



BOARD OF COUNTY COMMISSIONERS
LYON COUNTY NEVADA
27 South Main Street
Yerington, Nevada 89447
Phone: (775)463-6531 **Fax:** (775)463-6533

Bob Hastings, District 1
Don Alt, District 2
Ken Gray, District 3
Joe Mortensen, District 4
Greg Hunewill, District 5

Jeffery A. Page
County Manager

COUNTY MANAGER REPORT

RE: **CODE ENFORCEMENT**

PREPARED FOR: Board of County Commissioners
Lyon County Citizen Advisory Boards
Lyon County Community Development
Lyon County District Attorney's Office
Lyon County Human Services
Lyon County Public Health Officer
Lyon County Sheriff's Office
Central Lyon County Fire Protection District
Mason Valley Fire Protection District
North Lyon County Fire Protection District
Smith Valley Fire Protection District

PREPARED BY: Jeffery A. Page, County Manager

DATE: July 24, 2017

PROBLEM STATEMENT

The term code enforcement has a variety of meanings. A simple definition is the enforcement of County Code in its entirety. Lyon County has generally defined this as enforcement of Lyon County Code 6.01 Public Nuisance.

LCC 6.01 has not been revised since July of 2007. The Sheriff has opined that the content of the code is confusing and difficult to understand. The public view of the code is that anything is open to be a public nuisance.

The challenge thus far has been that there has been no clear goal as to what the County desires from code enforcement.

The three major sources of public nuisance complaints are:

- Rubbish complaints
- Weed complaints

- Abandoned/dangerous structures
- Existing code addresses these issues fairly well but Lyon County still has significant complaints generated about these nuisances.

There are a number of factors that contribute to these nuisances

- Poverty level
- Bedroom community to Carson, Washoe, Storey and Churchill Counties
- Population per square mile
- Increased aging population
- Increased special needs population
- Reliance on government to fix the problem

<i>County</i>	<i>Individuals Below Poverty Level</i>	<i>Free & Reduced Lunch Level</i>
Lyon	16.5%	56.35%
Douglas	10.6%	33.56%
Carson	16.8%	51.21%
Storey	7.5%	46.94%
Churchill	15.9%	51.65%
Mineral	20.2%	54.86%

2017 Health Rankings

<i>County</i>	<i>Health Outcomes</i>	<i>Health Factors</i>	<i>Length of Life</i>	<i>Quality of Life</i>	<i>Health Behaviors</i>	<i>Clinical Care</i>	<i>Social & Economic Factors</i>	<i>Physical Environment</i>
Lyon	14/17	15/17	13/17	14/17	14/17	8/17	15/17	15/17
Douglas	3/17	1/17	2/17	1/17	1/17	1/17	2/17	14/17
Carson	12/17	10/17	12/17	13/17	3/17	3/17	13/17	10/17
Storey	11/17	5/17	9/17	11/17	2/17	5/17	8/17	13/17
Churchill	10/17	11/17	7/17	10/17	10/17	11/17	11/17	11/17
Mineral	17/17	17/17	12/17	13/17	16/17	16/17	17/17	4/17

These factors indicate that Lyon County is a poor county fiscally and health wise. Lyon County receives the least amount of revenue per capita than any of the other six class three counties. These factors provide a challenge to addressing the non-mandated function of code enforcement.

The question is how does Lyon County address the public nuisance issue in the future?

BACKGROUND

Lyon County had a robust public nuisance program in the early 2000's. The great recession brought Lyon County to its knees and all non-mandated services were eliminated or greatly reduced.

The last revisions to Lyon County Code 6.01 (Public Nuisance) were done in July of 2007. Elimination of the Code Enforcement Office and clerical support to the Courts and District Attorney's Office turned code enforcement into a paper tiger. Lyon County was able to document an 80-85% compliance rate under that process but the worst of the worst were not being fixed.

Two years ago the Board of Commissioners directed the County Manager to clean up a parcel in Stagecoach. Lyon County expended \$15,000.00 for a property valued at \$3,000.00.

November 2015 the Board of Commissioners approved Administrative Policy and Procedure 1-9 to address the process for administering LCC 6.01. That approval brought several citizen groups to take on the issue thus resulting in an increase of complaints with minimal improvement in compliance.

2017 County staff met with a number of stakeholders to address the issue. Sheriff McNeil opined that the existing code is cumbersome and too vague to enforce criminally.

PROPOSED SOLUTIONS

1. Identify the top complaints and address those with specific ordinances. Churchill County addressed this with a rubbish ordinance in addition to their broad code enforcement ordinance. The City of Yerington went a step further and addressed weeds as a separate issue. (See attached proposed ordinances)
2. Broaden the scope of issuing misdemeanor citations for offenses to include the Fire Districts, Community Development staff as well as the Sheriff's Office.
3. Establish a Multi-discipline Team to evaluate and address these complaints on regular basis. This will assist in identifying the frequent violators and provide staff the ability to assist and address the needs of the elderly and special needs population.
4. Mandate residential garbage pickup throughout unincorporated Lyon County.
5. Negotiate with Waste Management/D&S Waste for quarterly free dump days.

6. Implement a Code Enforcement position within the Community Development Department as soon as fiscally possible. This will eventually require additional staffing for the Dayton and Walker River Justice Courts as well as the District Attorney's Office.
7. Develop and implement a public affairs campaign to inform and educate the public on the problem and how they can help to fix the problem.
8. Coordinate with not-for-profits and civic organizations to host and manage community clean up days.
9. Clean up our own property. Lyon County owns a number of parcels that need to be cleaned. (Sheep Camp, Cemeteries [weed issues], browned out parks, etc)

CONCLUSION

2011 I proposed massive changes to LCC 6.01. Those changes were met with huge resistance. 2017 we are still addressing the tax payer's complaints with no real solution.

Numerous studies have shown the clean communities improve the community fiscal as well as physical health. Lyon County can't repair decades of neglect overnight but we can make forward progress.

I have attached White Pine County's newly enacted ordinance as well as two ordinances addressing rubbish and weeds as discussed earlier.

I will be send an invite for another stakeholders meeting on this issue later this issue. Thank you for your time and please contact me with any questions.