle in certain circumstances.

PROHIBITED ACTS

NRS 484C.110 Unlawful acts; affirmative defense; additional penalty for violation committed in work zone. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.110 Unlawful acts; affirmative defense; additional penalty for violation committed in work zone. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.120 Unlawful acts relating to operation of commercial motor vehicle; affirmative defense; additional penalty for violation committed in work zone. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.120 Unlawful acts relating to operation of commercial motor vehicle; affirmative defense; additional penalty for violation committed in work zone. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.130 Vehicular homicide; affirmative defense. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.130 Vehicular homicide; affirmative defense. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

PRELIMINARY AND EVIDENTIARY TESTING OF DRIVERS AND OTHERS

NRS 484C.150 Implied consent to preliminary test of person's breath; effect of failure to submit to test; use of results of test.

NRS 484C.160 Implied consent to evidentiary test; exemption from blood test; choice of test; when blood test may be required; when other tests may be used; reasonable force authorized to obtain test in certain circumstances; notification of parent or guardian of minor directed to submit to test.

NRS 484C.170 Analysis of blood of deceased victim of accident involving motor vehicle to determine presence and concentration of alcohol.

NRS 484C.180 Arrested person to be given opportunity to choose qualified person to administer test; substitution of test prohibited.

NRS 484C.190 Presumption that solution or gas used to calibrate or verify calibration of device for testing breath is properly prepared.

NRS 484C.200 Requirements for evidentiary test of breath to determine concentration of alcohol in breath; use of reasonable force to obtain sample or conduct test.

- NRS 484C.210** **Revocation of license, permit or privilege to drive when test shows concentration of alcohol of 0.08 or more in blood or breath; periods of ineligibility to run consecutively. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]**
- NRS 484C.210** **Revocation of license, permit or privilege to drive when test shows concentration of alcohol of 0.10 or more in blood or breath; periods of ineligibility to run consecutively. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]**
- NRS 484C.220** **Seizure of license or permit; order of revocation; administrative and judicial review; temporary license; sufficiency of notice. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]**
- NRS 484C.220** **Seizure of license or permit; order of revocation; administrative and judicial review; temporary license; sufficiency of notice. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]**
- NRS 484C.230** **Hearing by Department; additional temporary license; judicial review; cancellation of temporary license. [Effective until the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08 percent or greater as a condition to receiving federal funding for the construction of highways in this State.]**
- NRS 484C.230** **Hearing by Department; additional temporary license; judicial review; cancellation of temporary license. [Effective on the date of the repeal of the federal law requiring each state to make it unlawful for a person to operate a motor vehicle with a blood alcohol concentration of 0.08**

percent or greater as a condition to receiving federal funding for the construction of highways in this State.]

NRS 484C.240 Admissibility of evidence of refusal to submit to evidentiary test; availability of results of test; admissibility of evidence from test.

NRS 484C.250 Admissibility of results of blood test in hearing or criminal action; immunity from liability for person administering blood test in certain circumstances.

**EVALUATION AND TREATMENT OF
OFFENDERS FOR ALCOHOL OR DRUG ABUSE**

NRS 484C.300 Evaluation of certain offenders before sentencing; persons qualified to conduct evaluation; results of evaluation to be forwarded to Director of Department of Corrections.

NRS 484C.310 Standards for approval of evaluation center.

NRS 484C.320 Application by first-time offender to undergo program of treatment; sentencing of offender and conditional suspension of sentence; notice to Department.

NRS 484C.330 Application by second-time offender to undergo program of treatment; sentencing of offender and conditional suspension of sentence; notice to Department.

NRS 484C.340 Application by third-time offender to undergo program of treatment; sentencing of offender and conditional suspension of proceedings; requirements to participate in program of treatment; certain previous convictions preclude offender from participating in program of treatment.

NRS 484C.350 Evaluation of first-time offender with a concentration of alcohol of 0.18 in his or her blood or breath and of second-time offenders required; required evaluation of first-time offender under 21 years of age; requirements of evaluation; out-of-state evaluation; offender to pay cost of evaluation.

NRS 484C.360 Placement of offender under clinical supervision of treatment facility; payment of charges for treatment; liability of facility limited.

NRS 484C.365 Placement of offender under clinical supervision of treatment provider
in another jurisdiction authorized.

NRS 484C.370 Evaluation or treatment by private company authorized.

PENALTIES

Criminal Penalties

NRS 484C.400 Penalties for first, second and third offenses; segregation of offender;
intermittent confinement; consecutive sentences; aggravating factor.

NRS 484C.410 Penalties when offender previously convicted of certain felonious
conduct or homicide; segregation of offender; intermittent
confinement; consecutive sentences; aggravating factor.

NRS 484C.420 Probation prohibited; suspension of sentence and plea bargaining
restricted; mandatory orders when person is nonresident.

NRS 484C.430 Penalty if death or substantial bodily harm results; exception;
segregation of offender; plea bargaining restricted; suspension of
sentence and probation prohibited; affirmative defense; aggravating
factor. [Effective until the date of the repeal of the federal law requiring
each state to make it unlawful for a person to operate a motor vehicle
with a blood alcohol concentration of 0.08 percent or greater as a
condition to receiving federal funding for the construction of highways
in this State.]

NRS 484C.430 Penalty if death or substantial bodily harm results; exception;
segregation of offender; plea bargaining restricted; suspension of
sentence and probation prohibited; affirmative defense; aggravating
factor. [Effective on the date of the repeal of the federal law requiring
each state to make it unlawful for a person to operate a motor vehicle
with a blood alcohol concentration of 0.08 percent or greater as a
condition to receiving federal funding for the construction of highways
in this State.]

NRS 484C.440 Penalties for vehicular homicide; segregation of offender; plea
bargaining restricted; suspension of sentence and probation
prohibited; aggravating factor.

**Device to Prevent Person Who
Has Consumed Alcohol From Starting Vehicle**

- NRS 484C.450** **"Device" defined.**
- NRS 484C.460** **When court is authorized or required to order installation of device; exceptions; installation and inspection.**
- NRS 484C.470** **Penalties for tampering with or driving without device; probation and suspension of sentence prohibited; plea bargaining restricted.**
- NRS 484C.480** **Regulations.**

Other Penalties

- NRS 484C.500** **Civil penalty; cancellation of reinstated license upon conviction for violation of NRS 484C.110 or 484C.120; notice.**
- NRS 484C.510** **Fee for chemical analysis.**
- NRS 484C.515** **Fee for specialty court programs. [Effective through June 30, 2015.]**
- NRS 484C.520** **Mandatory suspension of registration of each motor vehicle registered to person convicted of second or subsequent violation or convicted of vehicular homicide; duration of suspension; court to forward copy of order to Department; contents of order; limited exceptions.**
- NRS 484C.530** **Offender to attend meeting of panel of victims and provide proof of attendance to court.**

COMMITTEE ON TESTING FOR INTOXICATION

- NRS 484C.600** **Creation; appointment and qualifications of members; meetings; quorum; appeal from decision of Committee.**
- NRS 484C.610** **Certification of breath-testing devices; creation and maintenance of list of such devices; presumption of accuracy and reliability of device; other evidence of concentration of alcohol in breath not precluded.**
- NRS 484C.620** **Adoption of regulations to prescribe standards and procedures to calibrate breath-testing devices; issuance of certificates by Director of Department of Public Safety.**

NRS 484C.630 Adoption of regulations for certification of persons to operate device to test concentration in breath; judicial notice; presumption of proper operation; evidence of test performed by others not precluded.

NRS 484C.640 Adoption of regulations for calibration of devices to test blood or urine and certification of persons who calibrate or operate devices or who examine operators; adoption of regulations concerning operation of devices to test blood or urine.

**CHAPTER 484D - EQUIPMENT, INSPECTIONS
AND SIZE, WEIGHT AND LOAD OF VEHICLES
GENERAL PROVISIONS**

NRS 484D.010 Definitions.

NRS 484D.015 "Farm tractor" defined.

NRS 484D.020 "Implement of husbandry" defined.

NRS 484D.025 "Interstate highway" defined.

NRS 484D.030 "Mobile home" defined.

NRS 484D.035 "Recreational vehicle" defined.

NRS 484D.040 "Security agreement" defined.

NRS 484D.045 "Security interest" defined.

NRS 484D.050 "Tandem axle" defined.

NRS 484D.055 "Towable tools or equipment" defined.

**EQUIPMENT OF VEHICLES
LAMPS AND OTHER EQUIPMENT FOR LIGHTING**

NRS 484D.100 When lighted lamps are required.

NRS 484D.105 Distance of visibility and mounted height of lamps.

<u>NRS 484D.110</u>	<u>Headlamps on motor vehicles and special mobile equipment.</u>
<u>NRS 484D.115</u>	<u>Tail lamps.</u>
<u>NRS 484D.120</u>	<u>Reflectors.</u>
<u>NRS 484D.125</u>	<u>Stop lamps.</u>
<u>NRS 484D.130</u>	<u>Turn signals.</u>
<u>NRS 484D.135</u>	<u>Requirements for pole trailer.</u>
<u>NRS 484D.140</u>	<u>Additional equipment for lighting required on certain vehicles.</u>
<u>NRS 484D.145</u>	<u>Colors of certain lamps, lights and reflectors.</u>
<u>NRS 484D.150</u>	<u>Mounting of reflectors, clearance lamps and side marker lamps.</u>
<u>NRS 484D.155</u>	<u>Visibility requirements for reflectors, clearance lamps, identification lamps and marker lamps.</u>
<u>NRS 484D.160</u>	<u>Obstructed lights.</u>
<u>NRS 484D.165</u>	<u>Lamps on parked vehicle.</u>
<u>NRS 484D.170</u>	<u>Lamps and reflectors on farm tractors, farm equipment and implements of husbandry.</u>
<u>NRS 484D.175</u>	<u>Lamps and reflectors on other vehicles.</u>
<u>NRS 484D.180</u>	<u>Spot lamps, auxiliary lamps and lamps for fog.</u>
<u>NRS 484D.185</u>	<u>Flashing amber warning light: Limitations on operation and display; permit to mount on certain vehicles; fee.</u>
<u>NRS 484D.190</u>	<u>Display of flashing amber warning light and signs by certain vehicles used to sell food or beverage.</u>
<u>NRS 484D.195</u>	<u>Display of flashing amber warning light by vehicle of public utility.</u>
<u>NRS 484D.200</u>	<u>Use and display of blue tail lamps by certain vehicles of Department of Transportation; conditions.</u>
<u>NRS 484D.205</u>	<u>Additional equipment for lighting.</u>
<u>NRS 484D.210</u>	<u>Equipment for lighting road with multiple beams.</u>
<u>NRS 484D.215</u>	<u>Use of equipment for lighting road with multiple beams.</u>

NRS 484D.220 Number and intensity of lamps on front of vehicle.

PROHIBITED ACTS

NRS 484D.230 Vehicles in unsafe condition or lacking certain equipment prohibited
on highway; prohibited acts related to equipment.

BRAKES

NRS 484D.250 Equipment required.

NRS 484D.255 Requirements for performance.

NRS 484D.260 Maintenance.

NRS 484D.265 Equipment for towing vehicle.

NRS 484D.270 Arrangement of system; device for control.

NRS 484D.275 Reservoirs.

NRS 484D.280 Warning signals and devices for certain buses, trucks and truck-
tractors.

NRS 484D.285 Conditions upon use of compression brakes; penalty.

ODOMETERS

NRS 484D.300 Definitions.

NRS 484D.305 Unlawful devices.

NRS 484D.310 Unlawful change of mileage.

NRS 484D.315 Operation of, or causing or allowing to be operated, with intent to
defraud, motor vehicle that has disconnected, nonfunctional or
altered odometer.

NRS 484D.320 Conspiracy.

NRS 484D.325 Lawful service, repair or replacement; notice to be attached to
vehicle when odometer adjusted to read zero.

NRS 484D.330 Department to enforce provisions of federal law relating to
disclosure of odometer reading of motor vehicle and certain other
information.

NRS 484D.335 Criminal penalties.

NRS 484D.340 Civil penalties.

NRS 484D.345 Injunctive relief.

OTHER EQUIPMENT

NRS 484D.400 Horns and other warning devices.

NRS 484D.405 Unlawful to operate out-of-state or foreign privately owned motor
vehicle equipped with red light or siren; exception; penalty.

NRS 484D.410 Standards and regulations for noise emission; compliance.

NRS 484D.415 Mufflers: Prevention of emissions.

NRS 484D.420 Mudguards.

NRS 484D.425 Mirrors on trucks.

NRS 484D.430 Mirrors on all motor vehicles.

NRS 484D.435 Windshield and windows must be unobstructed.

NRS 484D.440 Restrictions on tinting of windshield or side or rear window.

NRS 484D.445 Windshield wipers.

NRS 484D.450 Safety glazing material in motor vehicles and campers.

NRS 484D.455 Replacement of glazing materials.

NRS 484D.460 Certain vehicles to carry pot torches, lanterns or reflectors; display
of devices when vehicle is disabled.

NRS 484D.465 Display of warning devices by vehicle of public utility parked at site
of work.

NRS 484D.470 Tow cars required to be equipped with broom, shovel and fire
extinguisher; duties of driver; failure to perform duties.

NRS 484D.475 Equipment for tow car: Flashing amber warning lamp; flares,
lanterns, lights or reflectors.

NRS 484D.480 Equipment for tow car: Rear and stop lamps; portable electric
extension cord.

<u>NRS 484D.485</u>	<u>Event recording device: Disclosure by manufacturer of new motor vehicle in owner's manual; downloading or retrieval of data; subscription services; penalty.</u>
<u>NRS 484D.490</u>	<u>Television-type receiving equipment.</u>
<u>NRS 484D.493</u>	<u>Dynamic Display: Management system required; exceptions.</u>
<u>NRS 484D.495</u>	<u>Safety belts and shoulder harness assembly; requirements for child and other passenger; penalty; exemptions. [Effective until the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987.]</u>
<u>NRS 484D.495</u>	<u>Safety belts and shoulder harness assembly. [Effective on the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987.]</u>
<u>NRS 484D.500</u>	<u>Use of safety belts within taxicabs.</u>
<u>NRS 484D.505</u>	<u>Pneumatic tires: Standards; sale or use of nonconforming tire prohibited.</u>
<u>NRS 484D.510</u>	<u>Use of certain cleated or studded tires prohibited; exceptions.</u>
<u>NRS 484D.515</u>	<u>Traction devices, tire chains or snow tires: Use required where highway marked or posted.</u>
<u>NRS 484D.520</u>	<u>Traction devices, tire chains or snow tires: Requirements under certain circumstances.</u>
<u>NRS 484D.525</u>	<u>Installation and mounting of traction devices, tire chains or snow tires.</u>
<u>NRS 484D.530</u>	<u>Mechanical device to provide traction.</u>
<u>NRS 484D.535</u>	<u>Device for control of pollution: Use required; disconnection or alteration prohibited; exceptions.</u>

NRS 484D.540 Device for control of pollution: Penalty; proof of conformity may be required.

NRS 484D.545 Emblem for slow-moving vehicle displayed on certain vehicles; standards.

INSPECTION OF VEHICLES

NRS 484D.560 Inspection by peace officer or inspector; citation or notice of violation; centers for inspection; standards for tires and brakes.

NRS 484D.570 Operation of vehicle without required equipment or in unsafe condition prohibited; exceptions.

NRS 484D.580 Penalty for failure or refusal to stop and submit to inspection or test.

SIZE, WEIGHT AND LOAD

GENERAL RESTRICTIONS AND EXEMPTIONS; PERMITS

NRS 484D.600 Prohibited acts concerning size or weight of vehicle; special permit; emergencies; exceptions.

NRS 484D.605 Height of vehicle: Maximum heights with load; exception; unlawful acts.

NRS 484D.610 Height of vehicle: Maximum ground clearance; exceptions.

NRS 484D.615 Length of vehicle: Restrictions; special permit; exceptions.

NRS 484D.620 Length of vehicle: Penalty.

NRS 484D.625 Authorized movement of vehicle on public highway in excess of limits on size and weight; permit; fee.

NRS 484D.630 Operation of motor vehicle exceeding its declared gross weight unlawful.

NRS 484D.635 Maximum weight of vehicle on any axle or per tire.

NRS 484D.640 Limitations on weight for vehicle used by licensed hauler of garbage and refuse.

NRS 484D.645 Limitations on weight for vehicle used by regional transportation commission or its contractor to provide public mass transportation;

	<u>exception for certain vehicles used as part of demonstration project; definitions.</u>
NRS 484D.650	<u>Measurement of distance between axles.</u>
NRS 484D.655	<u>Factors to be considered by Department of Transportation before reduction of maximum weight limits.</u>
NRS 484D.660	<u>Applicability of limits on weight to federal highways; reduction of limits by Department of Transportation or governing body of city or county.</u>
NRS 484D.665	<u>Certain larger vehicles prohibited from traveling on State Route 159; duty of Department of Transportation to erect certain markers; exceptions.</u>
NRS 484D.670	<u>Exemption for traction engine and tractor; circular metal band required.</u>
NRS 484D.675	<u>Enforcement by law enforcement agencies; weighing; requiring removal of excess load; penalty.</u>
NRS 484D.680	<u>Fines for violations of limits on weight.</u>
NRS 484D.685	<u>Maximum width of vehicle; permit for increased size or weight.</u>
NRS 484D.690	<u>Maximum width of bus.</u>
NRS 484D.695	<u>Maximum width of recreational vehicle.</u>
NRS 484D.700	<u>Maximum width of trailer, semitrailer, special mobile equipment or equipment for construction or maintenance of highway.</u>
NRS 484D.705	<u>Width of load of loosely piled agricultural products; restrictions for implement of husbandry moved over highway.</u>
NRS 484D.710	<u>Applicability of limits on width to federal highways.</u>
NRS 484D.715	<u>Permit for movement of oversized manufactured or mobile home or similar structure: Requirements; conditions; regulations.</u>
NRS 484D.720	<u>Permit for movement of oversized manufactured or mobile home or similar structure: Additional requirements and conditions; designation of highways; regulations.</u>
NRS 484D.725	<u>Permit to operate or move vehicles with oversized loads.</u>

NRS 484D.730 Contents of application for permit.

NRS 484D.735 Continuous and multiple trip-limited time permits: Maximum weight
per axle; fee for investigation; revocation; new application;
Department of Transportation to consider recommendation of city
or county.

NRS 484D.740 Carrying and inspection of permit.

UNLAWFUL ACTS; PENALTIES

NRS 484D.745 Penalties for operation of oversized or overweight vehicle without
permit or in violation of permit.

NRS 484D.800 Regional advisory committee: Creation; matters subject to
recommendation; membership; terms of members; vacancies;
members serve without compensation.

NRS 484D.810 Duties of regional advisory committee; duties of Department of
Transportation.

MISCELLANEOUS PROVISIONS

NRS 484D.850 Load on vehicle.

NRS 484D.855 Regulations: Loading and securing loads; safety chains and cables
for combinations of vehicles.

NRS 484D.860 Display of red lights or flag on load.

CHAPTER 484E - ACCIDENTS AND REPORTS OF ACCIDENTS

NRS 484E.010 Duty to stop at scene of accident involving death or personal injury;
penalty.

NRS 484E.020 Duty to stop at scene of accident involving damage to vehicle or
property.

NRS 484E.030 Duty to give information and render aid.

NRS 484E.040 Duty upon damaging unattended vehicle or other property.

NRS 484E.050 Immediate notice to police officer of accident involving unattended
vehicle or other property.

<u>NRS 484E.060</u>	<u>Seizure and impoundment of vehicle for failure to surrender license plates and certificate of registration upon suspension of registration.</u>
<u>NRS 484E.070</u>	<u>Written report of accident to Department by driver or owner; exceptions; confidentiality; use as evidence at trial.</u>
<u>NRS 484E.080</u>	<u>Failure to report; false report; penalties.</u>
<u>NRS 484E.090</u>	<u>State Registrar of Vital Statistics to report death to Department.</u>
<u>NRS 484E.100</u>	<u>Garage or repair shop to maintain record of repairs made to vehicle involved in accident.</u>
<u>NRS 484E.110</u>	<u>Police to report to Department; report not confidential.</u>
<u>NRS 484E.120</u>	<u>Forms for report of accident.</u>
<u>NRS 484E.130</u>	<u>Department to tabulate and analyze reports.</u>

SECTION 3: All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed, but only to the extent of such conflict. In the event any of the State laws hereafter amends any of the codes adopted herein by reference and such amendment may be made applicable to the traffic laws of the City, such amendments are adopted by the City to the extent permissible by law. If amendments are made by the State and the foregoing is not sufficient to establish the City Code is thereby so amended, the City Council may adopt such amendments as deemed desirable by resolution.

SECTION 4: If any section, clause or provision of this ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any Court of competent jurisdiction, the invalidity, unenforceability or unconstitutionality of such section, paragraph, clause or provision shall not affect any remaining provisions of this ordinance.

SECTION 5: This ordinance having been posted in two (2) conspicuous places for a period of at least ten (10) days prior to the adoption of the ordinance, and having been read by title on _____, 2018, and having been voted on and adopted on _____, 2018, became in full force and effect one week after its posting following adoption.

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DATED at Elko, Nevada this ____ day of _____, 2018.

CITY OF ELKO

By: _____

CHRIS JOHNSON, MAYOR

ATTEST:

SHANELL OWEN, City Clerk

