

HUMBOLDT COUNTY, NEVADA
MARY ANN HARRISON, RECORDER
PAID \$17.00
O KENT MAHER

12/24/2007 03:05:23PM
PAGE 1 OF 4
2007 12734

HUMBOLDT COUNTY APNs: N/A

SEND TAX STATEMENTS TO: N/A

RECORDING REQUESTED BY AND RETURN TO:

O. Kent Maher, Esq.
P.O. Box 130
Winnemucca, Nevada 89446

NAME/ADDRESS OF PREPARER OF LEGAL
DESCRIPTION-LAST RECORDED INSTRUMENT:

N/A

The undersigned affirm there is no Social Security number contained in this document

CITY OF WINNEMUCCA

COVER SHEET

FOR

RECORDED DOCUMENT

DOCUMENT TYPE: Ordinance No. 741

DOCUMENT DATE: October 23, 2007

SUMMARY: Amends solid waste disposal ordinance to authorize acceptance of out-of-area solid waste at disposal sites other than the landfill.

BILL NUMBER 10-01-2007

ORDINANCE NUMBER 741

AN ORDINANCE AMENDING CHAPTER 8.04 OF WINNEMUCCA MUNICIPAL CODE (WMC); AUTHORIZING ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT FOR DISPOSAL AT SITES OTHER THAN HUMBOLDT COUNTY REGIONAL LANDFILL; PROVIDING FOR THE ASSESSMENT OF FEES FOR ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT; AND, PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF WINNEMUCCA DO ORDAIN AS FOLLOWS:



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HUMBOLDT COUNTY, NEVADA
MARY ANN HARRISON, RECORDER
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2007 12734

Section 1. Enacting Provisions. The Winnemucca Municipal Code Chapter 8.04 including its table of contents is amended in the following manner:

1.1 Amendment. Winnemucca Municipal Code Chapter 8.04.270 is amended to read as follows:

8.04.270 Special user fees.

The board and council shall be authorized to contract for, or to establish or authorize establishment of programs, rules and procedures to provide for the disposal, placement or processing of recyclable material, as defined by NRS 444A.013, and any type of solid waste, including renewable or hazardous materials, septage and special waste, and to provide for the temporary or permanent placement of such recyclable material and solid waste at the district landfill or other designated area, and for such purposes may:

- A.** In addition to any other assessment imposed by this chapter, impose special user fees for use of the landfill or other authorized disposal site;
- B.** Impose fees for special services related to the disposal, placement or processing of recyclable material and solid waste; and,
- C.** Designate all or any portion of the landfill assessments or special user fees to be utilized for programs which encourage or promote the disposal, placement or processing of recyclable material and solid waste or for any other lawful purpose.

1.2 Amendment. Winnemucca Municipal Code Chapter 8.04.280 is amended to read as follows:

8.04.280 Disposal of waste from outside district.

A. Solid waste from outside the district may be deposited at the landfill or other site in the district with the recommendation of the landfill committee and approval of the board and council upon such terms, conditions and fees as established by the board and council.

B. Noncompliance with the terms, conditions and fees established by the board and council and/or noncompliance with the provisions of this chapter and/or noncompliance with any other applicable law or regulation shall, at the discretion of the board and council, result in revocation of the permission to deposit solid waste from outside the district. The revocation of permission to deposit solid waste from outside the district shall be in addition to the penalties and remedies provided in this chapter or by law.

1.3 Reenactments. All other sections of Chapter 8.04 of Winnemucca Municipal Code are reenacted without change.

Section 2. Concluding Provisions.

2.1 Effective Date. This ordinance shall become effective twenty (20) days after it is published by title together with an adequate summary, including any amendments, once in a newspaper published in the City of Winnemucca and after it is posted in the City Hall, Winnemucca, Nevada.

2.2 Severability. If any provisions of this Ordinance or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity of provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provision or application and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

2.3 Repealer. All ordinances and parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed, but only to the extent of such conflict or inconsistency. The repeal of prior ordinances provided in this section shall not affect any act done or any cause of action accrued or established or any plea, defense, bar or matter existing before the time when such repeal takes effect. No ordinance which heretofore has been repealed shall be revived by the repeals provided in this section.

2.4 Table of contents, headings and bracketed material. Any table or listing of section numbers, any headings and any bracketed material contained in this ordinance is intended as a reference aid and has no legal effect.

PROPOSED: October 1, 2007

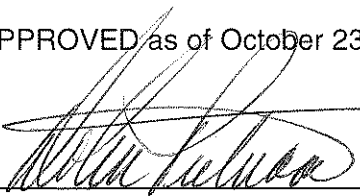
PASSED AND ADOPTED: October 23, 2007

VOTE OF CITY COUNCIL:


Ayes:	Councilmen <u>Stone, Cain, Sheen, Herzog, Stoker</u>
Nays:	Councilmen _____
Absent:	Councilmen _____
Not Voting:	Councilmen _____

APPROVED as of October 23, 2007:

ATTEST as of October 23, 2007:



 Di An Putnam
 Mayor



 Eddy D. Davis
 City Clerk

HUMBOLDT COUNTY, NEVADA
 MARY ANN HAMMOND, RECORDER
 12/24/2007 03:05:23PM
 PAGE 4 OF 4
 2007 12734

SUMMARY: Amends solid waste disposal ordinance to authorize acceptance of out-of-area solid waste at disposal sites other than the landfill.

BILL NUMBER 10-01-2007

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AN ORDINANCE AMENDING CHAPTER 8.04 OF WINNEMUCCA MUNICIPAL CODE (WMC); AUTHORIZING ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT FOR DISPOSAL AT SITES OTHER THAN HUMBOLDT COUNTY REGIONAL LANDFILL; PROVIDING FOR THE ASSESSMENT OF FEES FOR ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT; AND, PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

BILL HISTORY

_____, __, 2007 PROPOSED AND READ BY TITLE
_____, __, 2007 HEARING SET FOR 1:30 pm on _____, 2007
_____, __, 2007 BILL REFERRED TO COMMITTEE consisting of:

_____, __, 2007 HEARING RESCHEDULED TO 1:30 pm on _____, 2007
_____, __, 2007 ADEQUATE DISTRIBUTION COPIES to City Clerk
_____, __, 2007 NOTICE OF PROPOSAL, FILING & HEARING PUBLISHED
in the Humboldt Sun, a date not less than 10 days before the hearing
_____, __, 2007 HEARING HELD, PUBLIC COPY AVAILABLE
_____, __, 2007 AMENDED, ordered retyped
_____, __, 2007 READ IN FULL or
READ BY TITLE & SUMMARY, PASSED AND ADOPTED, a date not later
than 30 days after the date of publication of notice
VOTE: For: _____
Against: _____
Not Voting: _____
Absent: _____
_____, __, 2007 POSTED IN FULL in the City Hall
_____, __, 2007 PUBLISHED BY TITLE with summary including any amendments, once (1x)
_____, __, 2007 RECORDED in Book _____, Page _____, Official Records of Humboldt
County, Office of County Recorder as Document No. _____
_____, __, 2007 EFFECTIVE DATE: _____, 2007 [20 days after notice publication]

CITY OF WINNEMUCCA

NOTICE OF PUBLIC HEARING
INTENTION TO CONSIDER PASSAGE OF ORDINANCE

PUBLIC HEARING:

1:30 p.m. Tuesday, October 23, 2007
City Hall
City Council Meeting Room
90 West Fourth Street
Winnemucca, Nevada

SUMMARY: Amends solid waste disposal ordinance to authorize acceptance of out-of-area solid waste at disposal sites other than the landfill.

BILL NUMBER 10-01-2007


AN ORDINANCE AMENDING CHAPTER 8.04 OF WINNEMUCCA MUNICIPAL CODE (WMC); AUTHORIZING ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT FOR DISPOSAL AT SITES OTHER THAN HUMBOLDT COUNTY REGIONAL LANDFILL; PROVIDING FOR THE ASSESSMENT OF FEES FOR ACCEPTANCE OF SOLID WASTE FROM OUTSIDE THE LANDFILL DISTRICT; AND, PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

RESULT OF PASSAGE: Existing sections of the Solid Waste Management section of the Winnemucca Municipal Code will be amended to allow solid waste to be disposed of, upon approval of the county commission and city council, at sites other than the regional landfill, which is currently the only site in the landfill district (all of Humboldt County is the landfill district) where solid waste generated from within or from outside the district can be deposited. The county commission and city council can set the terms, conditions and fees for allowing the disposal of outside-the-district solid waste at a site in the landfill district.

Copies of the proposed ordinance are available for public inspection at the office of the City Clerk, City Hall, 90 West Fourth Street, Winnemucca, Nevada.

Dated: October 23, 2007

{SEAL}



Eddy D. Davis
City Clerk

Publish: October 26, 2007

Legal Number 023350

AFFIDAVIT OF PUBLICATION

Tracy Wadley, Legal Clerk for
The Humboldt Sun, a twice weekly
newspaper published in Winnemucca
Humboldt County, Nevada, duly
swears that the following

WMCA CITY CLERK
BILL 10-01-2007

a printed copy of which is affixed,

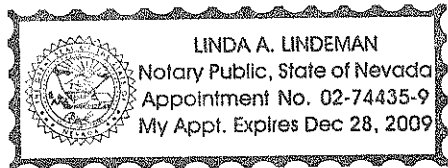
was published 1 time(s)
commencing 10/05/07
and ending 10/05/07

Tracy Wadley
Tracy Wadley

State of Nevada
County of Humboldt
Signed and sworn to before me by

Tracy Wadley on 10-12-07

Linda A. Lindeman
Linda A. Lindeman, Notary



Legal No. 23,360
CITY OF WINNEMUCCA
NOTICE OF PUBLIC
HEARING
INTENTION TO CONSIDER
PASSAGE OF ORDINANCE
PUBLIC HEARING:
1:30 p.m. Tuesday
October 23, 2007
City Hall
City Council Meeting Room
90 West Fourth Street
Winnemucca, Nevada
SUMMARY: Amends solid
waste disposal ordinance to
authorize acceptance of out-
of-area solid waste at dis-
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fill.
BILL NUMBER 10-01-2007.
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Existing sections of the Solid
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in the landfill district.
Copies of the proposed ordi-
nance are available for pub-
lic inspection at the office of
the City Clerk, City Hall, 90
West Fourth Street, Winne-
mucca, Nevada.
Dated: October 1, 2007
(SEAL)
/s/ Eddy D. Davis
Eddy D. Davis
City Clerk
Published in The Humboldt

CITY OF WINNEMUCCA

NOTICE OF PASSAGE OF ORDINANCE

SUMMARY: Amends solid waste disposal ordinance to authorize acceptance of out-of-area solid waste at disposal sites other than the landfill.

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Date Proposed: October 1, 2007

Date Passed: October 23, 2007

Effective Date: Twenty (20) days after publication of this Notice

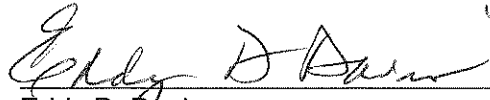
Vote of City Council:

Ayes: Councilmen Stone, Cain, Sheen, Herzog, Stoker
Nays: Councilmen _____
Absent: Councilmen _____
Not Voting: Councilmen _____

Copies of the adopted ordinance are available for public inspection at the office of the City Clerk, City Hall, 90 West Fourth Street, Winnemucca, Nevada.

Dated: October 23, 2007

{SEAL}



Eddy D. Davis
City Clerk

Publish: October 26, 2007

Legal Number 023393

AFFIDAVIT OF PUBLICATION

Tracy Wadley, Legal Clerk for
The Humboldt Sun, a twice weekly
newspaper published in Winnemucca
Humboldt County, Nevada, duly
swears that the following

WNCA CITY CLERK
ORDINANCE 741

a printed copy of which is affixed,

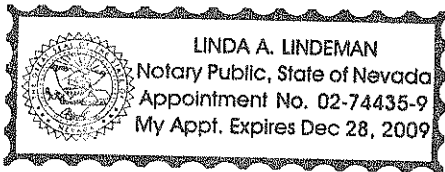
was published 1 time(s)
commencing 10/26/07
and ending 10/26/07

Tracy Wadley
Tracy Wadley

State of Nevada
County of Humboldt
Signed and sworn to before me by

Tracy Wadley on 10-30-07

Linda A. Lindeman
Linda A, Lindeman, Notary



Legal No. 23, 393
**CITY OF WINNEMUCCA
NOTICE OF PASSAGE OF
ORDINANCE**
SUMMARY: Amends solid
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**BILL NUMBER 10-01-2007
ORDINANCE NUMBER 741**
AN ORDINANCE AMEND-
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Date Proposed: October 1,
2007
Date Passed: October 23,
2007
Effective Date: Twenty (20)
days after publication of this
Notice
Vote of City Council:
Ayes: Councilmen Stone,
Cain, Sheen, Herzog, Stoker
Nays: Councilmen
Absent: Councilmen
Not Voting: Councilmen
Copies of the adopted ordi-
nance are available for pub-
lic inspection at the office of
the City Clerk, City Hall, 90
West Fourth Street, Winne-
mucca, Nevada.
Dated: October 23, 2007
(SEAL)
/s/ Eddy D. Davis
Eddy D. Davis
City Clerk
Published in The Humboldt
Sun
October 26, 2007