



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS  
MONDAY, MARCH 16, 2026**

**9:00 AM**

**LYON COUNTY ADMINISTRATIVE COMPLEX  
27 S. MAIN STREET, YERINGTON, NV 89447**

Special Meeting  
Code Enforcement Workshop

Join Zoom Meeting:

<https://us02web.zoom.us/j/83368686463?pwd=ZlVGaWFOT3pGUjJPWWV0VmZRQ0N5dz09>

Meeting ID: 833 6868 6463 / Passcode: 896135

Mobile: 1-253-215-8782 / 1-346-248-7799

County Commission meetings are open to the public and may be attended in person or via virtual Zoom, if available. Virtual public comment may be given if you are attending the virtual Zoom meeting by raising your hand. This can occur in several ways, including by dialing \*9 from your phone to raise your hand and request to speak for public comment. Then to unmute yourself, dial \*6.

Written public comments may be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, or emailed to [countyclerks@lyon-county.org](mailto:countyclerks@lyon-county.org), be sure to type, PUBLIC COMMENT in the subject line. Comments must be received the day prior to the date of the meeting by 4:00 P.M. for the comments to be included in the meeting. Any written public comments received after the aforementioned time will be compiled and added as supplemental materials to the County's website and distributed to the Board of Commissioners within 24 hours after the meeting.

**BOARD OF COMMISSIONERS SPECIAL MEETING** - *All or some Board of Commission Members may elect to call-in to this meeting. The public can access this meeting at the above address.*

**1. Roll Call**

**2. Pledge of Allegiance**

**3. Public Participation (no action will be taken on any item until it is properly agendized)** - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

**4. For Possible Action: Review and adoption of agenda**

**5. Workshop**

5.a For Discussion and Possible Action: A Workshop of the Lyon County Board of Commissioners to review and discuss the current draft of the Code Enforcement Ordinance. This workshop is intended to focus on the draft Code Enforcement Ordinance and is not for the review of active or abated code enforcement cases.

- [Code Enforcement Ordinance DRAFT](#)

5.b For Discussion and Possible Action: A Workshop of the Lyon County Board of Commissioners to receive a presentation and discuss the existing Lyon County building permit application, review, and issuance process, and to consider potential Board-level policy direction intended to improve efficiency and support County staff and the building community in the permitting process. This workshop is intended to focus on building department procedures and is not for the review of individual permit applications.

## 8. Commissioner Comments

**9. Public Participation (no action will be taken on any item until it is properly agendized)** - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

## 10. Adjourn

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Pursuant to NRS 241.020, the agenda has been posted at the following locations: Lyon County Administrative Complex (27 S. Main Street, Yerington, NV), the Lyon County Website: <https://www.lyon-county.org>, and the State Website: <https://notice.nv.gov>. Supporting documentation for the items on the agenda is available to members of the public at the County Manager's Office (27 S. Main Street, Yerington, NV), by phone (775)463-6531, or by email requests to [countyclerks@lyon-county.org](mailto:countyclerks@lyon-county.org).

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**T.D.D. services available through 463-2301 or 463-6620 or 911 (emergency services) notice to persons with disabilities: members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners'/Manager's office in writing at 27 S. Main Street, Yerington, NV 89447, or by calling (775) 463-6531 at least 24 hours in advance.**

**Lyon County is an equal opportunity provider.**

**Agenda and Backup Material is  
Available at [www.lyon-county.org](http://www.lyon-county.org)**

# **Lyon County Board of County Commissioners Agenda Summary**

Meeting Date: March 16, 2026

**Agenda Item Number:**

5.a

**Subject:**

For Discussion and Possible Action: A Workshop of the Lyon County Board of Commissioners to review and discuss the current draft of the Code Enforcement Ordinance. This workshop is intended to focus on the draft Code Enforcement Ordinance and is not for the review of active or abated code enforcement cases.

**Summary:**

**Financial Department Comments:**

**Approved As To Legal Form:**

**County Manager Comments:**

**Recommendation:**

ATTACHMENTS

- [Code Enforcement Ordinance DRAFT](#)

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ORDINANCE NO. \_\_\_\_\_

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**SUMMARY:** AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 6, CHAPTER 1, SECTIONS 1 THROUGH 11 AND CREATING SECTIONS 12 THROUGH 28, THEREBY ADOPTING THE NUISANCE ORDINANCE OF LYON COUNTY, EFFECTIVE APRIL 1, 2026.

**TITLE:** AN ORDINANCE AMENDING LYON COUNTY CODE TITLE 6, CHAPTER 1, SECTIONS 1 THROUGH 11 AND CREATING SECTIONS 12 THROUGH 28, THEREBY ADOPTING THE NUISANCE ORDINANCE OF LYON COUNTY, EFFECTIVE APRIL 1, 2026.

Explanation: Matters underlined and in blue are new or added language; matters ~~struck out and in red~~ are deletions or removed language.

THE BOARD OF COUNTY COMMISIONERS OF LYON COUNTY, NEVADA DOES HEREBY ORDAIN:

**Section 1.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 1 is hereby amended as follows:

CHAPTER 1  
PUBLIC NUISANCES

6.01.01: ~~GENERAL PROVISIONS:~~ TITLE:

~~Each and all of the several acts and things prohibited and made unlawful by this chapter are hereby deemed and declared to be nuisances within Lyon County. (Ord. 511, 7-5-2007)~~

A. This chapter shall be known as the "Nuisance Ordinance of Lyon County," and may be cited as such.

**Section 2.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 2 is hereby amended as follows:

6.01.02: ~~NUISANCES ENUMERATED:~~ PURPOSE AND SCOPE:

~~Unsafe and unsanitary structures, accumulation, maintenance and existence of refuse are declared to be public nuisances.~~

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~~1 —A. Any building or structure which is unfit for use or habitation, or which is unsafe or  
2 unsanitary, or a fire menace, or a danger to life or health, is hereby declared to be a public  
3 nuisance.~~

4 A. It is determined and declared as follows:

5 1. The maintenance of property, buildings, lodging, structures and premises, shall be  
6 mandated within the provisions of Lyon County Code ("Code") in order to protect the  
7 health, safety and general welfare of the public.

8 a. A violation of the Nuisance Ordinance of Lyon County is subject to penalties  
9 and fines per Lyon County Code and Nevada State Law.

10 2. Providing Enforcement provisions within the Lyon County Code throughout the  
11 county is an important public service to protect the public's health, safety and  
12 welfare. Lyon County finds that a comprehensive Code enforcement system requires  
13 a variety of remedies for the effective enforcement of violations of the Code. The  
14 procedures established in this chapter shall be in addition to any civil or any other  
15 legal remedy established by law which may be pursued to address violations related  
16 to nuisances within Lyon County.

17 ~~—B. Any person who shall maintain or use, or who shall permit to remain upon any premises  
18 owned or occupied by him in the county, any building or structure which is unfit for use or  
19 habitation, or which is unsafe, or unsanitary, or a fire menace, or a danger to life or health, shall  
20 be deemed guilty of maintaining a nuisance.~~

21 ~~—C. The accumulation, maintenance, and existence of, including, but not limited to: weeds;  
22 grasses; brush; leaves; thistles; debris; refuse; rubbish; glass or metal containers; trash; filth;  
23 garbage, whether animal or vegetable; offal; rags; cesspools; scrapped or abandoned materials  
24 of all kinds, including bricks, cement, concrete, glass, plaster, wood and wood shavings, rubber,  
25 paper or wire; dismantled, abandoned or temporarily inoperative motors, machinery,  
26 equipment, automobiles, vehicles, trailers and the parts, materials or cast off articles therefrom  
27 upon any yard, lot, parcel or premises within view of any place of residence including, but not  
28 limited to, any neighboring residence, public road, street or thoroughfare and exposed to open  
29 view from such residence, public road, street, alley or thoroughfare is unlawful and hereby  
30 declared to be a public nuisance.~~

31 ~~—D. Any violation of chapter 487.290 of the Nevada Revised Statutes is declared to be a public  
32 nuisance.~~

33 ~~—E. Any land use violation as defined in title 10 of this code is declared to be a public nuisance.  
34 (Ord. 511, 7-5-2007)~~

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1 **Section 3.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 3 is hereby  
2 amended as follows:

3 6.01.03: ~~DETERMINATION OF PUBLIC NUISANCE:~~ DEFINITIONS:

4 ~~The office of the district attorney, code enforcement officer or any other officer designated by~~  
5 ~~the board of county commissioners is hereby authorized and empowered to determine the~~  
6 ~~existence of a public nuisance as declared in section 6.01.02 of this chapter. The above~~  
7 ~~referenced officers are concurrently authorized and empowered to prepare, sign and serve~~  
8 ~~criminal misdemeanor citations for public nuisance violations in addition to any penalty~~  
9 ~~proscribed in section 6.01.11 of this chapter. (Ord. 511, 7-5-2007)~~

10 A. The following definitions will be used in this chapter unless the context otherwise requires:

- 11 1. "Abandoned structure" means any structure:
  - 12 a. That has been vacant for a period in excess of six (6) months and is not for sale or  
13 lease; or
  - 14 b. That has been vacant for any period of time creating an attractive nuisance, a  
15 health hazard, an imminent or existing danger or hazard.
- 16 2. "Abandoned vehicle" means any vehicle:
  - 17 a. That has been left unattended and dangerously close to a travel lane on a county  
18 street, highway or road so as to possibly impede traffic; or
  - 19 b. Which has not been moved or used for more than seven (7) consecutive days and  
20 reasonably appears to have been deserted. (Reference NRS 487.210)
- 21 3. "Business Day" mean each day the county is open to conduct business excluding  
22 Saturdays, Sundays, and holidays designated as legal holidays for the State of Nevada  
23 pursuant to NRS 236.015.
- 24 4. "County" means Lyon County, Nevada.
- 25 5. "Civil Infraction" means a non-criminal violation of any provision of this code that is  
26 specifically stated by Nevada Revised Statutes or this Code that it not punishable as a  
27 misdemeanor. Unless a different penalty is expressly provided by this code or a different  
28 penalty is provided for a particular offense in the Nevada Revised Statutes, the monetary  
29 penalty for a civil infraction is a civil penalty of not more than five hundred dollars  
30 (\$500.00) per offense. (Ord. 321, 9-1-88; amd. Ord. 633, 1-3-23)
- 31 6. "Code" means the Lyon County Code.
- 32 7. "Dangerous structure or condition" means a structure or condition that may cause injury  
33 to or endanger the health, life, property or safety of the general public or the occupants,  
34 if any, of the real property on which the structure or condition is located. The term  
35 includes, without limitation, a structure or condition that:
  - 36 a. Does not meet the requirements of a code or regulation adopted pursuant to NRS  
37 244.3675 with respect to minimum levels of health or safety; or
  - 38 b. Violates an ordinance, adopted building codes, rule or regulation regulating health  
39 and safety enacted, adopted or passed by Lyon County, the violation of which is  
40 designated as a nuisance in the ordinance, rule or regulation. (Reference NRS  
41 268.4122)

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- 1 8. "Enforcement official" shall include the Code Enforcement Officer, Community  
2 Development Department Director, District Attorney, County Manager, or designee  
3 given the authority by the County Manager.
- 4 10. "Hazardous waste" means any waste or combination of wastes, including solids,  
5 semisolids, liquids or contained gases, which:
- 6 a. Because of its quantity or concentration or its physical, chemical or infectious  
7 characteristics may:
- 8 1. Cause or significantly contribute to an increase in mortality or serious  
9 irreversible or incapacitating illness; or
- 10 2. Pose a substantial hazard or potential hazard to human health, public safety or  
11 the environment when it is given improper treatment, storage, transportation,  
12 disposal or other management.
- 13 b. Is identified as hazardous by the health department as a result of studies undertaken  
14 for the purpose of identifying hazardous wastes.
- 15 c. The term includes, among other wastes, toxins, corrosives, flammable materials,  
16 irritants, strong sensitizers and materials which generate pressure by decomposition,  
17 heat or otherwise. (Reference NRS 459.430)
- 18 11. "Health hazard" means the presence of any item(s) which adversely impact or  
19 jeopardize the well-being or health of an individual. Such items may be inclusive of  
20 human/animal waste, medical or biological waste, sharps, gaseous or combustible  
21 materials, radioactive waste, dangerous and/or corrosive chemicals/liquids, flammable  
22 and/or explosive materials, friable asbestos, offal and decay matter, and any other  
23 condition constituting a health hazard under the Nevada Revised Statutes. In addition,  
24 evidence of occupancy without adequate facilities shall be considered a health hazard.  
25 Such items constitute an imminent danger.
- 26 12. "Junk vehicle" means a vehicle, including component parts which:
- 27 a. Has been ruined, wrecked, dismantled, or rendered inoperative; or
- 28 b. Is unfit for further use in accordance with the original purpose for which it was  
29 constructed.
- 30 c. Is not registered with the Nevada Department of Motor Vehicles; and
- 31 d. Has value principally as scrap which does not exceed five hundred dollars (\$500.00);  
32 or
- 33 e. Any motor vehicle which is inoperative cannot be moved under its own power, or  
34 cannot be operated lawfully on a public street or highway due to removal of, damage  
35 to, or deterioration of, or inoperative condition of any component part or the lack of  
36 an engine, transmission, wheels, tires, doors, windshield or windows or, any other  
37 component part necessary for such movement or lawful operation.
- 38 13. "Nuisance" or "nuisance activity" means any condition or activity that is injurious or  
39 detrimental to life, health, safety, or general welfare, or that constitutes a violation of  
40 Lyon County Code. The term includes, but is not limited to, criminal activity; the  
41 accumulation or presence of debris, litter, graffiti, garbage, rubble, abandoned,  
42 unregistered, or junk vehicles or appliances; violations of building codes or other codes  
43 regulating the health or safety of occupants of real property; or any behavior or
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1 condition defined by the Lyon County Board of Commissioners to constitute a nuisance.  
2 (Reference NRS Chapter 40 & 244)

3 14. "Owner" means a legal entity as current or rightful owner(s) as recorded in the official  
4 records of the Lyon County Recorder's Office.

5 15. "Person associated with property" means:

6 a. The owner of the property;

7 b. The manager or assistant manager of the property;

8 c. The tenant of the property; or

9 d. A person who, on the occasion of a nuisance activity, has:

10 1. Entered, patronized or visited the property or a person present on the property;

11 2. Attempted to enter, patronize or visit the property or a person present on the  
12 property;

13 3. Waited to enter, patronize or visit the property or a person present on the  
14 property. (Reference NRS 244.3603)

15 16. "Public Nuisance" means any condition, activity, or structure that poses a significant  
16 threat to the health, safety, or welfare of the public, or that substantially interferes  
17 with the use of public rights or resources, including but not limited to streets, sidewalks,  
18 waterways, or other public areas. Examples include, without limitation, buildings or  
19 structures that are unsafe or structurally unsound, hazardous materials or waste  
20 accumulation, chronic unlawful activity, or any condition deemed by the governing  
21 body to create an imminent risk of harm to the public.

22  
23 **Section 4.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 4 is hereby  
24 amended as follows:

25 6.01.04: ~~JUDICIAL PROCEEDINGS NOT A BAR TO ABATEMENT:~~ CONFLICT OF ORDINANCES:

26 ~~Any judicial proceeding, or court action pursuant to section 6.01.03 of this chapter shall not~~  
27 ~~waive or impair any right to proceed with, and may be in addition to, the abatement and~~  
28 ~~removal of a public nuisance as declared in section 6.01.02 of this chapter or with any right to~~  
29 ~~collect the expense of such abatement and removal of such nuisance in accordance with the~~  
30 ~~provisions of this chapter. (Ord. 511, 7-5-2007)~~

31 A. In any case where a provision of this chapter is found to be in conflict with any other provision  
32 of the Lyon County Code, the provision which establishes the higher standard for the  
33 promotion and protection of health and safety of the people shall prevail.

34  
35 **Section 5.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 5 is hereby  
36 amended as follows:

37 6.01.05: ~~NOTICE REQUIRED:~~ NUISANCES ENUMERATED:

38 ~~Whenever the persons authorized pursuant to section 6.01.03 of this chapter determine that a~~  
39 ~~public nuisance exists or is being maintained as declared in section 6.01.02 of this chapter, he~~  
40 ~~shall give notice of such determination in the following manner:~~

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~~1 —A. By leaving such notice at the residence of the owner or occupant of the yard, lot, parcel or  
2 premises upon which such nuisance exists or is being maintained with someone of suitable age;  
3 or~~

4 A. Any of the following conditions are a nuisance and constitute conditions which injure or  
5 endanger the safety, health or welfare of any considerable number of persons:

6 1. A dangerous structure or condition;

7 2. Buildings or structures in a state of partial un-progressing construction, without a permit,  
8 for more than one hundred and eighty (180) days;

9 3. Property, buildings, structures or premises which contain debris, garbage, hazardous  
10 waste, a health hazard, an imminent danger, causing detriment to the health, safety, and  
11 welfare to the general public;

12 4. Any other condition which, in the judgment of the enforcement official, creates a health,  
13 safety or fire hazard under the conditions set forth in the International Fire Code,  
14 International Building Code, International Residential Code, International, or any other  
15 Lyon County Code or the Nevada Revised Statutes. (Reference NRS 40.140, NRS 202.450);

16 5. Any violation of chapter 487.290 of the Nevada Revised Statutes is declared to be a public  
17 nuisance.

18 6. Any land use violation as defined in Title 15 of Lyon County Code is declared to be a public  
19 nuisance.

20 ~~—B. By mailing such notice to the last known address of the owner or occupant of the yard, lot,  
21 parcel, or premises upon which such nuisance exists or is being maintained; or~~

22 ~~—C. If there be no person occupying the yard, lot, parcel or premises upon which the nuisance  
23 exists or is being maintained, or if the address of the owner thereof is unknown, by posting a  
24 copy of the notice in a conspicuous place upon the yard, lot, parcel or premises where the  
25 nuisance exists or is being maintained. (Ord. 511, 7-5-2007)~~

26 **Section 6.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 6 is hereby  
27 amended as follows:

28 6.01.06: ~~CONTENTS OF NOTICE:~~ UNLAWFUL RESIDING IN AN RV:

29 ~~The notice of the determination of the existence or maintenance of a public nuisance pursuant  
30 to section 6.01.05 of this chapter shall state:~~

31 ~~—A. The nature and character of the nuisance.~~

32 A. Enforcement and Penalties

33 1. Any violation of 15.335.04.C.6 of Lyon County Code shall be subject to code  
34 enforcement actions, including, but not limited to, administrative citations, fines, and  
35 orders to cease unlawful occupancy, in accordance with the enforcement provisions of  
36 the Lyon County Code.

37 2. The Code Enforcement Official and/or designee reserves the right to issue notices of  
38 violation and orders for immediate cessation of occupancy in cases where the unlawful  
39 use of an RV presents a public health, safety, or welfare concern.

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1 ~~—B. The location of the nuisance.~~

2 ~~—C. The period of time allowed after delivery, mailing or posting of the notice for the removal~~  
3 ~~or abatement of the nuisance. (Ord. 511, 7-5-2007)~~

4  
5 **Section 7.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 7 is hereby  
6 amended as follows:

7 6.01.07: ~~ABATEMENT BY OWNER OR OCCUPANT OR BY BOARD ACTION:~~ UNLAWFUL ACTS;  
8 PENALTIES AND ENFORCEMENT ACTIONS:

9 ~~—A. Upon the determination of a public nuisance as declared in section 6.01.02 of this chapter,~~  
10 ~~such nuisance shall be abated within a period of not more than thirty (30) days after delivery,~~  
11 ~~mailing or the posting of the notice required in section 6.01.05 of this chapter.~~

12 A. Any owner, occupant, or any other person who has charge or control of any property, building,  
13 lodging, structure or premises located within the county shall not permit or allow the existence  
14 of a dangerous structure or condition, nuisance or nuisance activity, or public nuisance as  
15 described in this chapter, upon any property, building, lodging, structure or premises that is  
16 owned, occupied or controlled by him or her.

17 ~~—B. Whenever the owner or occupant of the yard, lot, parcel or premises upon which a~~  
18 ~~nuisance has been determined to exist or is being maintained shall fail to or refuse to remove~~  
19 ~~or abate such nuisance within the time set forth above, the board of county commissioners~~  
20 ~~may provide for the removal and abatement of such nuisance in the manner provided in section~~  
21 ~~6.01.08 of this chapter. (Ord. 511, 7-5-2007)~~

22 B. An enforcement official or designee is authorized and empowered to prepare, sign, and serve  
23 an administrative citation, or any other fines as established in the Code.

24  
25 C. If a violation of this chapter does not create an imminent or immediate danger, the code  
26 enforcement official may, before pursuing criminal or civil remedies, deliver to any person in  
27 violation of this chapter a notice of violation per the Code.

28  
29 D. The provisions of this section do not prohibit the county or its official designees from:  
30 1. Availing itself of other remedies set forth in state or local law or common law.

31  
32 **Section 8.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 8 is hereby  
33 amended as follows:

34 6.01.08: ~~PROCEEDINGS FOR REMOVAL AND ABATEMENT:~~ PROCEDURES FOR ABATEMENT OF A  
35 NUISANCE:

36 ~~—A. Whenever the persons authorized pursuant to section 6.01.03 of this chapter determine~~  
37 ~~that a public nuisance exists or is being maintained as declared in section 6.01.02 of this~~  
38 ~~chapter, and the owner or occupant of the yard, lot, parcel or premises upon which such~~  
39 ~~nuisance exists or is being maintained, fails or refuses to remove or abate such nuisance, after~~

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~~the notice provided in section 6.01.05 of this chapter has been given, the board shall issue its order directing the owner or occupant of the yard, lot, parcel or premises upon which such nuisance exists or is being maintained, to appear in not less than ten (10) days before the board and show cause for the reason, if any, why the nuisance should not be removed or abated by the board at the cost and expense of such person.~~

A. If, after inspection, the enforcement official determines that a person is in violation of the Code, the county shall notify the owner of record through the issuance of a notice of violation. The notice shall be served in accordance with Section 6.01.12 and Section 6.01.13 of the Code, and shall advise the owner of record of the existence on his or her property of a nuisance and the date by which he or she must abate the condition to prevent the imposition of fines and/or from being submitted to the District Attorney for legal action.

1. The notice must provide that the date specified by which the owner must abate the condition. The date shall be thirty (30) days from the date the letter was mailed to the property owner.

2. The notice must provide a statement pursuant to the Code that explains the manner in which the county will recover money expended for labor and materials used to abate the condition on the property if the owner fails to abate the condition.

3. The notice must include a notice of intent to record according to the provisions of Sections 6.01.14 of the Code.

~~B. All orders for the removal or abatement of any nuisance shall be served upon the same persons and in the same manner provided for giving the notice of the maintenance of and existence of a nuisance in section 6.01.05 of this chapter.~~

B. If after thirty (30) days the abatement of the nuisance has not been completed, the enforcement official shall issue a second notice of violation per Section 6.01.12 and Section 6.01.13 of the Code.

1. The notice must provide that the date specified by which the owner must abate the condition. The date shall be thirty (30) days from the date the letter was mailed to the property owner.

2. The notice must provide a statement pursuant to the Code that explains the manner in which the county will recover money expended for labor and materials used to abate the condition on the property if the owner fails to abate the condition.

3. The notice must provide a statement pursuant to Section 6.01.23 of the Code that explains the fines for each day that the owner did not abate the condition after the date specified in the notice by which the owner was directed to abate the condition.

~~C. Every person appearing before the board pursuant to any order made by the board shall be given an opportunity to present evidence that either the nuisance has been abated or removed, or the determination of such nuisance by persons authorized pursuant to section 6.01.03 of this chapter was erroneous.~~

C. Abatement by the County. The board of county commissioners may direct the enforcement official to abate the condition on the property and may recover the amount expended by the county for labor and materials used to abate the condition if:

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1 1. The owner has not requested a hearing within the time prescribed in Section 6.01.26  
2 of the Code and has failed to abate the condition within the period specified in the  
3 Code or Compliance Abatement Plan (CAP);

4 ~~—D. Upon the failure of any person to appear at the time set forth in any order of the board~~  
5 ~~made pursuant to this section, or upon the conclusion of any hearing after an appearance made~~  
6 ~~pursuant to such order, the board shall:~~

7 D. Special Assessments. In addition to any other reasonable means of recovering money  
8 expended by the county to abate the condition, the board of commissioners may make the  
9 expense a special assessment against the property upon which the condition is or was located.  
10 The special assessment may be collected at the same time and in the same manner as ordinary  
11 county taxes are collected, and is subject to the same penalties and the same procedure and  
12 sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the  
13 levy, collection and enforcement of county taxes are applicable to such a special assessment.  
14 The provisions of this subsection do not preclude the imposition and collection of any civil  
15 penalties or fees that are authorized to be imposed and collected pursuant to this chapter of  
16 the Code. (Reference NRS 268.4124)

17 ~~—1. Enter its order that there is no nuisance as determined by the persons authorized~~  
18 ~~pursuant to section 6.01.03 of this chapter; or~~

19 ~~—2. Enter its order that a nuisance exists or is being maintained only as part of the yard, lot,~~  
20 ~~parcel or premises and order its removal or abatement as to that part in the manner provided~~  
21 ~~herein; or~~

22 ~~—3. Order the nuisance to be removed or abated and set a period of time to be allowed for~~  
23 ~~removal or abatement of such nuisance. (Ord. 511, 7-5-2007)~~

24 **Section 9.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 9 is hereby  
25 amended as follows:

26 6.01.09: ~~ABATEMENT BY DESIGNATED OFFICERS:~~ DETERMINATION OF A PUBLIC NUISANCE:

27 ~~A. Whenever an order has been made pursuant to subsection 6.01.08D2 or D3 of this~~  
28 ~~chapter and the owner or occupant of the yard, lot, parcel or premises fails or refuses to~~  
29 ~~comply with such order, the persons authorized pursuant to section 6.01.03 of this chapter are~~  
30 ~~hereby authorized to remove, abate or contract for the removal or abatement of such nuisance.~~

31 A. The office of the district attorney, code enforcement officer or any other officer designated by  
32 the board of county commissioners is hereby authorized and empowered to determine the  
33 existence of a public nuisance. The above referenced officers are concurrently authorized and  
34 empowered to prepare, sign and serve criminal misdemeanor citations for public nuisance  
35 violations in addition to any penalty proscribed in the Code.

36 ~~—B. The costs and expenses incurred by persons authorized pursuant to section 6.01.03 of this~~  
37 ~~chapter in the removal or abatement of any nuisance pursuant to any order made in~~  
38 ~~accordance with subsection 6.01.08D2 or D3 of this chapter shall be paid by the owner or~~

---

1 occupant of the yard, lot, parcel or premises upon which such nuisance has been found to exist.  
2 If not paid, such costs and expenses may be recovered by the following special tax assessment  
3 procedure:

4 — 1. Once the persons authorized pursuant to section 6.01.03 of this chapter have abated the  
5 nuisance he shall file a report of the proceedings and an accurate account of the costs involved  
6 in abating the nuisance with the county clerk.

7 — 2. The county clerk shall thereafter set the account and report for a hearing by the board of  
8 county commissioners. Prior to the hearing, the county clerk shall post a copy of the report and  
9 account and give proper notice of the time and place of hearing.

10 — 3. The board of county commissioners shall thereafter consider the report and account at  
11 the time set for hearing, together with any objections or protests by any person interested  
12 therein who presents a written or oral protest or objection to the report and account. At the  
13 conclusion of the hearing, the board of county commissioners shall either approve or  
14 disapprove the report and account as submitted, or as modified or corrected by the board. The  
15 amount so approved shall be liens upon the respective lots or premises affected and the board  
16 shall adopt a resolution assessing said amounts as liens upon the respective parcels of land as  
17 they are shown upon the last available assessment roll, and determining that such matters as  
18 set forth in section 6.01.02 of this chapter did constitute a public nuisance. It shall be the duty  
19 of the persons authorized pursuant to section 6.01.03 of this chapter or their authorized  
20 representatives to see that such lien is filed.

21 — 4. Thereafter the county assessor shall make an assessment roll and levy a special  
22 assessment upon the said premises and against the person chargeable therewith, and after  
23 such levy he shall transfer the assessment roll to the county clerk/treasurer who shall  
24 thereupon record the same in his office. The special assessment shall constitute a lien upon the  
25 premises assessed and shall remain such until paid. Such assessment shall be due and payable  
26 upon recording, and if not paid when due it shall be the duty of the county clerk/treasurer to  
27 sell the property. The assessment shall be due in one sum and shall not be divided into  
28 installments.

29 — 5. As an alternative remedy, the costs and expenses of nuisance removal may be recovered  
30 in a civil action to be instituted by the board against such owner or occupant. (Ord. 511, 7-5-  
31 2007)

32 **Section 10.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 10 is hereby  
33 amended as follows:

34 6.01.10: ~~COLLECTION SUIT AND CRIMINAL PROSECUTION NOT PRECLUDED:~~ JUDICIAL  
35 PROCEEDINGS NOT A BAR TO ABATEMENT

36 Nothing herein contained in this chapter shall prevent the maintenance of a suit by Lyon  
37 County against any of the persons herein in this chapter mentioned to collect the expense of  
38 such abatement or removal or the criminal prosecution under this code, of any person creating,  
39 maintaining, causing or committing a nuisance, or owning or in possession, charge or control of

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~~the real property upon which a nuisance is created, maintained, caused or committed. The alternative remedies set forth in this chapter may be pursued by the board of county commissioners or the Lyon County office of the district attorney separately or concurrently. (Ord. 511,7 5-2007)~~

A. Any judicial proceeding, or court action pursuant to the Code shall not waive or impair any right to proceed with, and may be in addition to, the abatement and removal of a public nuisance as declared in Section 6.01.09 of this chapter or with any right to collect the expense of such abatement and removal of such nuisance in accordance with the provisions of this chapter.

**Section 11.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 11 is hereby amended as follows:

6.01.11: ~~PENALTY:~~ PROCEDURES FOR ABATEMENT OF A PUBLIC NUISANCE:

~~The penalty for provisions of this chapter shall be as prescribed in section 1.04.01 of this code. (Ord. 511,7 5-2007)~~

A. Notice of Abatement. If, after inspection, the enforcement official determines that a public nuisance exists, the enforcement official shall notify the owner of record of such determination. The notice shall be sent by certified mail, return receipt requested, and shall:

1. Advise the owner of record of the existence of a public nuisance on his or her property and the date by which he must abate the condition to prevent the matter from being submitted to the District Attorney to file a resolution to be approved by the board declaring the property a public nuisance and necessary abatement actions, penalties, or further corrective measures identified in this chapter or as identified within local or state law.
2. Advise the owner of record the determination of a public nuisance as declared by the enforcement official shall be abated within a period of not more than thirty (30) days after delivery, mailing or the posting of the notice required in Section 6.01.12 and Section 6.01.13 of the Code.
3. The notice of violation for the public nuisance shall include the provisions set forth in Section 6.01.12 of the Code, including a description of the conditions or activities which constitutes the public nuisance. The notice of violation and declaration of public nuisance shall also include a notice of an opportunity to appear in not less than ten (10) business days before the board and show cause for the reason, if any, why the nuisance should not be removed or abated by the board at the cost and expense of such person.
4. The notice must provide the manner in which the county will recover money expended for labor and materials used to abate the condition on the property if the owner fails to abate the condition.
5. The notice of violation for the public nuisance shall include a notice of intent to record according to the provisions of Section 6.01.14.

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1 B. Public Nuisance Declaration Resolution. The District Attorney may, in cooperation with the  
2 relevant enforcement official(s) and in accordance with the procedures set forth in this section  
3 and NRS 244.360, file a resolution declaring a public nuisance with the board to:

- 4 1. Seek the abatement of a public nuisance that is located or occurring within the county;
- 5 2. If applicable, seek the closure of the property where the public nuisance is located or  
6 occurring; and
- 7 3. If applicable, seek penalties against the owner of the property within the county and  
8 any other appropriate relief.

9  
10 C. Action by the Board: Upon the failure of any person to appear at the time set forth in any order  
11 of the board made pursuant to this section, or upon the conclusion of any hearing after an  
12 appearance made pursuant to such order, the board shall:

- 13 1. Enter its order that there is no nuisance as determined by the persons authorized  
14 pursuant to Section 6.01.09 of this Code; or
- 15 2. Enter its order that a nuisance exists or is being maintained only as part of the yard,  
16 lot, parcel or premises and order its removal or abatement by the property owner in  
17 the manner provided in the Code; or
- 18 3. Order the nuisance to be removed or abated by the County and set a period of time  
19 to be allowed for removal or abatement of such nuisance.

20  
21 D. Any accruing administrative fines shall be tolled during the period in which the Board is  
22 authorized to hear and determine final action on the public nuisance matter. Upon abatement  
23 of the nuisance, any outstanding or unpaid fines shall remain the responsibility of the property  
24 owner. The County reserves the right to transfer and record such fines as a special assessment  
25 against the subject property ten (10) business days following abatement, unless the fines have  
26 been paid in full by the property owner prior to that time.

27  
28 E. Special Assessment. In addition to any other reasonable means authorized by the board or a  
29 court of competent jurisdiction for the recovery of money expended by the county to abate  
30 the public nuisance, the board of county commissioners or court of competent jurisdiction  
31 may make the expense a special assessment against the property upon which the public  
32 nuisance is or was located or occurring. The special assessment may be collected at the same  
33 time and in the same manner as ordinary county taxes are collected, and is subject to the same  
34 penalties and the same procedure and sale in case of delinquency as provided for ordinary  
35 county taxes. All laws applicable to the levy, collection and enforcement of county taxes are  
36 applicable to such a special assessment. (Reference NRS 268.4124)

37  
38 **Section 12.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 12 is hereby  
39 created as follows:

40 6.01.12: NOTICE OF VIOLATION PROCEUDRES:

41 A. Whenever it is determined that a violation of the Code exists, the enforcement official may  
42 issue a notice of violation to the owner of the property on which the violation exists. The  
43 notice of violation shall include the following information:

- 
1. The name and address of the owner who is in violation. If the notice pertains to events occurring on, or the status or condition of real property, the notice shall contain the address or assessor's parcel number of the property;
  2. A statement from the enforcement official identifying the conditions which violate the Code and the specific provisions which have been violated;
  3. The amount of the administrative fine the county imposes for the violation;
  4. A statement that the owner may request an administrative hearing within ten (10) business days after the date on which the notice of citation is served;
  5. If applicable, a list of necessary corrections to bring the property into compliance;
  6. If applicable, a deadline or specific date to correct the violations listed in the notice of violation; and
  7. A statement that if the owner fails to timely request an administrative hearing on the notice of violation, the administrative penalty shall be final. The administrative penalty may include applicable administrative fines, and does not exclude the imposition of abatement costs incurred by the county.

**Section 13.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 13 is hereby created as follows:

**6.01.13: SERVICE OF NOTICES, CITATIONS, OR SUMMONS:**

A. Unless otherwise specifically provided, whenever a notice is required to be given under the Code, the notice shall be served by standard mail, certified mail, postage prepaid, return receipt requested, or hand delivered. If a notice that is sent by way of certified mail is returned unsigned, then service shall be deemed effective. The failure of any owner to receive any notice served in accordance with this section shall not affect the validity of any proceedings taken under the Code.

**Section 14.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 14 is hereby created as follows:

**6.01.14: PROCEDURES FOR RECORDING NOTICES OF VIOLATIONS:**

A. The board finds that there is a need to give notice of pending enforcement actions to persons who may subsequently acquire property subject to a violation as a means to ensure the violations will be corrected. An appropriate method to accomplish this is through the issuance and recording of notices of violation.

1. Once an enforcement official has issued a notice of violation to an owner and the property remains in violation after the deadline established in the notice of violation, the enforcement official shall, except as otherwise provided in this subsection, record the notice of violation in the official records of Lyon County. If the enforcement official determines that good cause is shown, and an actual threat or imminent danger does not exist, or no longer exists, the enforcement official may allow the owner an additional reasonable period of time to fully correct the violation before recording the notice of violation.

- 
- 1 2. Before recording, an enforcement official shall provide to the owner a notice of intent  
2 to record stating that a notice of violation will be recorded if the violation is not  
3 corrected within ten (10 ) business days from the date of the notice of intent to  
4 record, unless the owner requests an administrative hearing in accordance with  
5 Section 6.01.26 of the Code. The failure of any person to file a request for an  
6 administrative hearing in accordance with these provisions shall constitute a waiver  
7 of the right to an administrative hearing and shall not affect the validity of the  
8 recorded notice of violation.
  - 9 3. A copy of the recorded notice of violation shall be served on the owner by standard  
10 mail, certified mail, postage prepaid, return receipt requested or hand delivered.

11 **Section 15.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 15 is hereby  
12 created as follows:  
13

14 6.01.15: NOTICE OF COMPLIANCE:

15 A. In the event that the conditions giving rise to a notice of violation have been corrected or  
16 otherwise brought into compliance:

- 17 1. The owner may file with the enforcement official a written request for a notice of  
18 compliance on a form provided by the Community Development Department.
- 19 2. Once the enforcement official receives a request for a notice of compliance, the  
20 enforcement official shall confirm that the violation or violations has or have been  
21 corrected or abated, as applicable, which confirmation may include the re-inspection  
22 of the relevant property. The enforcement official shall provide a notice of  
23 compliance to the owner if the enforcement official determines that:
  - 24 a. All violations listed in the recorded notice of violation have been corrected;
  - 25 b. All necessary permits have been issued and finalized;
  - 26 c. All administrative fines have been paid; and
  - 27 d. The party requesting the issuance of the notice of compliance has paid all  
28 administrative fees due to the county.
- 29 3. If an enforcement official provides a notice of compliance as described in subsection 2  
30 related to a notice of violation recorded pursuant to 6.01.14. The enforcement  
31 official shall record the notice of compliance or cause the notice of compliance to be  
32 recorded in the official records of Lyon County. The recording of the notice of  
33 compliance shall have the effect of canceling the recorded notice of violation.
- 34 4. If the enforcement official denies a request to issue a notice of compliance, the  
35 enforcement official shall serve the owner with a written explanation setting forth  
36 the reasons for the denial. The written explanation shall be served by standard mail,  
37 certified mail, postage prepaid, return receipt requested or hand delivered.

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1 **Section 16.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 16 is hereby  
2 created as follows:

3 6.01.16: RULES AND REGULATIONS:

4 A. The county manager or his authorized designee shall have the authority to make and  
5 promulgate reasonable and necessary administrative policies to carry out provisions of this  
6 chapter.

7 **Section 17.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 17 is hereby  
8 created as follows:

9 6.01.17: AUTHORITY TO INSPECT:

10 A. An enforcement official is authorized to enter upon any property or premises to ascertain if  
11 there is compliance with the provisions of this chapter, and to make any investigations,  
12 examinations and surveys as may be necessary in the performance of his or her enforcement  
13 duties. This may include, but is not limited to, the taking of photographs, samples or other  
14 physical evidence. The enforcement official may seek entry upon any property or premises at  
15 any reasonable time for the purpose of carrying out the duties of enforcement of this  
16 chapter. In the event that the owner or occupant of any property or premises located within  
17 Lyon County refuses to permit entry to the enforcement official when such entry is sought  
18 pursuant to this section, the enforcement official may seek entry through any legal means  
19 including, but not limited to, making application to any court of competent jurisdiction for  
20 issuance of a warrant. Such sworn application shall identify the property or premises upon  
21 which entry is sought and the purpose for which entry is desired. The applicant shall state  
22 the facts giving rise to the belief that a condition which is in violation of this chapter exists on  
23 such property or premises, or that a violation in fact exists and must be corrected or abated.

24 B. The enforcement official may expand the scope of any inspection to include other Code  
25 violations noted during inspection.

26 **Section 18.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 18 is hereby  
27 created as follows:

28 6.01.18: DEMOLITION OF UNSAFE OR DANGEROUS BUILDING; DISQUALIFICATION FROM  
29 RELOCATION ASSISTANCE:

30 A. If the enforcement official determines that any building or structure on a premises or a  
31 property must be demolished as an unsafe or dangerous building, under the requirements of  
32 the adopted International Fire Code, International Residential Code or International Building  
33 Code, he or she shall consult with the building official whose approval must first be obtained  
34 for such a notice of demolition. If the notice of demolition is issued, the notice shall require  
35 that the building be vacated within such time as the enforcement official shall set forth  
36 therein, not to exceed 60 days from the date of the notice, and that all required permits be  
37 promptly secured and demolition completed within such reasonable time frame as set forth  
38 in the notice.

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1 B. Any person occupying a property, building or premises after the county has posted on the  
2 structure, a notice of its hazardous condition, shall not be eligible for relocation assistance or  
3 be considered a displaced person. In addition, a person occupying a property, building or  
4 premises who has caused a nuisance condition existing therein or thereon shall not be  
5 eligible for relocation assistance or be considered a displaced person on account of the  
6 existence of that nuisance condition.

7 C. Any person who violates a posted notice for a dangerous structure, substandard structure,  
8 or any other official posting made pursuant to the International Fire Code, International  
9 Building Code, or International Residential Code shall be subject to a misdemeanor violation.  
10 Such violation shall be punishable by a fine not to exceed \$1,000.00. (NRS 193.150)

11 **Section 19.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 19 is hereby  
12 created as follows:

13 6.01.19: PROHIBITION AGAINST ISSUANCE OF COUNTY PERMITS:

14 A. For properties where a notice of violation has been issued, the county may withhold permits,  
15 for repair, new construction and/or alteration on the affected property until reviewed and  
16 approved by the building official, Community Development Director, County Manager, or  
17 authorized designee.

18 **Section 20.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 20 is hereby  
19 created as follows:

20 6.01.20: ENFORCEMENT INDEPENDENT OF OTHER OFFICIALS:

21 A. The authority of the County to enforce the provisions of this chapter is independent of and in  
22 addition to the authority of other county officials to enforce other provisions of any other  
23 title within Lyon County Code.

24 **Section 21.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 21 is hereby  
25 created as follows:

26 6.01.21: ADMINISTRATIVE CITATIONS PROCEDURES:

27 A. The enforcement official or authorized designee may issue an administrative citation once  
28 thirty (30) days have passed since the second notice of violation was sent or posted,  
29 provided that the violation remains uncorrected. The citation shall be issued in accordance  
30 with the procedures set forth in this chapter of the Code.

31 B. Administrative fines shall be assessed by means of an administrative citation issued by the  
32 enforcement official and shall be payable directly to the County unless otherwise noted on  
33 the citation.

34 C. Administrative fines assessed by means of an administrative citation shall be collected in  
35 accordance with the procedures specified in Section 6.01.23 of this code.

36 **Section 22.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 22 is hereby  
37 created as follows:

---

1 6.01.22: CONTENTS OF ADMINISTRATIVE CITATION:

2 A. Any administrative citation that is issued shall contain:

- 3 1. The name and address of the owner in violation. If the administrative citation results  
4 from events occurring on, the status of, or condition of property, the citation shall  
5 also contain the address of the property;  
6 2. A statement of the provisions of the Code, which have been violated, and the date  
7 and location of the violations;  
8 3. Where appropriate, the action required to correct the violations, a deadline by which  
9 the violations must be corrected, and the consequences of failing to comply;  
10 4. A statement that each day that the owner does not correct or abate the condition  
11 after the date specified in the administrative citation shall constitute a separate  
12 violation subjecting the owner to the fines set forth in Section 6.01.23 of this chapter  
13 of the Code.  
14 5. The amount of the administrative fine imposed for the violations;  
15 6. A statement that the owner in violation may request an administrative hearing on the  
16 imposition of the administrative citation within 10 days of the date the administrative  
17 citation is served; and  
18 7. A statement that if the owner fails to request an administrative hearing on the  
19 imposition of the administrative citation, the citation imposing the fine shall be final.  
20

21 **Section 23.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 23 is hereby  
22 created as follows:

23 6.01.23: FINES FOR ADMINISTRATIVE CITATIONS:

24 A. If the owner fails to correct the violation, subsequent administrative citations may be issued  
25 for the same violation(s). The amount of the fine shall increase at a rate specified in  
26 subsection two below.

27 B. The fines assessed for each administrative citation issued for the same violations shall be as  
28 follows:

- 29 1. For those properties with Rural Residential, Suburban Residential, Neighborhood  
30 Residential, Resource, Non-Irrigated Agriculture, or Agriculture zoning the following  
31 fine structure exists:  
32 a. An administrative citation shall be issued in the amount of fifty dollars  
33 (\$50.00) per day for each day the violation remains uncorrected following  
34 the expiration of the thirty (30) days provided in the second notice of  
35 violation. The citation shall continue to accrue daily until a Notice of  
36 Compliance is received and/or recorded, confirming that the property  
37 has been fully abated.  
38 b. Once the total amount of accrued administrative citations meets or  
39 exceeds five thousand dollars (\$5,000.00), the outstanding balance shall  
40 be placed as a code enforcement lien against the property. The Board of

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1                    County Commissioners may impose the total unpaid citation amount as a  
2                    code enforcement lien against the property where the violation occurred.

3                    2. For those properties with Commercial, Multi-Family, Mixed-use, Public Facilities or  
4                    Industrial zoning the following fine structure exists:

- 5                    a. An administrative citation shall be issued in the amount of one-hundred  
6                    and fifty dollars (\$150.00) per day for each day the violation remains  
7                    uncorrected following the expiration of the thirty (30) days provided in  
8                    the second notice of violation. The citation shall continue to accrue daily  
9                    until a Notice of Compliance is received and/or recorded, confirming that  
10                   the property has been fully abated.
- 11                   b. Once the total amount of accrued administrative citations meets or  
12                   exceeds fifteen thousand dollars (\$15,000.00), the outstanding balance  
13                   shall be placed as a code enforcement lien against the property. The  
14                   Board of County Commissioners may impose the total unpaid citation  
15                   amount as a code enforcement lien against the property where the  
16                   violation occurred.

17  
18 **Section 24.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 24 is hereby  
19 created as follows:

20 6.01.24: PROCEDURES FOR ENFORCING A CODE ENFORCEMENT LIEN; RECORDATION;  
21 FORECLOSURE:

22 A. A code enforcement lien may be enforced in the following manner:

23 1. By recordation as described in paragraphs (a) to (d), inclusive.

- 24                   a. An enforcement official may record a code enforcement lien in the  
25                   official records of Lyon County to collect all administrative fees,  
26                   administrative fines, abatement costs and other costs provided for in this  
27                   chapter of the Code.
- 28                   b. Before recording a code enforcement lien, an enforcement official shall  
29                   provide to the owner a notice of intent to record stating that a code  
30                   enforcement lien will be recorded unless payment of all monies due is  
31                   paid in full on or before the date required by the Code.
- 32                   c. The recorded code enforcement lien shall include the name of the  
33                   property owner, the assessor's parcel number, the street address of the  
34                   parcel, the parcel's legal description, and a copy of the latest amounts  
35                   due to the County.
- 36                   d. Any costs associated with recording the code enforcement lien or  
37                   removal thereof may be assessed against the property as provided for in  
38                   this chapter of the Code.
- 39                   e. A copy of the recorded code enforcement lien shall be mailed to the  
40                   owner by certified mail, postage prepaid, return receipt requested or  
41                   hand delivered.
- 42

---

1           2. Foreclosure of Lien:

- 2           a. The County may enforce a recorded code enforcement lien by initiating a  
3           civil action to foreclose the lien against the subject property in the same  
4           manner and subject to the same procedures as the foreclosure of any  
5           other non-tax lien. Any such foreclosure action shall be commenced no  
6           later than two (2) years from the date the notice of lien is recorded and  
7           shall include proper notice to all persons or entities holding a recorded  
8           interest or lien against the property, in accordance with applicable law.

9  
10          3. Cancellation of Code Enforcement Lien:

- 11          a. Once payment in full is received for the outstanding administrative fines  
12          and fees, or the amount is deemed satisfied pursuant to a subsequent  
13          administrative order, the enforcement official shall, within 10 business  
14          days from the date payment is made or decision is final, record a notice  
15          of completion with the Lyon County recorder's office. The notice of  
16          completion shall include the same information as provided for in the  
17          original code enforcement lien. The notice of satisfaction shall cancel the  
18          code enforcement lien.

19  
20 **Section 25.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 25 is hereby  
21 created as follows:

22 6.01.25: COMPLIANCE ABATEMENT PROGRAM:

23 A. The Code Enforcement Official may initiate an administrative hearing with the property  
24 owner when, in their professional judgment, a meeting is warranted to establish a  
25 Compliance Abatement Plan. A hearing may also be requested only if the property owner  
26 requests a hearing in writing within ten (10) business days of receiving the first notice of  
27 citation.

28 B. The CAP shall outline a clear and enforceable course of action for bringing the property into  
29 compliance, including but not limited to:

- 30           1. A detailed description of the violations to be addressed.  
31           2. A corrective action plan specifying the steps necessary to remedy each violation.  
32           3. A reasonable timeline for abatement, based on the severity and complexity of the  
33           violations.  
34           4. Periodic progress inspections or reports, as determined by the Enforcement Official.  
35           5. A final compliance deadline by which all violations must be fully remedied.

36 C. The property owner shall actively work toward abatement in accordance with the CAP.  
37 Citations will be tolled upon agreement of a CAP with the property owner. If the terms of the  
38 CAP are not adhered to, or if the property is not fully abated by the final compliance  
39 deadline, administrative citations shall resume and accrue per day until full compliance is  
40 achieved.

---

1 D. Properties that have fully complied with the Compliance Abatement Plan (CAP), as outlined  
2 in this section, shall have citations abated in their entirety.

3 **Section 26.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 26 is hereby  
4 created as follows:

5 6.01.26: PROCEDURES FOR REQUESTING AN ADMINISTRATIVE HEARING:

6 A. An owner served with an administrative citation issued pursuant to the Code may file a  
7 request for administrative hearing within ten (10) business days from the service of the  
8 notice of citation.

9 B. The request for an administrative hearing shall be made in writing and shall state the  
10 grounds for requesting the hearing and be filed with the Lyon County Community  
11 Development Department on or before ten (10) business days after service of the notice of  
12 citation.

13 **Section 27.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 27 is hereby  
14 created as follows:

15 6.01.27: PROCEDURES FOR NOTIFICATION OF ADMINISTRATIVE HEARING:

16 A. Where the owner or enforcement official has requested an administrative hearing, the  
17 hearing officer shall schedule a day, time and place for the hearing.

18 B. Written or electronically mailed notice of the time and place of the hearing shall be served at  
19 least five business days prior to the date of the hearing to the owner.

20 C. The notice of hearing shall be served by electronic mail, standard mail, certified mail,  
21 postage prepaid, return receipt requested, electronically mailed, or hand delivered.

22  
23 **Section 28.** The Lyon County Public Health and Safety Code, Title 6, Chapter 1, Section 28 is hereby  
24 created as follows:

25 6.01.28: FAILURE TO ATTEND ADMINISTRATIVE HEARING:

26 A. Any owner who requests a hearing or whose actions are the subject of an administrative  
27 hearing and who fails to appear at the hearing is deemed to waive the right to a hearing and  
28 all objections to the notice or administrative citation, provided that the hearing was properly  
29 noticed.

---

1 **Section 29.** If any section of this ordinance or portion thereof is for any reason held invalid or  
2 unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining  
3 parts of this ordinance  
4

5 **Section 30.** All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or  
6 sentences contained in the Lyon County Code in conflict herewith are hereby repealed.  
7

8 **Section 31.** This ordinance shall be in full force and effect from and after its passage, approval and  
9 publication as required by law.  
10

11  
12 Proposed on the \_\_\_\_ day of \_\_\_\_\_, 2025.  
13

14 Proposed by Commissioner: \_\_\_\_\_  
15  
16  
17  
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19 THIS Ordinance has been PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2025 by the  
20 following vote of the Board of Commissioners, Lyon County:  
21

22 Ayes: \_\_\_\_\_

23 Nays: \_\_\_\_\_

24 Absent: \_\_\_\_\_  
25  
26

27 Attest:  
28  
29

30 \_\_\_\_\_  
31 County Clerk

\_\_\_\_\_ Chair of the Board  
32

33  
34 This ordinance shall be in force and effect from and after the \_\_\_\_ day of the month of \_\_\_\_\_ of  
35 the year 2025.

# **Lyon County Board of County Commissioners Agenda Summary**

Meeting Date: March 16, 2026

**Agenda Item Number:**

5.b

**Subject:**

For Discussion and Possible Action: A Workshop of the Lyon County Board of Commissioners to receive a presentation and discuss the existing Lyon County building permit application, review, and issuance process, and to consider potential Board-level policy direction intended to improve efficiency and support County staff and the building community in the permitting process. This workshop is intended to focus on building department procedures and is not for the review of individual permit applications.

**Summary:**

**Financial Department Comments:**

**Approved As To Legal Form:**

**County Manager Comments:**

**Recommendation:**