

CHAPTER 12.44 – REGIONAL ROAD IMPACT FEE

BILL NO. \_\_\_\_\_

INTRODUCED BY COUNCIL

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

**AN ORDINANCE AMENDING CHAPTER 12.44 OF THE SPARKS MUNICIPAL CODE TO REFLECT CHANGES TO THE REGIONAL ROAD IMPACT FEE GENERAL ADMINISTRATIVE MANUAL, CAPITAL IMPROVEMENTS PLAN, AND IMPACT FEES AS REVISED BY THE REGIONAL TRANSPORTATION COMMISSION OF WASHOE COUNTY ON MAY 20, 2019; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

**THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:**

**SECTION 1.** Section 12.44.030, Adoption and Amendment of the RRIF System General Administrative Manual, is hereby amended as follows:

Section 12.44.030 – Adoption and amendment of the RRIF System General Administrative Manual.

The Regional Road Impact Fee System General Administrative Manual (hereinafter “RRIF Manual”) approved by the Regional Transportation Commission of Washoe County on August 18, 1995, attached to the original adopting ordinance and last ~~amended-revised~~ by the Regional Transportation Commission of Washoe County on ~~September 19, 2014~~ May 20, 2019, is hereby ~~adopted~~ approved. A copy of the Amended RRIF Manual is attached hereto as Exhibit “1” and incorporated herein by reference. The RRIF Manual shall contain appropriate definitions, an independent fee calculation study, exemptions, credits, appeals and review sections for the effective administration of the program. ~~It-The RRIF Manual~~ may subsequently be amended ~~by a resolution approved by~~ upon approval of the Regional Transportation Commission Board and the Governing Bodies of each Participating Local Government.

**SECTION 2.** Section 12.44.040, Adoption of the Regional Road Impact Fee System Capital Improvement Plan (“RRIF CIP”), is hereby amended as follows:

Section 12.44.040 – Adoption of the Regional Road Impact Fee System Capital Improvement Plan (“RRIF CIP”).

The Regional Road Improvement Fee System Capital Improvement Plan (“RRIF CIP”) adopted by the Regional Transportation Commission of Washoe County on August 18, 1995, attached to the original adopting ordinance ~~as~~ and last ~~amended-revised~~ by the Regional Transportation Commission of Washoe County on ~~September 19, 2014~~ May 20, 2019, is hereby ~~adopted~~ approved. A copy of the Amended RRIF CIP is attached hereto as Exhibit “2” ~~and Exhibit “3”~~ and incorporated herein by reference. ~~It-The RRIF CIP~~ may be amended only by subsequent ordinance.

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**SECTION 3.** Section 12.44.050, Service Areas, is hereby amended as follows:

Section 12.44.050 – Service areas.

There are hereby established two service areas for the imposition of regional road impact fees and the collection and expenditure of funds under the provisions of this section. The Service Areas are identified in Exhibit B of the RRIF ~~General Administrative Manual~~, referred to in Section 12.44.~~030040~~ of this chapter and ~~is~~ are defined as:

- A. North Service Area. Starting at the southwest corner of the district at the California-Nevada state line and Interstate 80, follow the state line north to the northern boundary of the Washoe County North Valleys planning area (i.e. northern boundary of the Red Rock Hydrographic Basin boundary), then east along the northern boundary of the North Valleys planning area (i.e. northern boundary of the Red Rock and Bedell Flat Hydrographic Basin boundary) then north to the northwest corner of the Warm Springs planning area, then southeast and south along the boundary of the Warm Springs planning area, then west along the southern boundary of the Warm Springs planning area to the eastern edge of the Washoe County Spanish Springs planning area and the Washoe County Truckee Canyon planning area, then southwest along the western edge of the Truckee Canyon planning area to Interstate 80, then west along Interstate 80 to the California- Nevada state line.
- B. South Service Area. Starting at the northwest corner of the district at the California-Nevada state line and Interstate 80, follow Interstate 80 east to the western edge of the Washoe County Truckee Canyon planning area, then south along the Washoe County-Storey County line to the Washoe County-Carson City line, then west along the Washoe County-Carson City line to the southern jurisdictional line of the Tahoe Regional Planning Agency and the Washoe County Tahoe planning area, then north along the California-Nevada state line to Interstate 80.

**SECTION 4.** Section 12.44.060, Impact Fees, is hereby amended as follows:

Section 12.44.060 – Impact fees.

The amount of the impact fees shall be determined by the Local RRIF Administrator in accordance with the applicable provisions of the RRIF Manual ~~adopted~~ revised by the Regional Transportation Commission of Washoe County on ~~September 19, 2014~~ May 20, 2019, or as subsequently amended ~~by resolution~~ as provided herein and the application of the fee schedule identified as Exhibit ~~ED~~ of the RRIF ~~CIP General Administrative Manual~~ referenced in Section 12.44.040030. Said fee schedule may only be modified by subsequent ordinance.

**SECTION 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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**SECTION 6.** The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

**SECTION 7.** This ordinance shall become effective upon passage, approval, publication, and approval of the RRIF Manual and RRIF CIP by the Governing Bodies of each Participating Local Government.

**SECTION 8.** The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

**SECTION 9.** If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote of the City Council:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

\_\_\_\_\_  
**RONALD E. SMITH, Mayor**

**ATTEST:**

\_\_\_\_\_  
**LISA HUNDERMAN, Acting City Clerk**

**APPROVED AS TO FORM AND LEGALITY:**

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**CHESTER H. ADAMS, City Attorney**