

BILL NO. TTO-15-01

TONOPAH TOWN ORDINANCE NO. 22.02

SUMMARY: AN ORDINANCE ENACTING A REVISION AND CODIFICATION OF THE GENERAL ORDINANCES OF THE TOWN OF TONOPAH, AN ORDINANCE AMENDING TITLE 22 TONOPAH, OF THE NYE COUNTY CODE BY ADDING SECTION 22.02.010, ANNEXING INTO THE UNINCORPORATED TOWN OF TONOPAH BOUNDARIES THE AREA OF THE TONOPAH LIBRARY DISTRICT, CONSOLIDATING THE LEGAL DESCRIPTION OF THE ENTIRE UNINCORPORATED TONOPAH TOWN BOUNDARY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

TITLE: AN ORDINANCE ENACTING A REVISION AND CODIFICATION OF THE GENERAL ORDINANCES OF THE TOWN OF TONOPAH, AN ORDINANCE AMENDING TITLE 22 TONOPAH, OF THE NYE COUNTY CODE BY ADDING SECTION 22.02.010, ANNEXING INTO THE UNINCORPORATED TOWN OF TONOPAH BOUNDARIES THE AREA OF THE TONOPAH LIBRARY DISTRICT, CONSOLIDATING THE LEGAL DESCRIPTION OF THE ENTIRE UNINCORPORATED TONOPAH TOWN BOUNDARY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Tonopah Town Board ("Board") is empowered pursuant to the provisions of Nevada Revised Statute 269.155 to adopt ordinances, rules, and regulations for the Town of Tonopah; and

WHEREAS, the Board is empowered, pursuant to the provisions of Nevada Revised Statute 269.650 through NRS 269.654 to annex into the unincorporated Town of Tonopah boundaries the area of the Tonopah Library District; and

WHEREAS, the Board is empowered, pursuant to Nevada Revised Statute 269.652, to commence proceedings to annex areas authorized by Nevada Revised Statute 269.650, by resolution of the Town Board; and

WHEREAS, pursuant to Nevada Revised Statute 269.650, requires an ordinance to contain a provision requiring that the town boundary be surveyed, mapped, platted and so enlarged as to include the area to be annexed. Upon filing of the plat or map of the unincorporated Town of Tonopah, including the area annexed, it constitutes the legal boundary of the town; and

WHEREAS, the Board is empowered, pursuant to Nevada Revised Statute 269.654, to direct staff to send a copy of this proposed ordinance by certified mail, return receipt requested, to each owner of real property in the area proposed to be annexed, and post a notice of the proposed annexation on the Town of Tonopah website, pursuant to Nevada Revised Statute 269.155; and

NOW THEREFORE, the Town Board of Tonopah, County of Nye, State of Nevada, does hereby ordain as follows:

22.02.010 FORMATION OF TOWN:

THE UNINCORPORATED TOWN OF TONOPAH, A BODY CORPORATE AND POLITIC AND A POLITICAL SUBDIVISION OF THE STATE OF NEVADA IS FORMED UNDER CHAPTER 269 OF THE NEVADA REVISED STATUTES, AND SHALL HAVE BOUNDARIES PARTICULARLY DESCRIBED AS FOLLOWS:

T2N, R42E: SECTIONS 1 AND 2. T2N, R43E: SECTIONS 1, 2, 3, 4, 5, 6, 10, 11 AND 12. T2N, R44E: SECTIONS 5, 6, 7 AND 8. T3N, R42E: SECTION 13, SECTIONS 20 (WITHIN NYE CO.), 21 (WITHIN NYE CO.), 22, 23, 24, 25, 26, 27 (WITHIN NYE CO.), 28 (WITHIN NYE CO.), 34 (WITHIN NYE CO.), 35 AND 36. T3N, R43E: SECTIONS 10, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 AND 36. T3N, R44E: SECTIONS 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 AND 32. T4N, R44E: SECTIONS 7, 8, 17, 18, 19, 20, 29, 30, 31, AND 32. (ORD. 138, 1991)

22.02.015 AREA ANNEXED INTO THE UNINCORPORATED TOWN OF TONOPAH:

THE FOLLOWING DESCRIBED AREA BEGINNING AT A POINT ON THE NYE/ESMERALDA COUNTY LINE AT ITS INTERSECTION WITH THE TOWNSHIP LINE COMMON TO T6N AND T7N IN R39E; THENCE BEARING SOUTHEASTERLY ALONG THE NYE/ESMERALDA COUNTY LINE TO A POINT IN SECTION 33, T2S, R43E; THENCE SOUTHERASTERLY APPROXIMATELY 4 MILES ALONG A DIRECT ROAD TO THE LAS VEGAS BOMBING AND GUNNERY RANGE BOUNDARY LOCATED IN SECTION 1, T3S, R43E; THENCE BEARING NORTHERLY ALONG THE RANGE LINE COMMON TO R43E AND R44E TO THE NORTHWEST CORNER OF SECTION 6, T1S, R44E; THENCE BEARING EASTERLY ALONG THE TOWNSHIP LINE COMMON TO T1S AND T1N TO THE SOUTHWEST CORNER OF SECTION 31, T1N, R53EA; THENCE BEARING NORTHLY ALONG THE RANGE LINE COMMON TO R52E AND R53E TO THE NORTHEAST CORNER OF SECTION 1, T6N, R52E; THENCE BEARING WESTERLY ALONG THE TOWNSHIP LINE COMMON TO T6N AND T7N TO ITS INTERSECTION WITH THE NYE/ESMERALDA COUNTY LINE, THE POINT OF BEGINNING.

is annexed into the boundaries of the Unincorporated Town of Tonopah.

22.02.020 CONSOLIDATED LEGAL DESCRIPTION OF THE ENTIRE BOUNDARY OF THE UNINCORPORATED TOWN OF TONOPAH:

THE FOLLOWING DESCRIBED AREA BEGINNING AT A POINT ON THE NYE/ESMERALDA COUNTY LINE AT ITS INTERSECTION WITH THE TOWNSHIP LINE COMMON TO T6N AND T7N IN R39E; THENCE BEARING SOUTHEASTERLY ALONG THE NYE/ESMERALDA COUNTY LINE TO A POINT IN

SECTION 33, T2S, R43E; THENCE SOUTHERASTERLY APPROXIMATELY 4 MILES ALONG A DIRECT ROAD TO THE LAS VEGAS BOMBING AND GUNNERY RANGE BOUNDARY LOCATED IN SECTION 1, T3S, R43E; THENCE BEARING NORTHERLY ALONG THE RANGE LINE COMMON TO R43E AND R44E TO THE NORTHWEST CORNER OF SECTION 6, T1S, R44E; THENCE BEARING EASTERLY ALONG THE TOWNSHIP LINE COMMON TO T1S AND T1N TO THE SOUTHWEST CORNER OF SECTION 31, T1N, R53EA; THENCE BEARING NORTHLY ALONG THE RANGE LINE COMMON TO R52E AND R53E TO THE NORTHEAST CORNER OF SECTION 1, T6N, R52E; THENCE BEARING WESTERLY ALONG THE TOWNSHIP LINE COMMON TO T6N AND T7N TO ITS INTERSECTION WITH THE NYE/ESMERALDA COUNTY LINE, THE POINT OF BEGINNING.

22.02.030 BOUNDARY MAP REQUIRED:

IN ACCORDANCE WITH THE REQUIREMENTS OF NRS 269.650, A SURVEY MAP SHALL BE PREPARED SHOWING THE UNINCORPORATED TOWN OF TONOPAH BOUNDARY, AND THE SURVEY MAP SHALL BE RECORDED IN THE OFFICE OF THE NYE COUNTY RECORDER. A COPY OF THE RECORDED SURVEY MAP SHALL BE FILED WITH THE NEVADA DEPARTMENT OF TAXATION, AND THE OFFICES OF THE NYE COUNTY ASSESSOR AND CLERK. UPON FILING OF THE SURVEY MAP IT SHALL CONSTITUTE THE LEGAL BOUNDARY OF THE UNINCORPORATED TOWN OF TONOPAH.

22.02.040 TOWN SERVICES:

SERVICES WHICH MAY BE SUPPLIED TO THE RESIDENTS OF THE UNINCORPORATED TOWN OF TONOPAH INCLUDE, BUT ARE NOT LIMITED TO, CEMETERY, DUMP STATIONS AND SITES, FIRE PROTECTION, FLOOD CONTROL AND DRAINAGE, GARBAGE COLLECTION, PARKS, RECREATION, SEWAGE COLLECTION, STREETS, STREETLIGHTS, SWIMMING POOLS, TELEVISION TRANSLATOR, WATER DISTRIBUTION, ACQUISITION, MAINTENANCE AND IMPROVEMENT OF TOWN PROPERTY. (ORD. 138, 1991)

22.02.050 TOWN BOARD:

THE BOARD OF COUNTY COMMISSIONERS SHALL APPOINT FIVE (5) PERSONS WHO ARE RESIDENTS AND QUALIFIED ELECTORS IN THE TOWN TO SERVE AS MEMBERS OF THE TOWN BOARD UNTIL SUCCESSORS CAN BE ELECTED AT THE NEXT GENERAL ELECTION. (ORD. 138, 1991)

22.02.060 ELECTED TOWN BOARD:

AT THE NEXT GENERAL ELECTION FIVE (5) PERSONS WHO ARE RESIDENTS AND QUALIFIED ELECTORS IN THE TOWN MUST BE ELECTED BY THE REGISTERED VOTERS OF THE TOWN TO SERVE AS MEMBERS OF THE TOWN BOARD.

A. EXCEPT AS PROVIDED IN THIS SECTION, THE TERM OF OFFICE OF A MEMBER OF THE TOWN BOARD IS FOUR (4) YEARS AND BEGINS ON THE FIRST MONDAY IN JANUARY FOLLOWING THE ELECTION AT WHICH HE/SHE IS CHOSEN.

B. THE INITIAL MEMBERS OF THE TOWN BOARD ELECTED PURSUANT TO THIS SUBSECTION SHALL, AT THE FIRST MEETING OF THE TOWN BOARD AFTER THEIR ELECTION, DRAW LOTS TO DETERMINE WHICH MEMBERS SERVE TERMS OF TWO (2) YEARS AND WHICH MEMBERS SERVE TERMS OF FOUR (4) YEARS. THE DRAWING MUST RESULT IN, AS NEARLY AS POSSIBLE, THE ELECTION OF HALF OF THE MEMBERS OF THE TOWN BOARD AT EACH SUBSEQUENT ELECTION.

C. THE GENERAL ELECTION LAWS OF THE STATE APPLY TO THESE ELECTIONS. (ORD. 156, 1994: ORD. 146, 1992: ORD. 138, 1991)

22.02.070 TOWN SEAL:

THE UNINCORPORATED TOWN OF TONOPAH SHALL HAVE A COMMON SEAL. (ORD. 146, 1992: ORD. 138, 1991)

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after passage, approval and publication as required by law; and only after the compliance with the provisions of Section 22.02.030 herein described.

PROPOSED on the 24th day of JUNE, 2015.

PROPOSED by TOM SELEY.

PASSED on the 22nd day of JULY, 2015.

VOTE:

AYES: H. CARLYLE

NAYS: _____

T. SELEY

J. HATCH

ABSENT: D. DOWNING, D. FARINHOLT

ABSTENTIONS: _____

TOWN BOARD OF TONOPAH,
COUNTY OF NYE, STATE OF NEVADA

By:

Horace Carlyle
Horace Carlyle, Chairman

ATTEST:

Tom Seley
Tom Seley, Clerk of the Board

This ordinance shall be in force and effect from and after the 21st day of the month of August of the year 2015.

NOTICE OF ADOPTION OF TONOPAH TOWN ORDINANCE NO. TTO-15-01

BILL NO. TTO-15-01

PUBLIC NOTICE IS HEREBY GIVEN THAT the Tonopah Town Board, at its meeting held on the 22nd day of July, 2015, adopted Tonopah Town Ordinance No. TTO-15-01, entitled:

AN ORDINANCE ENACTING A REVISION AND CODIFICATION OF THE GENERAL ORDINANCE OF THE TOWN OF TONOPAH, AN ORDINANCE AMENDING TITLE 22 TONOPAH OF THE NYE COUNTY CODE BY ADDING SECTION 22.02.010, ANNEXING INTO THE UNINCORPORATED TOWN OF TONOPAH BOUNDARIES THE AREA OF THE TONOPAH LIBRARY DISTRICT, CONSOLIDATING THE LEGAL DESCRIPTION OF THE ENTIRE UNINCORPORATED TONOPAH TOWN BOUNDARY; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Copies of the Ordinance are available for public inspection at the offices of the Tonopah Town Clerk, 102 Burro Avenue, Tonopah, Nevada.

Those Voting Aye:

HORACE CARLYLE

TOM SELEY

JANET HATCH

Those Absent:

D. DOWNING, D. FARINHOLT

Those Voting Nay:

This Ordinance shall be in full force and effect from and after the 21st day of August, 2015, and only after publication once a week for a period of two (2) weeks in a newspaper of general circulation within Nye County, Nevada.



Tom Seley, Tonopah Town Clerk of the Board

Publish: TTB July 30, 2015 Edition
TTB August 6, 2015 Edition

