

APN:

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Requested By: CARSON CITY CLERK
TO THE BOARD

Carson City - NV

William "Scott" Hoen Clerk-Recorder

Pg 1 of 6 Fee: \$0.00

Recorded By:CM

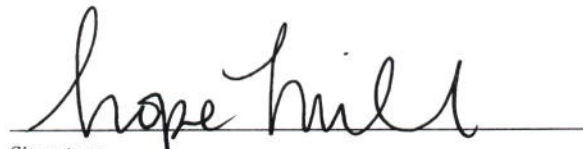
FOR RECORDER'S USE ONLY

RESOLUTION NO. 2023-R-4

Resolution waiving certain fees for homeowners that timely connect to a new sewer main extension in designated areas within southeast Carson City due to groundwater contamination

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain personal information of any person or persons.
(NRS 239B.030)

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain personal information of a person or persons as required by law. State specific law: _____


Signature

Hope Mills- Chief Deputy Clerk
Print Name & Title

WHEN RECORDED MAIL TO:

Carson City
885 E. Musser Street, suite 1032
Carson City, NV 89701

RESOLUTION NO.: 2023-R-4

A RESOLUTION WAIVING CERTAIN FEES FOR HOMEOWNERS THAT TIMELY CONNECT TO A NEW SEWER MAIN EXTENSION IN DESIGNATED AREAS WITHIN SOUTHEAST CARSON CITY DUE TO GROUNDWATER CONTAMINATION, REQUIRING RECORDED NOTICE OF AVAILABLE SEWER CONNECTION AND ESTABLISHING A MAXIMUM PERIOD OF TIME FOR CONNECTION.

WHEREAS, CCMC 12.03.030 provides that the Board of Supervisors ("Board") may, by resolution, establish the conditions to waive sewer connection fees in certain geographical areas for the good of the public health; and

WHEREAS, Carson City Resolution No. 1995-R-31 established one such area, then described as bounded by parcels adjacent to the south side of Clear Creek and Snyder Avenues to the south, eastside of Highway 395 to the west, south of Kingsley Lane to the north, and BLM property east of Gentry Lane (hereinafter "Southeast Carson City"); and

WHEREAS, Carson City Resolution No. 1995-R-31 also found that, according to studies by Carson City and State Agencies, Southeast Carson City was a threat to public health due to groundwater contamination resulting from the concentration of septic systems in that area and authorized a waiver of sewer connection fees for certain property owners connecting to municipal sewer within 24 months of such service becoming available; and

WHEREAS, Carson City Resolution No. 2004-R-36 similarly waived sewer connection fees for certain property owners in Southeast Carson City connecting to municipal sewer within 24 months of such service becoming available; and

WHEREAS, Carson City constructed municipal sewer main extensions in conjunction with Carson City Resolution Nos. 1995-R-31 and 2004-R-36, and developed a twelve-phase mitigation program to extend municipal sewer throughout Southeast Carson City; and

WHEREAS, a phasing plan map for municipal sewer main extensions in Southeast Carson City is attached to this Resolution as Exhibit A; and

WHEREAS, Carson City has already completed nine of the twelve phases planned for municipal sewer main extensions in Southeast Carson City; and

WHEREAS, studies completed by Carson City and Farr West Engineering continue to show groundwater contamination in Southeast Carson City in the form of elevated nitrate accumulation from the concentration of septic systems in that area; and

WHEREAS, that increased nitrate accumulation has resulted in the contamination of groundwater according to standards established by the Safe Drinking Water Act; and

WHEREAS, phases 9, 10, and 12 of the municipal sewer main extensions for

Southeast Carson City ("Project Area") shown in Exhibit A are not yet complete; and

WHEREAS, Carson City intends to commence construction work to extend municipal sewer main within the Project Area ("Project") soon; and

WHEREAS, NAC 444.784(5), CCMC 12.05.015, and CCMC 12.05.020 establish that septic permits are deemed temporary and, in the interest of public health, are invalidated once a municipal sewer main is extended and immediately adjacent to the septic permittee's property; and

WHEREAS, in addition, a homeowner's failure or refusal to connect to the City's sewer system after a sewer main extension is constructed could cause the homeowner and the City to be in violation of State and Federal environmental regulations, constitutes a violation of the Carson City Municipal Code, and results in continued groundwater contamination; and

WHEREAS, at present, property owners connecting to Carson City's sewer system must pay a connection fee based on the Sewer Equivalent Residential Customer ("SERC") value, a permit fee and a lateral inspection fee, and these fees can collectively represent a significant expense that some property owners are unable or unwilling to pay, which impedes the City's ability to address groundwater contamination; and

WHEREAS, portions of the Project Area (namely, within phases 9 and 10, the properties immediately adjacent to: Gentry Lane, between Snyder Avenue and Clearview Drive; Heidi Circle; and Ethel Way) are topographically constrained such that connecting to any newly-extended municipal sewer main will likely be more difficult, as compared to previously completed phases; and

WHEREAS, incentivizing homeowners in Southeast Carson City to abandon their septic systems and connect to the City's sewer system is necessary to remediate nitrate contamination of the City's groundwater, which is a resource relied upon by all residents of Carson City.

NOW, THEREFORE, the Board hereby resolves that:

(1) It is in the best interests of Carson City to continue addressing nitrate contamination in the Project Area through the Project, and by incentivizing property owners to timely abandon their septic systems and connect to Carson City's sewer system.

(2) The Carson City Public Works Department will dispatch a notice to each property owner in the Project Area when municipal sewer service becomes available for each owner's property ("Notice of Availability").

(3) For any property owner in the Project Area that connects to Carson City's sewer system within 48 months from dispatch of the Notice to Availability ("Incentive Period"), the Carson City Public Works Director is authorized by this Resolution, along with CCMC 12.03.030(3), to waive the following fees and costs:

(a) A maximum of one SERC value per parcel applied against the sewer connection fee imposed by CCMC 12.03.030(1), with SERC value established at the time of connection; and

(b) Any Carson City-imposed permit fees or inspections fees that are typically imposed on property owners constructing a sewer lateral on their property to connect to Carson City's sewer system.

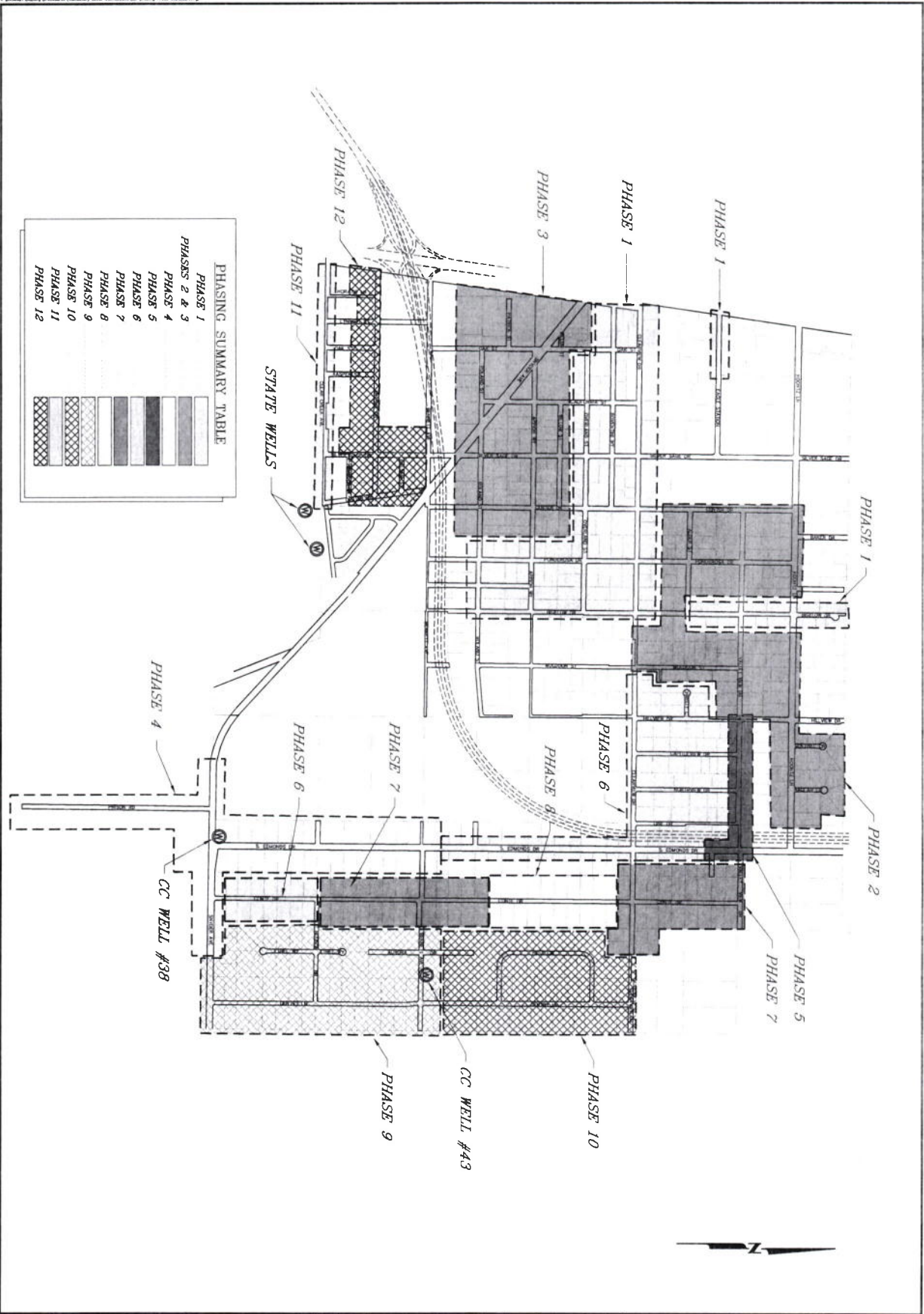
(4) This Resolution is not intended, and shall not be construed, to give property owners in the Project Area a minimum of 48 months to abandon septic systems and connect to municipal sewer service. This Resolution establishes that Carson City will provide the financial incentives described above to property owners connecting within the Incentive Period. However, property owners may be required to connect to Carson City's municipal sewer system before the end of the Incentive Period. Irrespective of any connection incentives offered by Carson City, and consistent with CCMC 12.05.020 and 12.05.027, property owners in the Project Area are required to abandon septic systems and connect to the municipal sewer system once that service is available.

(5) Unless CCMC 12.05.020(2)(a) applies, after dispatch of the Notice of Availability for a parcel in the Project Area, no Carson City Office or Department will have authority to issue, authorize, amend, supplement or otherwise modify any permit for the use, repair, upgrade, replacement, alteration, relocation, extension, expansion or other modification of a septic system on that parcel.

(6) After a minimum of ninety days have elapsed from dispatch of the Notice of Availability, the City's Public Works Department, in consultation with the Carson City District Attorney's Office, shall record a notice with the Carson City Clerk-Recorder's Office on each parcel that, at a minimum, references this Resolution and establishes the date of dispatch for the parcel's Notice of Availability. Upon proper abandonment of a septic system and connection to the municipal sewer system, the City's Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been made. Additionally, upon request from parcel owners that have secured an exception under CCMC 12.05.020(2)(a), the City's Public Works Department shall record another notice on the parcel indicating that the mandatory sewer connection has been excused for the time being under CCMC 12.05.020(2)(a).

(7) Unless Carson City or some other State or Federal regulator requires connection sooner, and subject to CCMC 12.05.020(2)(a), it is in the best interests of Carson City to compel property owners to connect to the municipal sewer system by any lawful means no later than 48 months after the Notice of Availability is dispatched.

(8) For any parcel owner in the Project Area that secures an exemption under CCMC 12.05.020(2)(a), if the Incentive Period has concluded and that exemption is invalidated or revoked for any reason, then that parcel owner shall have a renewed Incentive Period of 24 months from the date the parcel owner receives notice the CCMC 12.05.020(2)(a) exemption is no longer valid. Unless Carson City or some other State or Federal regulator requires connection sooner, it is in the best interests of Carson City to compel property owners to connect to the municipal sewer system by any lawful means no later than 24 months after the parcel owner receives notice the CCMC 12.05.020(2)(a) exemption is no longer valid.



PHASING SUMMARY TABLE

[Hatched Pattern]	PHASE 1
[Hatched Pattern]	PHASES 2 & 3
[Hatched Pattern]	PHASE 4
[Hatched Pattern]	PHASE 5
[Hatched Pattern]	PHASE 6
[Hatched Pattern]	PHASE 7
[Hatched Pattern]	PHASE 8
[Hatched Pattern]	PHASE 9
[Hatched Pattern]	PHASE 10
[Hatched Pattern]	PHASE 11
[Hatched Pattern]	PHASE 12

EXHIBIT 1 OF *	S.E. CARSON SEWER EXTENSION PHASING PLAN SEPTEMBER 2021	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP'D</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	REV	DATE	DESCRIPTION	BY	APP'D																CARSON CITY PUBLIC WORKS DEPARTMENT 3505 BUTTE WAY CARSON CITY, NEVADA 89701 PH: 775-887-2355 FAX: 775-887-2112	DESIGNED BY: DSA DRAWN BY: DGR CHECKED BY: DSA DWG NO. 12786 12722 05 SCALE (HORZ): N.T.S. SCALE (VERT): N.T.S. PLOT DATE: 1/20/10
REV	DATE	DESCRIPTION	BY	APP'D																				



CARSON CITY CLERK-RECORDER

WILLIAM "SCOTT" HOEN

Clerk-Recorder

Carson City

885 E. Musser St, Carson City, NV 89701

RECORDER: (775) 887-2260 | CLERK: (775) 887-2087

www.carson.org

Transaction # 1034301	Attention:	Source: Over the Counter
Receipt # 43752	Name: CARSON CITY CLERK TO THE BOARD	Returned: Over the Counter
Cashier Date: 03/22/2023	Address:	
Cashier: CJMACIAS		

RESOLUTION/ORDINANCE

Document Number: 538778

PAYMENT:	AMOUNT:	\$0.00
Total Payments:	Total Fees:	Check Overage:
\$ 0.00	\$ 0.00	\$ 0.00

Notes: