



Washoe County Code Enforcement Common Questions



Washoe County Code Enforcement Mission Statement:

Washoe County Code Enforcement provides sensitive, courteous, and efficient services designed to ensure quality of life for all residents and property owners. These services protect the health, safety, and welfare of Washoe County residents through the fair and impartial enforcement of County codes. Enforcement emphasizes voluntary compliance followed, when necessary, by proper legal procedures.

1. Which County Codes does Community Development staff enforce?

Code Enforcement Officers (CEOs) are designated to enforce land use regulations within unincorporated Washoe County pursuant to Article 910 of the Washoe County Development Code (Washoe County Code Chapter 110). CEOs are also designated to enforce business license regulations within unincorporated Washoe County for both the Business License Ordinance (Washoe County Code section 25) and the Liquor and Gaming License Ordinance (Washoe County Code Chapter 30) pursuant to section 25.045 of County Code.

Washoe County regulates land uses and businesses to protect the public's health and safety. The Washoe County Commission is enabled by State Law (NRS 171.17751) to designate certain staff to prepare, sign, and serve written citations to people in violation of County ordinances. The County Commission designates these staff through the adoption of ordinances specific to each chapter in County Code.

2. What types of County Code violations does Community Development staff enforce?

As noted earlier, Community Development code enforcement staff may only enforce land use (to include zoning) and business license (to include gaming and liquor licenses) regulations. The most prevalent County Code violations investigated and enforced by the CEO's include:

- Outdoor storage of inoperable vehicles.
- Living in a Recreational Vehicle or travel trailer (include temporary camping on a property).
- Outdoor storage of building materials and appliances.
- Storage of an unoccupied manufactured or mobile home.
- Operating a business without a valid County business license.
- Violation of a home-based business license restriction.

Frequently, the Department receives complaints on other types of County Code violations of which the Department, and the CEOs, have no authority to either

investigate or enforce. Some examples of these types of complaints (to include the appropriate County agency to contact on these complaints) are:

- Trash and garbage on a property (District Health).
- Overgrown vegetation or weeds (local fire agency).
- Noise and dust from off-road vehicles (Sheriff's Office).
- Abandoned vehicles on public roads (Sheriff's Office).
- Abandoned buildings or structures (Building and Safety Department).

When the Department receives such complaints, staff will inform the complainant of the appropriate County agency with enforcement authority for the alleged violation. Frequently, staff will also forward a formal referral to the County agency with any information received on the complaint.

3. How do I report a potential violation of the County's land use or business license regulations?

There are several methods to report a land use or business license code complaint:

- Call the Code Enforcement hotline at 328-6106;
- Visit the Community Development front counter (located on the second floor of Building A, Washoe County Administration Complex, 1001 East Ninth Street in Reno):
- Mail a letter to: Washoe County Department of Community Development, Attn: Code Enforcement, PO Box 11130, Reno, Nevada 89520-0027; **OR**,
- Send an e-mail to rschebler@washoecounty.us.

When reporting a potential Code violation, please provide the following information:

- Your name, address, and phone number;
- The address of the potential violation;
- The violator's name, if known;
- The type(s) of violation(s); and,
- Any details that might assist the CEO when investigating the complaint.

We must have your name, address, and phone number to initiate an enforcement case. During the course of any subsequent investigation, to include criminal proceedings if required, your personal information will be treated as sensitive information and not released to third parties. However, at the conclusion of the investigation or proceedings, your personal information becomes part of the public record. As such, we would provide your name, address, and phone number as part of the case file when fulfilling a public records request from a citizen.

We use your personal information to contact you if we have additional questions, to provide a status of the case, or if we determine that the complaint is not within our jurisdiction (e.g., falls within the City's boundaries) or not within our scope of authority. We are not able to open an active enforcement case based on an anonymous complaint. Anonymous complaints will be recorded and investigated

as the CEO's caseload allows. If warranted, the CEO will then open an enforcement case with the CEO recorded as the complainant.

4. How quickly will a Code Enforcement Officer respond to a complaint?

Department policy requires that a CEO visit the site of a potential violation within three business days after our offices receive the complaint. However, in the majority of complaint cases, the CEO visits the site by the next business day.

5. How can I find out what action has been taken in response to my complaint?

Call the Code Enforcement hotline at 328-6106 and provide staff with the address of the potential Code violation or the complaint case number (if known). Renée Schebler provides administrative support to the code enforcement program and is usually able to provide information on the complaint based on the information entered into the code enforcement data base. Frequently, the CEO will also contact you directly to provide you with an update on the status or progress of the complaint case.

6. How do I know if the location of a potential Code violation is within unincorporated Washoe County?

Contact the Washoe County Department of Community Development at 328-6100 with the street address and/or Assessor's Parcel Number of the potential Code violation. Community Development staff will help you determine the jurisdiction within which the location of the potential Code violation lies. If the property is within the City limits of either Reno or Sparks, we will provide you with phone numbers to contact at those jurisdictions.

You can obtain the Assessor's Parcel Number by contacting the Washoe County Assessor's Office at 328-2277. You can also find the Assessor's Parcel Number through Washoe County's On-line Map Warehouse. The e-mail address is http://wcgisweb.washoecounty.us/website/Map_Warehouse/viewer.htm. Click on the Property tab to search the Assessor's files.

7. How long does it take to resolve a violation of the County's land use or business license regulations?

Violations of the County's land use regulations:

County Code requires that a CEO allow a person at least 20 days to correct a violation of the County's land use regulations. The Department's policy, however, is to allow a person with a first-time violation to have a minimum of 30 days to correct the matter. The CEO provides the violator with a written notice of violation/order to comply and specifies the time allowed to correct the violation within the written notice.

Subsequent extensions of time to correct a Code violation may be granted by the CEO should the violator demonstrate progress towards correcting the violation. If the violator fails to demonstrate progress towards correcting the violation, then the CEO will issue the violator a written misdemeanor criminal citation. Criminal citations are handled by the Justice Court within whose jurisdiction the violation lies.

Historically, the majority of land use violations are resolved within 60 days of sending a written notice of violation (67% of all complaint cases). Over 96% of all complaint cases are resolved within 90 days of the written notice. Only a small minority (around 4%) of all complaint cases are resolved through the Justice Court system by the issuance of a misdemeanor criminal citation.

Violations of the County's business license regulations:

A CEO will typically allow a business owner conducting business without a proper business license three (3) days to apply for the correct license or to stop conducting business. Failure to apply for a license or to stop conducting business will cause a CEO to issue the violator a written misdemeanor criminal citation.

The time frame to correct other types of business license regulation violations depends on the situation of each individual case. There is no time frame mandated within County Code to notice a person to correct violations of the business license regulations. However, the CEO will usually allow a period of time to correct violations before issuing a written misdemeanor criminal citation.

8. What is the punishment for violating the County's land use or business license regulations?

Any person who violates the County's land use or business license regulations is guilty of a misdemeanor and, upon conviction within a Justice Court, is punished according to section 125.050 of County Code (a maximum fine of \$1,000 and/or a maximum jail sentence of six months). Each day that the violation persists is a separate violation and the CEO can issue a written misdemeanor criminal citation for each day the violation remains uncorrected.

9. Why doesn't the County just issue written criminal citations for an offense, rather than allowing time for a person to correct the violation?

There are several reasons to allow a person to voluntarily correct land use and/or business license code violations:

- Many people are not aware that they are in violation of a County Code. Part of the CEO's duties is to educate the public concerning the County's land use and business license regulations. Often, people quickly and voluntarily correct any violations when the matter is brought to their attention.
- Often it takes time for a person to correct a Code violation, such as removing excess material from a property, and providing such time demonstrates good faith on part of both the County and the violator to resolve the matter. It is only after the violator does not demonstrate good faith by taking no steps to correct the violation that the County is forced to issue a misdemeanor criminal citation in order to resolve the violation.
- Conviction of a misdemeanor offense leaves the violator with a criminal conviction record. The Department would prefer to avoid following a path that leads to a criminal conviction record, provided that a violator demonstrates progress towards correcting a violation.
- Conviction of a misdemeanor offense does not guarantee that the violation has been corrected. Although a Judge has ordered some measure of compliance with the conviction, the violation may continue to exist on the

property. In these cases, the CEO must start a new case on the violation, to include mandated minimum notice times to comply with County Codes. Conversely, when a case is closed due to voluntary compliance, then the CEO has verified that the violation has been corrected.

10. I received a Notice of Violation/Order to Comply in the mail from your offices, but I am renting the property to tenants. Since they are occupying the residence, aren't they the ones responsible for correcting any violations?

No. Even though you may be renting or leasing the property to tenants, you are directly responsible as the property owner for ensuring the property is in compliance with County regulations. A Notice of Violation/Order to Comply is generally mailed to both the current resident and the property owner so that both are aware of the violation(s), but the property owner is ultimately responsible to correct any violation(s).

11. Are there rules for storing vehicles on my residential property?

Yes. Generally, there are no land use regulations concerning the storage of operable, registered vehicles owned by you on your residentially zoned property. However, the storage of a large number of operable, registered vehicles may constitute a violation of County Code, since such storage is limited to non-residentially zoned property. A Code Enforcement Officer will determine whether storage is of the magnitude to cause a potential violation. Additionally, commercial vehicles of any type are prohibited from being stored on residentially zoned property.

County Code section 110.306.35 defines an inoperable vehicle as a vehicle that cannot be licensed by the State of Nevada Department of Motor Vehicles (DMV), or a vehicle that is not registered by DMV, or a vehicle that is in a state of being dismantled, or a vehicle that is missing one or more parts that would permit it to be operable, or to be safely operated.

Inoperable vehicles, to include trailers and recreational vehicles, must be stored in a manner such that the area with the vehicle is not visible from the street providing access to the property. As such, an inoperable vehicle(s) is not allowed to be stored in the front yard and, if the inoperable vehicle(s) is stored on the property, it must be screened from view from the street. Screening is typically accomplished either by placing the inoperable vehicle(s) inside a garage or other building, or by placing the inoperable vehicle(s) behind a fence in the back yard. A property owner must obtain a fence permit from the Washoe County Department of Building and Safety before constructing a fence (contact the Building Department at 328-2020 for more information). There is no limit on the number of inoperable vehicles stored in the correct manner on a residentially zoned property.

12. A vehicle has been abandoned on my property without my consent. Can you tow it away?

No. However, if the vehicle is on your property, you can legally have it towed. Simply call any automobile towing company to have them remove the vehicle. The automobile towing company will have you complete paperwork concerning ownership of the vehicle and you will be responsible to pay any towing charges.

13. An inoperable vehicle has been abandoned on a street near my house. Can you remove it?

If the inoperable vehicle is on a County-owned roadway and has been parked for more than 72 hours, the vehicle is considered abandoned pursuant to NRS 484.397. Contact the Sheriff's Office at 328-3001 to report the abandoned vehicle. The Sheriff's Office will post a notice requiring removal on the vehicle and tow the vehicle if it remains abandoned on the roadway for an additional 72 hours.

If the inoperable vehicle is parked on a publicly accessible and privately owned roadway, the property owner is responsible for removing the vehicle. You may call the Code Enforcement hotline at 328-6106 to file a complaint.

14. Can I store building material on my residential property?

Building material may be stored outdoors on residentially zoned property only if the material is not visible from the street providing access to the property. The only exception is the temporary outdoor storage of building material used in conjunction with a valid building permit.

Permanent outdoor storage of building material can be accomplished by placing the material behind a fence in the back yard. A property owner must obtain a fence permit from the Washoe County Department of Building and Safety before constructing a fence (contact the Building Department at 328-2020 for more information).

15. I want to move a new mobile/manufactured home on my property. Can my current mobile/manufactured home remain on the property after the new home is installed?

No, unless granted permission by a special use permit to retain the second home as a detached accessory dwelling. The ability to have such a second dwelling depends upon the size and zoning of the residential lot. For more information, contact the Department's Zoning and Development Information hotline at 328-6100.

Unoccupied mobile/manufactured homes may not be stored on residentially zoned property. CEOs will inspect a property 30 days after the final inspections for a new mobile/manufactured home to verify that the previous mobile/manufactured home has been removed from the property.

16. I am building my home and would like to reside on my property during construction. Is this allowed?

Yes. You are allowed to live in a mobile home, manufactured home, travel trailer, commercial coach, or recreational vehicle on your residentially zoned property provided you have a valid building permit to construct your primary residence. However, you are limited to a time period of either 30 days from the date you receive your certificate of occupancy or 18 months from the date of the original building permit for your primary residence (whichever is earlier), at which time you must vacate your temporary quarters.

You may be granted a single extension of 18 months, provided you still have a valid building permit for your primary residence. In no case, however, will you be allowed to live in the temporary quarters after 37 months from the date of the original building permit for your primary residence.

If you choose to temporarily live in a mobile home, manufactured home, or commercial coach, you must obtain a valid set-up permit before occupying the temporary quarters. You will be required to post a \$2,000 bond to cover costs of removing the temporary quarters at the time you apply for your set-up permit. Additionally, these types of temporary quarters must be completely removed from the property by the time frames noted in the preceding paragraph. If you remove your temporary living quarters by the time frames established in County Code, then your \$2,000 bond will be returned to you.

17. I would like my guests to stay on my property in an RV. Is this allowed?

Yes, however, your guests may only stay in a self-contained travel trailer or recreational vehicle on your property subject to the following provisions:

- The guests or relatives cannot pay you to stay on your property;
- You must provide written permission to your guests (subject to inspection by County officials) clearly stating that the visit is authorized by you without any form of compensation;
- The temporary visit does not extend beyond 14 consecutive days;
- No discharge of any litter, sewage, effluent, or other material will be allowed on your property (this discharge must be into sanitary facilities designed to dispose of such material); and,
- No water or sanitary sewer connections are allowed from the travel trailer or RV to any buildings on your property.

Finally, you are limited to four visits (regardless of duration) each year by any guests on your property.

18. I would like to place a storage container on my property, is this allowed?

Storage or shipping containers may be placed on your residentially zoned property provided that you have a principle use existing on the property. Your primary residence is the principle use on your property. If you do not have your primary residence on your property, then you cannot place a storage or shipping container on your property.

Under certain circumstances, you may be allowed to place a storage/shipping container temporarily on your property during construction activities to secure building materials, tools, etc. Such construction must be with a valid building permit. Please contact either the Building and Safety Department at 328-2020 or the Code Enforcement hotline at 328-6106 before placing a temporary storage/shipping container on your property.

Storage or shipping containers must meet the setback requirements for your residentially zoned property. You should contact the Department's Zoning and Development Information hotline at 328-6100 to find out these requirements before you place the containers on your property. Additionally, if the containers are on

wheels, then the wheels must be removed (container placed on the ground). Finally, any commercial advertising on the container must be removed.

Rules to place storage or shipping containers on commercially or industrially zoned property vary with the existing use on the property. Please call the Department's Zoning and Development Information hotline at 328-6100 for information if you wish to place these containers on this type of property.

19. Are there rules for placing accessory structures such as sheds or playhouses on my property? How about rules for setbacks from my property line for these types of structures?

Regulations for accessory structures and their required setbacks from your property lines vary depending on the zoning of your property. If you have specific questions about these uses, please call the Department's Zoning and Development Information hotline at 328-6100 for more information.

20. My neighbor is conducting activities that are prohibited by our neighborhood CCRs. Can you help me?

No. Codes, Covenants, and Restrictions (CCRs) are a private contract between you and another party (typically the builder who developed your subdivision or perhaps a homeowners association). As such, any disputes regarding the CCRs must be settled between you, your neighbor, and the other party to the contract (e.g., the homeowners association). Washoe County cannot interfere in these types of civil matters.

21. When do I need a Washoe County business license?

You will need a Washoe County business license to conduct business within unincorporated Washoe County. You will need a business license if:

- Your place of business (either from a commercial location or from your home) is located within unincorporated Washoe County, **OR**
- You physically come into unincorporated Washoe County to conduct your business.

You will need a Washoe County business license to conduct business within Washoe County even if you have a business license from another city or county. Please contact the Washoe County Business License staff at 328-3733 for more information.

22. What is considered as “conducting a business”?

You are “conducting a business” if you engage in any business, trade, calling, industry, occupation, or profession in Washoe County outside of the incorporated areas of the Cities of Reno or Sparks. You must obtain a business license if you (or your agent, employee, or partner):

- Engage in the business, trade, calling, industry, occupation, or profession;
- Solicit patronage for the business, either actively or passively;
- Perform, or attempt to perform, any part of a business, trade, calling, industry, occupation, or profession;

- Rent, lease, or sub-lease
 - any commercial or industrial property or
 - three or more residential units on a single parcel of land; **OR**,
- Conduct a garage and/or yard sale that is longer than 72 hours in duration or occurs on the same property more than twice in any 6 month period.

23. Are there businesses that don't require a business license?

The following businesses do not require a Washoe County business license:

- Providing childcare in private homes to six or fewer children.
- Garage and/or yard sales which are less than 72 hours in duration and/or do not occur more than twice on the same property in any 6 month period.
- Telecommuting from home by employees of a business located elsewhere.
- Informal, casual, or seasonal work performed by minors (for example, babysitting, lawn mowing).
- Parades or processions (although these activities do require a Washoe County Procession permit).

24. Can I operate a business from my home?

Yes. You will need to obtain a home-based business license. Home-based businesses are allowed in any residentially zoned area, provided that the business activities do not alter the character or appearance of the residential neighborhood. The Washoe County Business License Ordinance contains specific restrictions on the type of businesses and activities that qualify as a home-based business. You should contact Washoe County Business License at 328-3733 if you are interested in operating a business from your home. Also, consult your neighborhood's CCR's as some private restrictions prohibit home businesses.

25. I did not see my question, now what?

Please contact the Code Enforcement hotline, Monday through Friday, 8:00 a.m. through 5:00 p.m. Pacific Time at 328-6106. We will be happy to help you.