

**Proposed Code Amendments  
City of Sparks  
Draft April 30, 2014**

**Proposed changes to the current code are reflected as follows: deletions are ~~struck out~~ and additions are underlined.**

**Chapter 7.16 Nuisances**

**Section 7.16.010 Definitions**

As used in this chapter, unless the context requires otherwise, the following terms shall be defined as set forth in this section.

- A. "Authorized official" means any person designated and empowered by the city manager or district health officer to enforce the provisions of Title 7
- B. "Owner" means anyone having a legal or equitable interest in real property within the city; ~~or the authorized agent of such person; or the person in possession or control of any lot or premises in the city.~~
- C. "Vegetation" means plant material of any type, living or dead.
- D. "Public nuisance" means any of the following conditions:
  - 1. Attractive Nuisance. Any area, structure or object which by its nature, location and/or character would tend to attract and endanger the safety of any minor person;
  - 2. Building Code Violation. Any violation of the Uniform Building Code, as adopted and amended by Title 15 of this code;
  - 3. Fire Code Violation. Any violation of the Uniform Fire Code, as adopted and amended by Title 14 of this code;
  - 4. Refuse and Waste. Any material, regardless of its market value, which, by reason of its location and/or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties; or which has a detrimental effect upon adjacent property values; or which would hamper or interfere with the containment of fire upon the premises;
  - 5. Sign Violation. Any sign which is in violation of Title 20 of this code;
  - 6. Zoning Violation. Any violation of Title 20 of this code;
  - 7. Polluted Water. Any body of water which by its nature and/or location constitutes an unhealthy or unsafe condition;
  - 8. Nuisances in General. Any act or condition which, by reason of its nature, character and/or location, interferes with the reasonable use and enjoyment of adjacent properties; or which has a detrimental effect upon adjacent

property values. Nuisances in general shall include, but not be limited to, the following:

- a. Weeds and turf grass in plain view within the front or side yards on a developed parcel or vacant parcel exceeding eight (8) inches in height, with the exception for useful grasses and pastures as set forth in Section 7.16.040 ;
- b. Bare dirt on a developed residential lot that is primarily void of vegetation or ground covers in the front yard. This includes the front and exterior side yards of a corner lot;
- c. Vegetation that is dying or dead;
- d. Graffiti defined as the unauthorized spraying of paint, ink, chalk, dye or other similar marking substances on public or private buildings, walls, fences or other structures allowed to remain for more than twenty-four (24) hours;
- e. Unpainted or painted buildings, walls, fences, or other structures upon which the condition of the structure have become so deteriorated as to permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation;
- f. Structures that are unsecured;
- g. Fences, gates and similar types of structures that are in an unsafe condition or are left in a state of partial construction or disrepair;
- h. Construction equipment and other commercial vehicles, supplies, material or machinery of any type parked or stored upon any lot or property within a residential zone not approved for a temporary construction yard for the residential subdivision or approved by special use permit or site plan review;
- i. Garbage cans or trash receptacles located or placed in a lot's front yard setback area or in the public right-of-way, including sidewalks, at any time other than during the period commencing the day before a lot's regularly-scheduled garbage collection date and extending through the day following the lot's regularly-scheduled garbage collection date.
- j. Placing portable sporting equipment in the public right-of-way, including sidewalks, at any time.
- k. Front yard paving which occurs after March 21, 2006 and which covers any area other than the area between a lot's driveway and the lot's nearest property line.
- l. Motor vehicles parked within the front or side yard areas on an unpaved surface;

- m. "Inoperable vehicle or trailer", defined as a vehicle or trailer which cannot be safely and legally operated on the street or exhibits one or more of the following conditions: partially or fully dismantled; stripped, damaged or scrapped; has the status of a hulk or shell; discarded; elevated on blocks or similar devices; has deflated tires; or from which the engine, wheels, or tires have been removed.
- n. "Wrecked and/or junked items", defined as items which can no longer be used for their original intended purpose due to damage or wear. Wrecked and/or junked items may include, but is not limited to, vehicles, recreational vehicles, travel trailers, utility trailers, and un-mounted camper tops.
- o. Major repair work, defined as but is not limited to the following: performance of major mechanical or body repairs, replacements and/or dismantling of any motorized or non-motorized vehicles, boats, campers or trailers.

E. "Chronic nuisance" means:

1. When three or more nuisance activities exist or have occurred during any 30-day period on the property.
2. When a person associated with the property has engaged in three or more nuisance activities during any 30-day period on the property or within 100 feet of the property.
3. When the property has been the subject of a search warrant based on probable cause of continuous or repeated violations of chapter 459 of NRS.
4. When a building or place is used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, using or giving away a controlled substance, immediate precursor or controlled substance analog.
5. When a building or place was used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog and:
  - a. The building or place has not been deemed safe for habitation by a governmental entity; or
  - b. All materials or substances involving the controlled substance, immediate precursor or controlled substance analog have not been removed from or remediated on the building or place by an entity certified or licensed to do so within 180 days after the building or place is no longer used for the purpose of unlawfully manufacturing a controlled substance, immediate precursor or controlled substance analog.

F. "Abandoned nuisance" means:

An "abandoned nuisance" exists on any property where a building or other structure is located on the property, the property is located in a city that is in a county whose population is 100,000 or more, the property has been vacant or substantially vacant for 12 months or more and:

1. Two or more abandoned nuisance activities exist or have occurred on the property during any 12-month period; or
2. A person associated with the property has caused or engaged in two or more abandoned nuisance activities during any 12-month period on the property or within 100 feet of the property.

*(Ord. 1830, 1994; Ord. 1452 § 1 (part), 1984.) (Ord. 2462, § 1, Amended, 04/23/12; Ord. 2327, Amended, 05/08/2006; Ord. 2312, Amended, 03/20/2006; 2253, Amended, 12/13/2004; Ord. 2253, Amended, 12/13/2004)*

**Chapter 7.16 Nuisances – add new “Property Preservation” section.**

Section 7.16.015 Property Preservation

A. Purpose

The purpose of this code is to promote the life, health, safety, aesthetic, economic and general welfare of the citizens of the City and to protect neighborhoods against nuisances, blight and deterioration by establishing certain minimum requirements for the maintenance of all properties, whether improved or unimproved.

B. Inoperable vehicle or trailer

1. Definitions

- a. "Vehicle" means automobiles, trucks, boats, watercraft, motorcycles, motorbikes, recreational vehicles, snowmobiles, tractors, and similar, but not to include machinery or heavy equipment.
- b. "Inoperable vehicle or trailer" is defined as a vehicle or trailer which cannot be safely and legally operated on the street or exhibits one or more of the following conditions: partially or fully dismantled; stripped, damaged or scrapped; has the status of a hulk or shell; discarded; elevated on blocks or similar devices; has deflated tires; or from which the engine, wheels, or tires have been removed.

2. Storage. Inoperable vehicles or trailers may be stored at residential properties under the following conditions:

- a. Storage is permitted inside a permitted and completely enclosed structure.
- b. Front yard area. Outside storage of inoperable vehicles or trailers is permitted in the front yard area if all the following requirements are met:
  - i. Vehicles or trailers are screened from public view with an opaque cover that has been manufactured for the specific purpose of a vehicle cover (i.e., no tarps, bed sheets, etc.) and completely covers the vehicle or trailer. Covers shall be maintained in good condition at all times.
  - ii. Stored on a solid surface such as asphalt, paving stones or concrete. The paved area must be a solid surface area that covers the entire area underneath the vehicle or trailer.
  - iii. Pavement limited. The portions of the front yard that may be paved are permitted driveways with an approved curb cut from the City and the area between the driveway and the nearest side lot line.
- c. Rear and side yard areas. Outdoor storage of inoperable vehicles or trailers is permitted in rear and side yard areas if either of the following requirements is met:
  - i. Vehicles or trailers are screened from public view with an opaque cover that has been manufactured for the specific purpose of a vehicle cover (i.e., no tarps, bed sheets, etc.) and completely

covers the vehicle or trailer. Covers shall be maintained in good condition at all times.

- ii. Vehicles or trailers are screened from public view with a six-foot-high opaque fence or six foot high landscaping providing comparable sight obstruction.

C. Wrecked and/or junked vehicles or trailers – storage.

- 1. Wrecked and/or junked vehicles or trailers and other items may be stored on residential property within a permitted and completely enclosed structure or in the rear yard behind a six foot high opaque fence or six foot high landscaping providing comparable sight obstruction in a manner so that the wrecked and/or junk item is not visible from public view and does not create a health or safety hazard.

D. Minor vehicle repair work

- 1. “Minor vehicle repair work” includes, but is not limited to, regular maintenance items such as engine tune-ups, oil changes and transmission fluid replacements, joint lubrication, brake component replacement and tire changes. Minor vehicle repair work is permitted subject to the following limitations:
  - a. The work shall not exceed 72 hours in duration.
  - b. Minor repair work may only be performed on vehicles registered to the occupant(s) of the residential address where the work is being performed.

E. Securing vacant and/ or abandoned structures.

- 1. Purpose. The intent of this section is to promote the health, safety and welfare of neighborhoods by requiring vacant and abandoned structures to be secured.
- 2. Securing vacant and/ or abandoned structures – regulation.
  - a. Vacant and abandoned structures shall be secured to prevent trespassing and reoccurring criminal activity. The method and materials used for addressing a security issue shall be carefully considered because of the impact on the integrity of the neighborhood and the view from the street of the structure.
  - b. If a structure’s exterior doors or windows have been damaged or compromised and no longer prevent trespassing they shall be secured as follows:
    - i. Windows. For facades in public view, the windows shall be covered with a carbonated clear plastic at least .093 inches thick or 3/8 inch thick plywood. All wood material shall be painted to match the dominant exterior color of the facade of the structure on which the barricade is placed. Unsecured windows not in public view shall be covered with a carbonated clear plastic at least .093 inches thick or 3/8 inch thick plywood.
    - ii. Doors. All doors in public view that are secured with wood shall be painted to match the dominant exterior color of the facade of the structure on which the barricade is placed.

F. Securing occupied structures - regulation

1. The doors and windows of an occupied structure may be temporarily secured with wood, plastic, or similar materials to prevent trespassing while maintaining compliance with applicable fire and building codes.

G. Ground covers

1. Purpose. The purpose of this section is to promote the public health, safety and general welfare of the people of the City by requiring installation and maintenance of ground covers and/or landscaping. The regulation is intended to accomplish the following:

- a. Maintain the aesthetics of the community;
- b. Provide environmental controls such as, but not limited to, the reduction of noise, dust and erosion;
- c. Reduce air pollution by encouraging the use of vegetation for air filtration, absorption of carbon dioxide and production of oxygen;
- d. Assist in ground water recharge;
- e. Reduce visual pollution which might otherwise occur within an urbanized area;
- f. Encourage a balanced landscape approach with a variety of ground covers including landscape materials.

2. Definitions

- a. "Front yard" means the yard lying between the front wall of the main building and the front property line and extending across the full width of the lot or parcel.
- b. "Side yard" means the area between the side lot line and the side of the residence closest to such property line and extending the length of the side of the residence.
- c. "Exterior side yard" means the areas between the side wall of the building and side property line abutting a street right-of-way on corner lots.

3. Ground covers - regulation

- a. Ground covers are to be applied to bare dirt on a developed residential lot that is primarily void of landscaping in the front yard or front and exterior side yard on lot with more than one frontage.
- b. A property owner is required to cover seventy five percent (75%) of the front yard and for a corner lot, the front yard and exterior side yard, with any combination of living plants and non-living ground covers including:
  - i. Living plants including, but not limited to, turf grass, ground covers, shrubs, vines, hedges, or trees which have been identified as those which are drought-tolerant or low-water use varieties, indigenous to or adaptable to this climate, and which can survive, once established, on minimal irrigation.
  - ii. Rock, bark and decomposed granite.
- c. Plants shall be maintained in good condition to keep the dirt covered and the area weed-free.

- d. Non-living ground covers shall be kept in good condition and the area shall be maintained to keep the dirt covered and weed free. Plastic, steel, or other appropriate edging material shall be provided around non-living ground cover areas to retain any loose ground cover material.



## Chapter 20.35 Recreational Vehicle Storage

### Section 20.35.010 Purpose, effect, and definitions.

- A. The purpose of this chapter is to regulate the parking and storage of recreational vehicles (see definition in 20.35.010.G), ~~boats and trailers at properties used for residential purposes~~ in residentially-zoned areas within the city.
- B. This chapter shall not be construed to limit any deed restrictions, condominium regulations, or similar private limitations more restrictive than the regulations contained herein.
- C. This chapter shall not be construed to conflict in any manner with state or county laws concerning the licensing and regulation of said recreational vehicles, boats or trailers.
- D. Except as otherwise provided herein, the words and terms used in this chapter shall have the meaning ascribed to them in Chapter 20.05 and Chapter 7.16, definitions.
- E. ~~For purposes of this chapter, the term "front yard" includes the driveway, and the area between the driveway and the nearest side lot line, but does not include the area typically used for landscaping between the driveway and the farthest side lot line.; in the event the residence has no driveway, the term "front yard" does not include the entire area between the residence and the street providing principal access.~~
- E. "Front yard" means the yard lying between the front wall of the main building and the front property line and extending across the full width of the lot or parcel.
- F. ~~For purposes of this chapter, the term "side"~~Side yard" means the area between the side lot line and the side of the residence closest to such property line and extending the length of the side of the residence.
- G. "Recreational vehicle" means boats, watercraft, all-terrain vehicles, motorcycles, motorbikes for off-road use, motor homes and camper homes, snowmobiles and similar motorized machinery for similar recreational purposes.

(Ord. 1519 § 5 (part), 1985.)

### Section 20.35.020 General provisions.

- A. The recreational vehicle, ~~boat or trailer~~ must be currently registered and licensed as required by state and federal law.
- B. ~~The total number of vehicles, (other than passenger vehicles) so parked or stored shall be limited to two. Additional vehicles may be stored in the rear or side yard if such vehicle are screened from public view by a six-foot-high opaque fence or landscaping providing comparable sight obstruction. Only one recreational vehicle, boat or trailer may be parked or stored in the front yard. No~~

recreational vehicle, boat or trailer may be parked or stored in front of a residence in an area other than the front or side yard as defined herein.

- ~~B.~~ A unit may be parked anywhere on the premises during active loading or unloading, and use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use.

*(Ord. 1519 § 5 (part), 1985.)*

### **Section 20.35.030 Storage.**

For planned developments consult the appropriate planned development handbook for the specific regulation. In all residential zones At all other properties used for residential purposes it is permissible to store a recreational vehicle, boat, or trailer under subject to the following conditions:

- A Storage is permitted inside any enclosed structure, ~~which~~ which structure otherwise conforms to the zoning and building requirements for the of the particular zone zoning district where it is located.
- ~~B.~~ Outside storage in the side yard or the rear yard.
- ~~CB.~~ Outside storage in the front yard, provided:
1. ~~There is no reasonable access to either the side yard or rear yard and/or space is not available in the side and rear yards; a corner lot is always deemed to have reasonable access to the rear yard; a fence is not deemed to prevent reasonable access;~~
  2. ~~Inside storage is not possible;~~
  1. The total number of recreational vehicles in the front yard area does not exceed two (2).
  2. Recreational vehicles in the front yard area shall only be parked in the
    - a. The driveway and/or
    - b. The area between the driveway and the nearest side lot line, provided this area is paved.
  3. ~~That the recreational vehicle, boat or trailer is~~ must be stored entirely on the owner's property in a safe and orderly manner and that vehicles stored on a driveway shall must not be a hazard to people entering the driveway or to persons passing on the sidewalk.;
  4. ~~That the recreational vehicle, boat or trailer is~~ must be stored with the maximum clearance possible between the unit, including the tongue or hitch, and the inside edge of any public sidewalk or street, but in no event may said clearance be less than one foot;
  5. ~~That if space allows, the body of the recreational vehicle, boat, or trailer must be at least fifteen feet from the face of any curb;~~
  5. ~~Effective June 30, 1986, No recreational vehicle, boat or trailer, may be stored in the front yard unless on a driveway or other hard surfaced area,~~

such as asphalt, paving stones or concrete. The paved area must cover the entire area underneath the vehicle or trailer.

- C. Outside storage of up to two (2) recreational vehicles is permitted in the side yard or the rear yard. Additional recreational vehicles are permitted in the side yard or the rear yard if screened from public view with a six-foot-high opaque fence or six foot high landscaping providing comparable sight obstruction.

#### **Section 20.35.040 Prohibited uses.**

A recreational vehicle must not be:

- A. Permanently connected to sewer lines, water lines or electricity;
- B. Used for storage of goods, materials or equipment other than those items considered to be a part of the unit or essential for its immediate use;
- C. Used for dwelling purposes, except as provided in this chapter and [Sections 20.98.060-070](#) of this code;
- D. Parked on a public street, alley or parking lot except as provided in [Chapter 10.48](#) of this code.

*(Ord. 1519 § 5 (part), 1985.)*

#### **Section 20.35.050 Waiver of requirements.**

Owners or lessors of a residence on a lot of twelve thousand or more square feet subject to the requirements of this chapter may apply for a permit waiving the location requirements set forth in this chapter in accordance with the following procedure:

- A. An application for a permit may be filed with the planning department on a form provided by said department. The application must be accompanied with a ~~thirty five dollar~~ processing fee.
- B. A permit waiving one or more requirements may be issued by the ~~director of planning~~ Administrator for the period of one year if, in the opinion of the ~~director~~ Administrator, the proposal will not be detrimental to the enjoyment of property by neighbors and the following conditions are satisfied:
  - 1. No more than two recreational vehicles may be parked within twenty feet of any property line;
  - 2. The owner or lessor of the property may not receive compensation for the storage of any recreational vehicle on the premises.
- C. The ~~director of planning~~ Administrator may renew a permit for an additional one year period without additional fees upon receipt of an application to renew provided all conditions for issuance are met. The ~~director of planning~~ Administrator may revoke a permit for violation of a condition of the permit by giving the permittee a ten-day written notice.

- D. An applicant or permittee may appeal the ~~director's~~Administrator's decision to deny or revoke a permit by filing a written application for appeal to the city council as provided in section 20.07.030 of this title.

*(Ord. 1519 § 5 (part), 1985.)*