

CHAPTER 318 - GENERAL IMPROVEMENT DISTRICTS

GENERAL PROVISIONS

NRS 318.010	Short title.
NRS 318.015	Legislative declaration.
NRS 318.020	Definitions.
NRS 318.025	Computation of time.
NRS 318.030	Correction of faulty notices.
NRS 318.035	Sufficiency of chapter.
NRS 318.040	Liberal construction.

ORGANIZATION OF DISTRICTS

NRS 318.050	Jurisdiction in board of county commissioners; interest of county commissioners or trustees.
NRS 318.055	Formation of district: Resolution or petition; ordinance.
NRS 318.060	Notice of organizational hearing.
NRS 318.065	Protests against organization of district.
NRS 318.070	Organizational hearing; ordinances creating or not creating district.
NRS 318.075	Conclusiveness of ordinance creating district; time for appeal; filing of ordinance with Secretary of State.
NRS 318.077	Addition of basic powers not provided in formation: Procedure.

BOARD OF TRUSTEES; DISTRICT POWERS

NRS 318.080	Duties of board of county commissioners; appointment of initial board of trustees; bond; removal of trustee.
NRS 318.085	Organization of board of trustees; election of officers; records; bonds; compensation.
NRS 318.090	Office or principal place of business; records; meetings; quorum; vacancies; terms.
NRS 318.095	Biennial election of trustees; reimbursement of costs of election; names of candidates may be placed on primary or general election ballot; terms of office.
NRS 318.0951	Trustees elected by plurality vote.
NRS 318.0952	Election areas within district: Procedure for creation; election of trustees; alteration or abolishment of election areas.
NRS 318.09523	Single candidate declared elected.
NRS 318.09525	Registration to vote in district elections.
NRS 318.0953	County commissioners as ex officio board of trustees: Mandatory and optional assumption of duties.
NRS 318.09533	County commissioners as ex officio board of trustees: Oath; additional compensation; designation of officers; meetings; powers.
NRS 318.09535	County commissioners as ex officio board of trustees: Establishment of local district managing board; vacancies on board.
NRS 318.0954	Transition of boards of trustees of certain reorganized districts.
NRS 318.0955	Recall of trustees.
NRS 318.0956	Trustees not to be interested in sales or contracts; exception; penalties.
NRS 318.0957	Trustees' interest in contracts made in official capacity prohibited; exception; contracts void; penalties.

- [NRS 318.098](#) Assistance to district from county officers: Request; agreement; limitation on cost; payment.
- [NRS 318.100](#) Basic powers of board; acquisition, construction or servicing of improvements.
- [NRS 318.101](#) Power of board to use alternate procedures for acquisition, construction or servicing of improvements.
- [NRS 318.102](#) Powers of district concerning location and construction of improvements subordinate to powers of Nevada Tahoe Regional Planning Agency. [Effective upon proclamation by Governor of withdrawal of California from Tahoe Regional Planning Compact or of his finding that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers.]
- [NRS 318.103](#) Powers of district concerning location and construction of improvements subordinate to powers of regional planning agency.
- [NRS 318.105](#) Perpetual existence of board.
- [NRS 318.110](#) Corporate seal.
- [NRS 318.115](#) Suits, actions and proceedings.
- [NRS 318.116](#) Basic powers which may be granted to district.
- [NRS 318.1161](#) Limitation on acquisition or expansion by district of facilities for generation, distribution or transmission of electricity. [Expired by limitation.]
- [NRS 318.1163](#) Limitation on acquisition or expansion by district of facilities for provision of telecommunications service. [Expired by limitation.]
- [NRS 318.1165](#) Limitation on acquisition or expansion by district of facilities for provision of community antenna television service. [Expired by limitation.]
- [NRS 318.1167](#) Applicability of [NRS 318.1161](#), [318.1163](#) and [318.1165](#). [Expired by limitation.]
- [NRS 318.1169](#) Requirements for acquisition or expansion of facilities or services: Notice, impact statement and hearing; determination by district. [Expired by limitation.]
- [NRS 318.117](#) Electric light and power.
- [NRS 318.1175](#) Energy for space heating.
- [NRS 318.1177](#) Establishment of area or zone for preservation of endangered or threatened wildlife.
- [NRS 318.118](#) Insect and rat extermination and abatement.
- [NRS 318.1181](#) Protection from fire.
- [NRS 318.1185](#) Emergency medical services.
- [NRS 318.1187](#) Facilities for FM radio.
- [NRS 318.119](#) Public cemeteries.
- [NRS 318.1191](#) Swimming pools.
- [NRS 318.1192](#) Facilities for television: Powers of board.
- [NRS 318.1193](#) Facilities for television: Limitation on organization if area includes existing service.
- [NRS 318.1194](#) Facilities for television: Approval of electors required in certain districts for franchise for community antenna television system.
- [NRS 318.1195](#) Fencing.
- [NRS 318.120](#) Streets and alleys.
- [NRS 318.125](#) Curbs, gutters and sidewalks.
- [NRS 318.130](#) Sidewalks.
- [NRS 318.135](#) Storm drainage or flood control.
- [NRS 318.140](#) Sanitary sewer improvements.
- [NRS 318.141](#) Lighting of streets.
- [NRS 318.142](#) Collection and disposal of garbage and refuse.
- [NRS 318.143](#) Recreational facilities.
- [NRS 318.144](#) Supply, storage and distribution of water.
- [NRS 318.1445](#) District not required to furnish water for man-made lake or stream when prohibited by ordinance in certain counties; exceptions.
- [NRS 318.145](#) Operation, maintenance and repair of improvements.
- [NRS 318.160](#) Acquisition, disposal of and encumbrances on property.
- [NRS 318.165](#) Entry on land, water or premises to survey or inspect.

NRS 318.170	Water, drainage, sewerage and disposal of garbage and other refuse: Approval of system; additional powers.
NRS 318.175	Management of district's business; acquisition and operation of projects.
NRS 318.180	Employees: Power to hire and retain.
NRS 318.185	Employees: Duties and compensation.
NRS 318.190	Eminent domain.
NRS 318.195	Construction of works across watercourse, highway or vacant public land; restoration of property.
NRS 318.197	Rates, tolls and charges; liens; regulations governing connection and disconnection for facilities and services of district; collection of charges and penalties.
NRS 318.199	Rates, tolls and charges for sewerage or water services or products: Schedules; public hearings; adoption of resolution; action to set aside resolution.
NRS 318.201	Procedure for collection of service charges on tax roll.
NRS 318.202	Procedure for collection of charges for connecting to water, drainage or sewerage facilities on tax roll or by special assessments.
NRS 318.203	Structure reasonably believed to be used as dwelling unit: Affidavit filed by employee of district or other person; notice and hearing; resolution to charge owner of dwelling unit for services provided by district.
NRS 318.205	Bylaws.
NRS 318.210	Implied powers.
NRS 318.215	Conveyance of facilities to city or town; assumption of indebtedness; dissolution of district.
NRS 318.220	Conveyances by cities, counties or districts to general improvement districts.

TAXATION

NRS 318.225	Power to levy taxes.
NRS 318.230	Levy and collection of taxes.
NRS 318.235	Levies to cover deficiencies.
NRS 318.240	County officers to levy and collect.
NRS 318.245	Sales for delinquencies.
NRS 318.250	Reserve funds.

BOUNDARIES; INCLUSION AND EXCLUSION OF PROPERTY

NRS 318.256	Boundary changes; liability of property.
NRS 318.257	Exclusion.
NRS 318.258	Inclusion.

ANNEXATION OF TERRITORY BY DISTRICT CREATED TO FURNISH ELECTRICITY

NRS 318.261	Annexation of territory to district.
NRS 318.262	Petition to enlarge district; approval of annexation by governing body of city required.
NRS 318.263	Petition: Contents.
NRS 318.264	Petition: Withdrawal and objections.
NRS 318.266	Public hearing; notice; requirements for conducting hearing.
NRS 318.267	Determination by board; filing of order by county clerk.
NRS 318.268	Reimbursement to property owners who paid costs of extending facilities.
NRS 318.269	Liability of included real property for taxes, charges and bonded indebtedness of district; exceptions.
NRS 318.271	Appeal of denied petition to board of county commissioners.

[NRS 318.272](#) Judicial review.

BORROWING, BONDS AND SPECIAL ASSESSMENTS

[NRS 318.275](#) Forms of borrowing; approval of debt management commission.
[NRS 318.277](#) Debt limit of district.
[NRS 318.280](#) Short-term notes, warrants and interim debentures.
[NRS 318.320](#) Revenue bonds: Issuance for acquisition or improvement of facilities.
[NRS 318.325](#) Local Government Securities Law: Types of securities authorized to be issued.
[NRS 318.339](#) Power of certain districts to borrow money from State or Federal Government.
[NRS 318.350](#) Assessments to pay expenses of improvements; exempt property.

MERGER, CONSOLIDATION AND DISSOLUTION OF DISTRICTS

[NRS 318.490](#) General procedure: County ordinance; notice.
[NRS 318.492](#) Procedure when district included within boundaries of incorporated city.
[NRS 318.495](#) Protests; adoption of final ordinance.
[NRS 318.500](#) Hearing.
[NRS 318.505](#) Filing of copies of ordinance.
[NRS 318.508](#) Effect of final ordinance to dissolve district included within boundaries of incorporated city.
[NRS 318.510](#) Surrender and transfer of property and money; collection and disposition of taxes and special assessments.

CORRECTIVE ACTION

[NRS 318.515](#) Procedure for corrective action by board of county commissioners: Notification or petition; hearing; adoption and challenge of ordinance or resolution.

EFFECT OF CHAPTER 542, STATUTES OF NEVADA 1967

[NRS 318.520](#) Rights and liabilities not affected by enactment.
[NRS 318.525](#) Reorganization of governing bodies of certain districts; exercise of powers under [chapter 318](#) of NRS.
[NRS 318.530](#) Outstanding securities and contracts not affected or modified.

GENERAL PROVISIONS

NRS 318.010 Short title. This chapter shall be known and may be cited as the General Improvement District Law.

(Added to NRS by 1959, 457)

NRS 318.015 Legislative declaration.

1. It is hereby declared as a matter of legislative determination that the organization of districts having the purposes, powers, rights, privileges and immunities provided in this chapter will serve a public use and will promote the health, safety, prosperity, security and general welfare of the inhabitants thereof and of the State of Nevada; that the acquisition, improvement, maintenance and operation of any project authorized in this chapter is in the public interest and constitutes a part of the established and permanent policy of the State of Nevada; and that each district organized pursuant to the provisions of this chapter shall be a body corporate and politic and a quasi-municipal

corporation. For the accomplishment of these purposes the provisions of this chapter shall be broadly construed.

2. It is hereby further declared that the provisions of this chapter are not intended to provide a method for financing the costs of developing private property.

3. It is hereby further declared as a matter of legislative determination that the notice provided for in this chapter for each hearing and action to be taken is reasonably calculated to inform the parties of all proceedings which may directly and adversely affect their legally protected interest.

(Added to NRS by 1959, 457; A 1977, 525)

NRS 318.020 Definitions. As used in this chapter, unless the context otherwise requires:

1. "Acquisition," "acquire" and "acquiring" each means acquisition, extension, alteration, reconstruction, repair or other improvement by purchase, construction, installation, reconstruction, condemnation, lease, rent, gift, grant, bequest, devise, contract or other acquisition, or any combination thereof.

2. "Board of trustees" and "board" alone each means the board of trustees of a district.

3. "FM radio" means a system of radio broadcasting by means of frequency modulation.

4. "General improvement district" and "district" alone each means any general improvement district organized or, in the case of organizational provisions, proposed to be organized, pursuant to this chapter.

5. "Mail" means a single mailing first class or its equivalent, postage prepaid, by deposit in the United States mails, at least 15 days before the designated time or event.

6. "Project" and "improvement" each means any structure, facility, undertaking or system which a district is authorized to acquire, improve, equip, maintain or operate. A project may consist of all kinds of personal and real property, including, but not limited to, land, elements and fixtures thereon, property of any nature appurtenant thereto or used in connection therewith, and every estate, interest and right therein, legal or equitable, including terms for years, or any combination thereof.

7. "Publication" means publication at least once a week for 3 consecutive weeks in at least one newspaper of general circulation in the district. It is not necessary that publication be made on the same day of the week in each of the 3 calendar weeks, but the first publication must be at least 15 days before the designated time or event.

8. "Qualified elector" means a person who has registered to vote in district elections.

9. "Special assessment district" means any local public improvement district organized within a general improvement district by the board of trustees of such general improvement district pursuant to this chapter.

10. "Trustees" means the members of a board.

(Added to NRS by 1959, 458; A 1967, 1679; 1973, 86; 1977, 525; 1995, 1904)

NRS 318.025 Computation of time. For the purpose of computing any period of time prescribed in this chapter, the day of the first publication, or other designated time, shall be excluded and the day of the last publication, or other designated action or time, shall be included.

(Added to NRS by 1959, 459)

NRS 318.030 Correction of faulty notices. In any case where a notice is provided for in this chapter, if the court finds for any reason that due notice was not given, the court shall not thereby lose jurisdiction, and the proceeding in question shall not thereby be void or abated; but the court shall order due notice to be given and shall continue the hearing until such time as notice is properly given, and thereupon shall proceed as though notice had been properly given in the first instance.

(Added to NRS by 1959, 459)

NRS 318.035 Sufficiency of chapter. This chapter, without reference to other statutes of the State, except as specifically provided in this chapter, shall constitute full authority for the authorization and issuance of bonds hereunder. No other law with regard to the authorization or issuance of bonds that provides for an election, requires an approval, or in any way impedes or restricts the carrying out of the acts authorized by this chapter to be done shall be construed as applying to any proceedings taken under this chapter or acts done pursuant thereto, it being intended that this chapter shall provide a separate method of accomplishing its objectives, and not an exclusive one; and this chapter shall not be construed as repealing, amending or changing any such other law.

(Added to NRS by 1959, 459)

NRS 318.040 Liberal construction. This chapter being necessary to secure the public health, safety, convenience and welfare, it shall be liberally construed to effect its purposes.

(Added to NRS by 1959, 459)

ORGANIZATION OF DISTRICTS

NRS 318.050 Jurisdiction in board of county commissioners; interest of county commissioners or trustees.

1. Except as otherwise provided in this chapter, the board of county commissioners of any county within this state is hereby vested with jurisdiction, power and authority to create districts within the county which it serves.
2. No member of a board of county commissioners or board of trustees shall be disqualified to perform any duty imposed by this chapter by reason of ownership of property within any proposed district.
3. If the boundaries of a proposed district include territory within two or more counties, the board of county commissioners of the county in which is located the larger or largest proportion of the area of the proposed district has the jurisdiction, power and authority to create the district, to broaden its basic powers and otherwise to supervise the district as provided in this chapter.

(Added to NRS by 1959, 459; A 1963, 570; 1967, 1685)

NRS 318.055 Formation of district: Resolution or petition; ordinance.

1. The formation of a district may be initiated by:
 - (a) A resolution adopted by the board of county commissioners; or
 - (b) A petition proposed by any owner of property to be located in the district.
2. After adoption of the resolution or receipt of the petition the organization of the district must be initiated by the adoption of an ordinance by the board of county commissioners, which is in this chapter sometimes designated the "initiating ordinance." No initiating ordinance may be adopted by the board of county commissioners if the proposed district includes any real property within 7 miles from the boundary of an incorporated city or unincorporated town unless:
 - (a) All members of the board of county commissioners unanimously vote for the organization of a district with boundaries which contravene this 7-mile limitation;
 - (b) A petition for annexation to or inclusion within the incorporated city or unincorporated town of that property has first been filed with the governing body of the incorporated city or unincorporated town pursuant to law and the governing body thereof has refused to annex or include that property and has entered the fact of that refusal in its minutes;
 - (c) No part of the area within the district is eligible for inclusion in a petition for such an annexation; or
 - (d) The governing body of the incorporated city or the town board of the unincorporated town, by resolution, consents to the formation of the district.
3. Except as is otherwise provided in this chapter, a district may be entirely within or entirely without, or partly within and partly without, one or more municipalities or counties, and the district may consist of noncontiguous tracts or parcels of property.

4. The initiating ordinance must set forth:

- (a) The name of the proposed district, consisting of a chosen name preceding the word "District," or, if the district is authorized to exercise more than one basic power, the words "General Improvement District." If a district's name as provided in the organizational proceedings does not include the words "General Improvement," and if subsequently any additional basic power is granted to the district pursuant to [NRS 318.077](#), the board of county commissioners may redesignate the district with a chosen name preceding the words "General Improvement District."
- (b) A statement of the basic power or basic powers for which the district is proposed to be created (for instance, by way of illustration, "for paving, curb and gutters, sidewalks, storm drainage and sanitary sewer improvements within the district"). The basic power or basic powers stated in the initiating ordinance must be one or more of those authorized in [NRS 318.116](#), as supplemented by the sections of this chapter designated therein.
- (c) A statement that the ordinance creating the district will be based on the board's finding:
 - (1) That public convenience and necessity require the creation of the district;
 - (2) That the creation of the district is economically sound and feasible;
 - (3) That the service plan for the district conforms to subsection 1 of [NRS 308.030](#); and
 - (4) That the service plan for the district does not contravene any of the criteria enumerated in subsection 1 of [NRS 308.060](#).

(d) A general description of the boundaries of the district or the territory to be included therein, with such certainty as to enable an owner of property to determine whether his property is within the district.

(e) The place and time for the hearing on the creation of the district.

(Added to NRS by 1959, 459; A 1963, 571; 1965, 1078; 1967, 1685; 1971, 1046; 1977, 526; 1985, 360)

NRS 318.060 Notice of organizational hearing. After such initiating ordinance has been adopted by the board of county commissioners, the county clerk shall mail written notice to all property owners within the proposed district of the intention of the board of county commissioners to establish such district, which notice shall set forth the name, statement of purposes, general description and time and place of hearing.

(Added to NRS by 1959, 460; A 1973, 562)

NRS 318.065 Protests against organization of district.

1. Any person who owns property which is located within the district may, on or before the date fixed, protest against the establishment of such district, in writing, which protest shall be filed with the county clerk of such county.

2. If, at or before the time fixed in the initiating ordinance and notice, written protest is filed, signed by a majority of the owners of property within such proposed district, the district shall not be established.

3. If any written protests are filed and the board of county commissioners determines that the protests so filed represent less than a majority of the owners of property within the district, the board of county commissioners, in its discretion but subject to the limitation provided by [NRS 318.070](#), may proceed with the creation of the district. If the board of county commissioners does so proceed, the ordinance of the board of county commissioners creating the district, for which provision is made in this chapter, shall contain a recital of the number of protests filed and such recital is binding and conclusive for all purposes.

(Added to NRS by 1959, 460; A 1965, 1079; 1977, 528)

NRS 318.070 Organizational hearing; ordinances creating or not creating district.

1. At the place, date and hour specified for the hearing in the notice or at any subsequent time to which the hearing may be adjourned, the board of county commissioners shall give full consideration to all protests which may have been filed and shall hear all persons desiring to be heard and shall thereafter adopt an ordinance either creating the district or determining that it shall not be created.

2. If the board of county commissioners determines at the hearing that the proponents of such proposed district have failed to show that creation of the district is required by public convenience and necessity or have failed to show that the creation of such district is economically sound and feasible, or both, it shall adopt an ordinance determining that it shall not be created.

3. Any ordinance creating a district may contain such changes as may be considered by the board of county commissioners to be equitable and necessary.

(Added to NRS by 1959, 460; A 1965, 1079)

NRS 318.075 Conclusiveness of ordinance creating district; time for appeal; filing of ordinance with Secretary of State.

1. Except as otherwise provided in subsection 2, the adoption of the ordinance creating the district shall finally and conclusively establish the regular organization of the district against all persons, which district shall thenceforth be a governmental subdivision of the State of Nevada, a body corporate and politic and a quasi-municipal corporation.

2. Within 30 days immediately following the effective date of such ordinance any person who has filed a written protest, as provided in [NRS 318.065](#), shall have the right to commence an action in any court of competent jurisdiction to set aside such determination. Thereafter all actions or suits attacking the regularity, validity and correctness of that ordinance and all proceedings, determinations and instruments taken, adopted or made prior to such ordinance's final passage, shall be perpetually barred.

3. Within 30 days after the effective date of the ordinance creating the district, the county clerk shall file a copy of the ordinance in his office and shall cause to be filed an additional copy of the ordinance in the Office of the Secretary of State, which filings shall be without fee and be otherwise in the same manner as articles of incorporation are required to be filed under [chapter 78](#) of NRS.

(Added to NRS by 1959, 460)

NRS 318.077 Addition of basic powers not provided in formation: Procedure. The board may elect to add basic powers not provided in its formation, in which event the board shall cause proceedings to be had by the board of county commissioners similar, as nearly as may be, to those provided for the formation of the district, and with like effect. The board shall obtain in connection with each such additional basic power a modified service plan for the district in a manner like that provided for an initial service plan required for the organization of a district in the Special District Control Law.

(Added to NRS by 1963, 626; A 1967, 1687; 1971, 1047; 1977, 529)

BOARD OF TRUSTEES; DISTRICT POWERS

NRS 318.080 Duties of board of county commissioners; appointment of initial board of trustees; bond; removal of trustee.

1. After adopting an ordinance creating a district and before appointing the first board of trustees for the district,

the board of county commissioners is, ex officio, the board of trustees for the district.

2. While acting as the board of trustees, the board of county commissioners shall establish:

- (a) Accounting practices and procedures for the district;
- (b) Auditing practices and procedures to be used by the district;
- (c) A budget for the district; and
- (d) Management standards for the district.

3. Except as otherwise provided in [NRS 318.0953](#) and [318.09533](#), after the board of county commissioners has performed the duties required by subsection 2, it shall appoint five persons to serve as the first board of trustees of the district and shall specify therein the terms of office to the first Monday in January next following the respective election dates provided in [NRS 318.095](#). Except as otherwise provided in subsection 5, these persons must be qualified electors of the district.

4. The members of the board of trustees shall qualify by filing with the county clerk their oaths of office and corporate surety bonds, at the expense of the district, the bonds to be in an amount not more than \$10,000 each, the form and exact amount thereof to be approved and determined, respectively, by the board of county commissioners, conditioned for the faithful performance of their duties as trustees. The board of county commissioners may from time to time, upon good cause shown, increase or decrease the amount of the bond.

5. The board of county commissioners may appoint as one of the five initial trustees as provided by subsection 1 the district attorney for the county or a deputy district attorney on his staff. Such appointee need not be a qualified elector of the district, but no such attorney is qualified for appointment to fill any vacancy on the board pursuant to [NRS 318.090](#) or qualified as a candidate for election to the board at any biennial election pursuant to [NRS 318.095](#) unless he is a qualified elector of the district.

6. The board of county commissioners of the county vested with jurisdiction pursuant to [NRS 318.050](#) may remove any trustee serving on an appointed or elected board of trustees for cause shown, on petition, hearing and notice thereof by publication and by mail addressed to the trustee.

(Added to NRS by 1959, 461; A 1965, 1079; 1967, 1687; 1971, 1047; 1977, 529; 1983, 1282; 1989, 1878; 1995, 175)

NRS 318.085 Organization of board of trustees; election of officers; records; bonds; compensation. Except as otherwise provided in [NRS 318.0953](#) and [318.09533](#):

1. After taking oaths and filing bonds, the board shall choose one of its members as chairman of the board and president of the district, and shall elect a secretary and a treasurer of the board and of the district, who may or may not be members of the board. The secretary and the treasurer may be one person.

2. The board shall adopt a seal.

3. The secretary shall keep, in a well-bound book, a record of all of the board's proceedings, minutes of all meetings, any certificates, contracts, bonds given by employees and all corporate acts. This book must be open to inspection of all owners of real property in the district as well as to all other interested persons.

4. The treasurer shall keep strict and accurate accounts of all money received by and disbursed for and on behalf of the district in permanent records. He shall file with the county clerk, at the expense of the district, a corporate surety bond in an amount not more than \$50,000, the form and exact amount thereof to be approved and determined, respectively, by the board of county commissioners, conditioned for the faithful performance of the duties of his office. Any other officer or trustee who actually receives or disburses money of the district shall furnish a bond as provided in this subsection. The board of county commissioners may, upon good cause shown, increase or decrease the amount of that bond.

5. Each member of a board of trustees of a district organized or reorganized pursuant to this chapter may receive as compensation for his service not more than \$6,000 per year, payable monthly, if the budget is adequate and a majority of the members of the board vote in favor of such compensation, but no member of the board may receive any other compensation for his service to the district as an employee or otherwise. A member of the board is not entitled to receive as compensation more than \$1,800 per year if the additional compensation is approved during the term of the member.

(Added to NRS by 1959, 461; A 1965, 1079; 1967, 59, 1688; 1968, 58; 1969, 817; 1975, 136; 1977, 250; 1985, 1798)

NRS 318.090 Office or principal place of business; records; meetings; quorum; vacancies; terms. Except as otherwise provided in [NRS 318.0953](#) and [318.09533](#):

1. The board shall, by resolution, designate the place where the office or principal place of the district is to be located, which must be within the corporate limits of the district, and which may be changed by resolution of the board. Copies of all those resolutions must be filed with the county clerk or clerks of the county or counties wherein

the district is located within 5 days after their adoption. The official records and files of the district must be kept at that office and must be open to public inspection as provided in [NRS 239.010](#).

2. The board of trustees shall meet regularly at least once each year, and at such other times at the office or principal place of the district as provided in the bylaws.

3. Special meetings may be held on notice to each member of the board as often as, and at such places within the district as, the needs of the district require.

4. Three members of the board constitute a quorum at any meeting.

5. A vacancy on the board must be filled by a qualified elector of the district chosen by the remaining members of the board, the appointee to act until a successor in office qualifies as provided in [NRS 318.080](#) on or after the first Monday in January next following the next biennial election, held in accordance with [NRS 318.095](#), at which election the vacancy must be filled by election if the term of office extends beyond that first Monday in January. Nominations of qualified electors of the district as candidates to fill unexpired terms of 2 years may be made the same as nominations for regular terms of 4 years, as provided in [NRS 318.095](#). If the board fails, neglects or refuses to fill any vacancy within 30 days after the vacancy occurs, the board of county commissioners shall fill that vacancy.

6. Each term of office of 4 years terminates on the first Monday in January next following the general election at which a successor in office is elected, as provided in [NRS 318.095](#). The successor's term of office commences then or as soon thereafter as the successor qualifies as provided in [NRS 318.080](#), subject to the provisions in this chapter for initial appointments to a board, for appointments to fill vacancies of unexpired terms, and for the reorganizations of districts under this chapter which were organized under other chapters of NRS.

(Added to NRS by 1959, 461; A 1967, 1688; 1971, 1048; 1985, 1799; 1989, 1878; 1995, 176)

NRS 318.095 Biennial election of trustees; reimbursement of costs of election; names of candidates may be placed on primary or general election ballot; terms of office. Except as otherwise provided in [NRS 318.0953](#):

1. There must be held simultaneously with the first general election in the county after the creation of the district and simultaneously with every general election thereafter an election to be known as the biennial election of the district. The election must be conducted under the supervision of the county clerk or registrar of voters. A district shall reimburse the county clerk or registrar of voters for the costs he incurred in conducting the election for the district.

2. The office of trustee is a nonpartisan office. The general election laws of this state govern the candidacy, nominations and election of a member of the board. The names of the candidates for trustee of a district may be placed on the ballot for the primary or general election.

3. At the first biennial election in any district organized or reorganized and operating under this chapter, and each fourth year thereafter, there must be elected by the qualified electors of the district two qualified electors as members of the board to serve for terms of 4 years. At the second biennial election and each fourth year thereafter, there must be so elected three qualified electors as members of the board to serve for terms of 4 years.

4. The secretary of the district shall give notice of election by publication, and shall arrange such other details in connection therewith as the county clerk or registrar of voters may direct.

5. Any new member of the board must qualify in the same manner as members of the first board qualify.

(Added to NRS by 1959, 461; A 1967, 1689; 1969, 59; 1971, 1049; 1977, 530; 1981, 193; 1985, 1800; 1987, 699; 1989, 1879; 1995, 177)

NRS 318.0951 Trustees elected by plurality vote. Except as otherwise provided in [NRS 318.0952](#) or [318.0953](#):

1. Each trustee elected at any biennial election must be chosen by a plurality of the qualified electors of the district voting on the candidates for the vacancies to be filled.

2. If there are two regular terms which end on the first Monday in January next following the biennial election, the two qualified electors receiving the highest and next highest number of votes must be elected. If there are three regular terms so ending, the three qualified electors receiving the highest, next highest and third highest number of votes must be elected.

3. If there is a vacancy in an unexpired regular term to be filled at the biennial election, as provided in subsection 5 of [NRS 318.090](#), the candidate who receives the highest number of votes, after there are chosen the successful candidates to fill the vacancies in expired regular terms as provided in subsection 2, must be elected.

(Added to NRS by 1967, 1690; A 1969, 24; 1971, 1049; 1985, 1800; 1989, 1880; 1995, 177)

NRS 318.0952 Election areas within district: Procedure for creation; election of trustees; alteration or abolishment of election areas. Except as otherwise provided in [NRS 318.0953](#):

1. Trustees may be elected in the alternate manner provided in this section from election areas within the district.

2. Within 30 days before May 1 of any year in which a general election is to be held in the State, 10 percent or more of the qualified electors of the district voting at the next preceding biennial election of the district may file a written petition with the board of county commissioners of the county vested with jurisdiction under [NRS 318.050](#) praying for the creation of election areas within the district in the manner provided in this section. The petition must specify with particularity the five areas proposed to be created. The description of the proposed election areas need not be given by metes and bounds or by legal subdivisions, but must be sufficient to enable a person to ascertain what territory is proposed to be included within a particular area. The signatures to the petition need not all be appended to one paper, but each signer must add to his name his place of residence, giving the street and number whenever practicable. One of the signers of each paper shall take an oath, before a person competent to administer oaths, that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Immediately after the receipt of the petition, the board of county commissioners shall fix a date for a public hearing to be held during the month of May, and shall give notice thereof by publication at least once in a newspaper published in the county, or if no such newspaper is published therein then in a newspaper published in the State of Nevada and having a general circulation in the county. The costs of publication of that notice are a proper charge against the district fund.

4. If, as a result of the public hearing, the board of county commissioners finds that the creation of election areas within the district is desirable, the board of county commissioners shall, by resolution regularly adopted before June 1, divide the district into the areas specified in the petition, designate them by number and define their boundaries. The territory comprising each election area must be contiguous. One trustee must be elected from each election area by a majority of the qualified electors voting on the candidates for any vacancy for that area as provided in subsection 7.

5. Before June 1 and immediately following the adoption of the resolution creating election areas within a district, the clerk of the board of county commissioners shall transmit a certified copy of the resolution to the secretary of the district.

6. Upon the creation of election areas within a district, the terms of office of all trustees then in office expire on the first Monday of January thereafter next following a biennial election. At the biennial election held following the creation of election areas within a district, district trustees to represent the odd-numbered election areas must be elected for terms of 4 years and district trustees to represent the even-numbered election areas must be elected for terms of 2 years. Thereafter, at each biennial election, the offices of trustees must be filled for terms of 4 years in the order in which the terms of office expire.

7. Candidates for election as a trustee representing any election area must be elected only by those qualified electors of the district residing in that area. No qualified elector may vote in more than one election area at any one time.

8. A candidate for the office of trustee of a district in which election areas have been created must be a qualified elector of the district and must be a resident of the election area which he seeks to represent.

9. Election areas may be altered or abolished in the same manner as provided in this section for the creation of election areas and the election of trustees therefor.

(Added to NRS by 1967, 1690; A 1971, 1050; 1977, 530; 1985, 1800; 1989, 1880; 1995, 177)

NRS 318.09523 Single candidate declared elected. In any election for a general improvement district, if at 5:00 p.m. on the last day for filing a declaration of candidacy or an acceptance of candidacy, there is only one candidate nominated for the office, that candidate must be declared elected and no election may be held for that office.

(Added to NRS by 1989, 2174)

NRS 318.09525 Registration to vote in district elections.

1. Any person residing within a district who is otherwise qualified to vote at general elections in this state may register to vote in district elections by appearing before the county clerk or registrar of voters of the county in which the district is located and completing an application to register to vote in accordance with the general election laws of this state. Registration for a district election which is not held simultaneously with a general election must close at 5 p.m. of the fifth Friday preceding the district election and registration offices must be open from 9 a.m. to 5 p.m., excluding Saturdays, during the last days before the close of registration. If a person residing within a district is otherwise registered to vote, new registration for district elections is not required.

2. The county clerk or registrar of voters shall, at the expense of the district, prepare and maintain a list of all registered voters residing within the district. The county clerk or registrar of voters is entitled to receive on behalf of the county the sum of 15 cents for each registration placed on the list. All money so received must be deposited to the credit of the general fund of the county.

3. Whenever a district election is required the county clerk or registrar of voters shall submit the current list,

showing all persons who are registered to vote in that election, to the election officers who are charged with the duty of conducting the required election.

(Added to NRS by 1977, 524; A 1979, 569, 1258; 1995, 2282)

NRS 318.0953 County commissioners as ex officio board of trustees: Mandatory and optional assumption of duties.

1. In every county whose population is 400,000 or more, the board of county commissioners is, and in counties whose population is less than 400,000 the board of county commissioners may be, ex officio, the board of trustees of each district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing facilities for sewerage as provided in [NRS 318.140](#), without regard to whether the district is also authorized to furnish facilities for storm drainage, but excluding any district which is authorized, in addition to those basic powers, to exercise any one or more other basic powers designated in this chapter, except as provided in subsections 2 and 4.

2. The board of county commissioners of any county may be, at its option, ex officio, the board of trustees of any district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing facilities for water as provided in [NRS 318.144](#), or, furnishing both facilities for water and facilities for sewerage as provided in [NRS 318.144](#) and [318.140](#), respectively, without regard to whether the district is also authorized to furnish facilities for storm drainage, but excluding any district which:

(a) Is authorized, in addition to its basic powers, to exercise any one or more other basic powers designated in this chapter.

(b) Is organized or reorganized pursuant to this chapter, the boundaries of which include all or a portion of any incorporated city or all or a portion of a district for water created by special law.

3. In every county whose population is less than 100,000, the board of county commissioners may be, ex officio, the board of trustees of each district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing emergency medical services as provided in [NRS 318.1185](#), which district may overlap the territory of any district authorized to exercise any one or more other basic powers designated in this chapter.

4. A board of county commissioners may exercise the options provided in subsections 1, 2 and 3 by providing in the ordinance creating the district or in an ordinance thereafter adopted at any time that the board is, ex officio, the board of trustees of the district. The board of county commissioners shall, in the former case, be the board of trustees of the district when the ordinance creating the district becomes effective, or in the latter case, become the board of the district 30 days after the effective date of the ordinance adopted after the creation of the district. In the latter case within the 30-day period the county clerk shall promptly cause a copy of the ordinance to be:

(a) Filed in his office;

(b) Transmitted to the secretary of the district; and

(c) Filed in the Office of the Secretary of State without the payment of any fee and otherwise in the same manner as articles of incorporation are required to be filed under [chapter 78](#) of NRS.

(Added to NRS by 1967, 1691; A 1969, 1540; 1971, 1051; 1975, 541; 1977, 532, 929; 1979, 535; 1983, 1283; 1985, 1802; 1989, 1919)

NRS 318.09533 County commissioners as ex officio board of trustees: Oath; additional compensation; designation of officers; meetings; powers.

1. When the board of trustees of any district is constituted pursuant to [NRS 318.0953](#), the following special provisions apply and supersede the corresponding provisions of [NRS 318.080](#) to [318.09525](#), inclusive, [318.0954](#) and [318.0955](#):

(a) The members need not file the oath of office or bond required by [NRS 318.080](#).

(b) The members of the board of county commissioners may receive no additional compensation as trustees of the district.

(c) The chairman of the board of county commissioners may be chairman of the board of trustees and president of the district, or the board of county commissioners may, at its first meeting in January of each year, designate another of its members to serve as chairman of the board of trustees and president of the district for a term of 1 year.

(d) The vice chairman of the board of county commissioners may be vice chairman of the board of trustees and vice president of the district, or the board of county commissioners may, at its first meeting in January of each year, designate another of its members to serve as vice chairman of the board of trustees and vice president of the district for a term of 1 year.

(e) The secretary and treasurer of the district shall not be members of the board of county commissioners. The board may designate the county clerk and county treasurer, respectively, to act ex officio as secretary and treasurer,

or it may designate some other person to fill either or both of those offices. No additional bond may be required of the county treasurer as ex officio district treasurer nor of any other county officer appropriately bonded as ex officio a district officer.

(f) The secretary and treasurer shall perform the duties prescribed in subsections 3 and 4 of [NRS 318.085](#).

(g) No member of the board of county commissioners may be removed from the office of trustee under [NRS 318.080](#), but any member is automatically removed from that office upon his removal from the office of county commissioner in the manner provided by law.

(h) The regular place of meeting of the board need not be within the corporate limits of the district but must be within the corporate limits of the county and be the regular meeting place of the board of county commissioners unless the board otherwise provides by resolution.

(i) The times of regular meetings of the board must be the same as the times of the regular meetings of the board of county commissioners unless the board otherwise provides by resolution.

(j) Special meetings may be held on notice to each member of the board as often as, and at such place or places within the county as, the board may determine, unless it otherwise provides by resolution.

(k) The office or principal place of the district need not be located within the corporate limits of the district and must be the office of the county clerk unless the board otherwise provides by resolution.

2. Each board of county commissioners may, by resolution, designate the district's name which may be used for all purposes including contracts, lawsuits or in the performance of its duties or exercises of its functions.

3. The board may enter into contracts extending beyond the terms of each member then serving on the board if the contract is entered into in the manner provided for a board of county commissioners in [NRS 244.320](#).

(Added to NRS by 1983, 1286)

NRS 318.09535 County commissioners as ex officio board of trustees: Establishment of local district managing board; vacancies on board.

1. Whenever a board of county commissioners is the board of trustees of any district organized or reorganized pursuant to this chapter or is exercising any powers pursuant to [NRS 244.157](#), the board may by ordinance establish a local district managing board for the district.

2. Such a local district managing board must consist of not less than 5 members and not more than 12 members who are qualified electors of the district. The members must be:

- (a) Appointed by the board of county commissioners; or
- (b) Elected by the qualified electors of the district.

3. If the local district managing board is elective, the initial appointments and subsequent elections must be conducted in the manner provided in this chapter for trustees of a district.

4. An ordinance establishing a local district managing board must:

- (a) Provide for the compensation which members of the board are to receive for their services;
- (b) Provide for the terms of office for the members of the board;

(c) Contain a recital of the powers delegated and duties assigned by the board of county commissioners to the local district managing board; and

(d) Provide that the local district managing board does not have the power to tax, issue bonds or call for an election for the issuance of bonds. All taxes must be levied and bonds issued by the board of county commissioners as generally provided in this chapter.

5. Any vacancy on the board must be filled by a qualified elector of the district who is appointed by the board of county commissioners. If the local district managing board is appointive, the person appointed to fill the vacancy must be appointed to serve the remainder of the unexpired term. If the board is elective, the appointee must be appointed to serve until the first Monday in January when his successor in office, elected at the biennial election next following the vacancy, qualifies.

6. The local district managing board may be dissolved by the board of county commissioners after notice and hearing whenever the board of county commissioners determines:

- (a) The local district managing board is no longer necessary; or
- (b) The services of the district can be more effectively performed by another district.

(Added to NRS by 1977, 523; A 1987, 127; 1991, 1707)

NRS 318.0954 Transition of boards of trustees of certain reorganized districts.

1. The governing body of any district organized or reorganized under and operating as provided in any chapter in title 25 of NRS, excluding [chapters 309](#), [315](#) and [318](#) of NRS, must be designated a board of trustees and shall reorganize as provided in this section so that after the transitional period the board consists of five qualified electors from time to time chosen as provided in [NRS 318.095](#) and other provisions of this chapter supplemental thereto.

2. No existing member of any such governing body may be required to resign from the board before the termination of his current term of office in the absence of any disqualification as a member of the governing body under such chapter in title 25 of NRS, excluding [chapters 309, 315 and 318](#) of NRS. If a regular term of office of any member of any such governing body would terminate on other than the first Monday of January next following a biennial election in the absence of the adoption of this law, the term must be extended to and terminate on the first Monday in January next following a biennial election and following the date on which the term would have ended.

3. If the members of any such governing body at any time number less than five, the number of trustees must be increased to five by appointment, or by both appointment and election, as provided in [NRS 318.090, 318.095 and 318.0951](#).

4. In no event may any successor trustee be elected or appointed to fill any purported vacancy in any unexpired term or in any regular term which successor will increase the trustees on a board to a number exceeding five nor which will result in less than two regular terms of office or more than three regular terms of office ending on the first Monday in January next following any biennial election.

5. Nothing in this section:

(a) Prevents the reorganization of a board by division of the district into district trustee election districts pursuant to [NRS 318.0952](#).

(b) Supersedes the provisions of [NRS 318.0953](#) or [318.09533](#).

(Added to NRS by 1967, 1692; A 1971, 1053; 1983, 1285)

NRS 318.0955 Recall of trustees. Members of the board of trustees are subject to recall from office pursuant to the provisions of the Constitution and statutes of this state.

(Added to NRS by 1967, 1716)

NRS 318.0956 Trustees not to be interested in sales or contracts; exception; penalties.

1. Except as provided in subsection 2, no member of the board may be interested, directly or indirectly, in any property purchased for the use of the district, or in any purchase or sale of property belonging to the district, or in any contract made by the district for the acquisition of any project or improvement by the district.

2. The board may purchase supplies or contract for services for the district from one of its members, when not to do so would be a great inconvenience, but the member from whom the supplies are to be bought or with whom the contract for services is to be made shall not vote upon the allowance of the purchase or contract. If the purchase is made or contract let by competitive bidding, the bid of a member of the board may be accepted only if he is the lowest responsible bidder.

3. A member of the board who violates the provisions of subsection 1 is guilty of a gross misdemeanor and shall be further punished as provided in [NRS 197.230](#).

(Added to NRS by 1967, 1716; A 1979, 791)

NRS 318.0957 Trustees' interest in contracts made in official capacity prohibited; exception; contracts void; penalties.

1. Except as provided in subsection 2, it is unlawful for a member of the board:

(a) To become a contractor under any contract or order for supplies or any other kind of contract authorized by the board of which he is a member, or to be in any manner interested, directly or indirectly, as principal, in any kind of contract so authorized.

(b) To be interested in any contract made by the board of which he is a member, or to be a purchaser or to be interested in any purchase or sale made by the board of which he is a member.

2. The board may purchase supplies or contract for services for the district from one of its members, when not to do so would be a great inconvenience, but the member from whom the supplies are to be bought or with whom the contract for services is to be made shall not vote upon the allowance of the purchase or contract. If the purchase is made or contract let by competitive bidding, the bid of a member of the board may be accepted only if he is the lowest responsible bidder.

3. Any contract made in violation of the provisions of subsection 1 may be declared void at the instance of the district or of any other person interested in the contract except the member of the board prohibited in subsection 1 from making or being interested in the contract.

4. A member of the board who violates the provisions of subsection 1, directly or indirectly, is guilty of a gross misdemeanor and shall be further punished as provided in [NRS 197.230](#).

(Added to NRS by 1967, 1716; A 1979, 791)

NRS 318.098 Assistance to district from county officers: Request; agreement; limitation on cost; payment.

1. The board of trustees of any district may request, in writing, assistance from any elected or appointed officer of the county in which the district is located.

2. The officer shall furnish the requested assistance, after an agreement has been reached concerning the amount of money which the board of trustees shall pay for the assistance. The cost shall not be more than the actual additional expense necessitated by the request.

3. The board shall, by a resolution spread upon its minutes, order payment made in the amount, in each case, which was agreed upon by the board of trustees and the officer furnishing the assistance.

(Added to NRS by 1965, 1088; A 1977, 424)

NRS 318.100 Basic powers of board; acquisition, construction or servicing of improvements.

1. For and on behalf of the district the board shall have each of the basic powers enumerated in this chapter and designated in the organizational proceedings of the district and in any reorganizational proceedings of the district taken pursuant to [NRS 318.077](#) and other provisions supplemental thereto in this chapter, or otherwise authorized by law. Except as otherwise provided in this chapter the board may construct or otherwise acquire any improvement appertaining to any such basic power which the district may exercise and may finance the costs of any such improvement by any of the procedures provided in this chapter. When it is proposed to construct an improvement the work shall be performed as provided in this chapter.

2. The district may also furnish services pertaining to any such basic power which the district may exercise.

(Added to NRS by 1959, 462; A 1963, 631; 1967, 1692)

NRS 318.101 Power of board to use alternate procedures for acquisition, construction or servicing of improvements.

1. As an alternate procedure for constructing or otherwise acquiring, improving or converting any public improvement (or any combination thereof), and for defraying all the cost thereof or any portion of the cost thereof not to be defrayed with moneys otherwise available therefor by the levy of special assessments against assessable property specially benefited thereby and the collection of such assessments and the issuance of special obligation bonds primarily payable from such special assessments payable in installments (to implement any one, all or any combination of basic powers stated in [NRS 318.116](#) and granted to any district in proceedings for its organization or in any proceedings for its reorganization or as may be otherwise provided by law), as the board of the district determines, the district, acting by and through the board, is vested with the powers granted to municipalities by [chapters 271](#) and [704A](#) of NRS, and in any proceedings thereunder the district, other public bodies, district officials, and other public officials are subject to the rights, privileges, immunities, liabilities, duties, disabilities, limitations and other details provided therein.

2. For purposes of this section, in any proceedings under [chapters 271](#) and [704A](#) of NRS:

(a) "Clerk" means the de jure or de facto secretary of the district.

(b) "Governing body" means the district's board.

(c) "Municipality" means the district and "municipal" means pertaining to the district; except that where the context so indicates, "municipality" means the geographical area comprising the district.

(d) "Ordinance" means a resolution of the district.

(Added to NRS by 1975, 854)

NRS 318.102 Powers of district concerning location and construction of improvements subordinate to powers of Nevada Tahoe Regional Planning Agency. [Effective upon proclamation by Governor of withdrawal of California from Tahoe Regional Planning Compact or of his finding that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers.] In the region of this state for which there has been established by [NRS 278.780](#) to [278.828](#), inclusive, a regional planning agency, the powers of any district organized, reorganized or required to reorganize under this chapter with respect to the location and construction of all improvements are subordinate to the powers of such regional planning agency.

(Added to NRS by 1969, 51; A 1979, 1133, effective upon proclamation by Governor of withdrawal of California from Tahoe Regional Planning Compact or of his finding that the Tahoe Regional Planning Agency has become unable to perform its duties or exercise its powers)

NRS 318.103 Powers of district concerning location and construction of improvements subordinate to powers of regional planning agency. In any region of this state for which there has been established by interstate compact a regional planning agency, the powers of any district organized, reorganized or required to reorganize under this chapter with respect to the location and construction of all improvements are subordinate to the powers of such regional planning agency.

(Added to NRS by 1968, 14)

NRS 318.105 Perpetual existence of board. Subject to the limitations of this chapter, the board shall have perpetual existence.

(Added to NRS by 1959, 462)

NRS 318.110 Corporate seal. The board shall have the power to have and use a corporate seal.

(Added to NRS by 1959, 462)

NRS 318.115 Suits, actions and proceedings. The board shall have the power to sue and be sued, and be a party to suits, actions and proceedings.

(Added to NRS by 1959, 462)

NRS 318.116 Basic powers which may be granted to district. Any one, all or any combination of the following basic powers may be granted to a district in proceedings for its organization, or its reorganization pursuant to [NRS 318.077](#) and all provisions in this chapter supplemental thereto, or as may be otherwise provided by statute:

1. Furnishing electric light and power, as provided in [NRS 318.117](#);
2. Extermination and abatement of mosquitoes, flies, other insects, rats, and liver fluke or *Fasciola hepatica*, as provided in [NRS 318.118](#);
3. Furnishing facilities or services for public cemeteries, as provided in [NRS 318.119](#);
4. Furnishing facilities for swimming pools, as provided in [NRS 318.1191](#);
5. Furnishing facilities for television, as provided in [NRS 318.1192](#);
6. Furnishing facilities for FM radio, as provided in [NRS 318.1187](#);
7. Furnishing streets and alleys, as provided in [NRS 318.120](#);
8. Furnishing curbs, gutters and sidewalks, as provided in [NRS 318.125](#);
9. Furnishing sidewalks, as provided in [NRS 318.130](#);
10. Furnishing facilities for storm drainage or flood control, as provided in [NRS 318.135](#);
11. Furnishing sanitary facilities for sewerage, as provided in [NRS 318.140](#);
12. Furnishing facilities for lighting streets, as provided in [NRS 318.141](#);
13. Furnishing facilities for the collection and disposal of garbage and refuse, as provided in [NRS 318.142](#);
14. Furnishing recreational facilities, as provided in [NRS 318.143](#);
15. Furnishing facilities for water, as provided in [NRS 318.144](#);
16. Furnishing fencing, as provided in [NRS 318.1195](#);
17. Furnishing facilities for protection from fire, as provided in [NRS 318.1181](#);
18. Furnishing energy for space heating, as provided in [NRS 318.1175](#);
19. Furnishing emergency medical services, as provided in [NRS 318.1185](#);
20. Control and eradication of noxious weeds, as provided in [chapter 555](#) of NRS; and
21. Establishing, controlling, managing and operating an area or zone for the preservation of one or more species or subspecies of wildlife that has been declared endangered or threatened pursuant to the federal Endangered Species Act of 1973, 16 U.S.C. §§ 1531 et seq., as provided in [NRS 318.1177](#).

(Added to NRS by 1967, 1693; A 1969, 201; 1971, 261; 1977, 533; 1979, 571; 1985, 1803; 1989, 1881; 1993, 2783; 1995, 179, 1905; 1997, 483; [2001, 2083](#); [2003, 1513](#))

NRS 318.1161 Limitation on acquisition or expansion by district of facilities for generation, distribution or transmission of electricity. Expired by limitation. (See chapter 416, Statutes of Nevada 2001, at page 2115.)

NRS 318.1163 Limitation on acquisition or expansion by district of facilities for provision of telecommunications service. Expired by limitation. (See chapter 416, Statutes of Nevada 2001, at page 2115.)

NRS 318.1165 Limitation on acquisition or expansion by district of facilities for provision of community antenna television service. Expired by limitation. (See chapter 416, [Statutes of Nevada 2001, at page 2115.](#))

NRS 318.1167 Applicability of [NRS 318.1161](#), [318.1163](#) and [318.1165](#). Expired by limitation. (See chapter 416, [Statutes of Nevada 2001, at page 2115.](#))

NRS 318.1169 Requirements for acquisition or expansion of facilities or services: Notice, impact statement and hearing; determination by district. Expired by limitation. (See chapter 416, [Statutes of Nevada 2001, at page 2115.](#))

NRS 318.117 Electric light and power. If a district is created, wholly or in part, to furnish electric light and power, the board may:

1. Acquire, by purchase, condemnation or other legal means, all lands, rights and other property necessary for the construction, use and supply, operation, maintenance, repair and improvement of the works of the district, including, without limitation, the plant, works, system, facilities or properties, together with all parts thereof, the appurtenances thereto, including contract rights, used and useful primarily for the production, transmission or distribution of electric energy to or for the public for any purpose, works constructed and being constructed by private owners, and all other works and appurtenances, either within or without the State of Nevada.

2. Furnish, deliver and sell to the public, and to any municipality and to the State and any public institution, heat, light and power service and any other service, commodity or facility which may be produced or furnished in connection therewith.

3. Purchase generating capacity on the terms set forth in subsection 3 of [NRS 244A.699](#).

(Added to NRS by 1967, 1693; A 1985, 642; [2001, 2083](#))

NRS 318.1175 Energy for space heating. A board of trustees may develop natural sources of energy for and supply the energy for space heating.

(Added to NRS by 1979, 572)

NRS 318.1177 Establishment of area or zone for preservation of endangered or threatened wildlife. In the case of a district created wholly or in part for the establishment of an area or zone for the preservation of one or more species or subspecies of wildlife that has been declared endangered or threatened pursuant to the federal Endangered Species Act of 1973, 16 U.S.C. §§ 1531 et seq., the board shall have the power to:

1. Establish, control, manage and operate or provide money for the establishment, control, management and operation of the area or zone.

2. Purchase, sell, exchange or lease real property, personal property and other interests in property, except water rights, as necessary for the establishment, control, management and operation of the area or zone.

(Added to NRS by [2003, 1513](#))

NRS 318.118 Insect and rat extermination and abatement.

1. In the case of a district created wholly or in part for exterminating and abating mosquitoes, flies, other insects, rats, and liver fluke or *Fasciola hepatica*, the board may:

(a) Take all necessary or proper steps for the extermination of mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* in the district or in territory not in the district but so situated with respect to the district that mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* from that territory migrate or are caused to be carried into the district;

(b) Subject to the paramount control of any county or city in which the district has jurisdiction, abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* in the district or in territory not in the district but so situated with respect to the district that mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* from that territory migrate or are caused to be carried into the district;

(c) If necessary or proper, in the furtherance of the objects of this chapter, build, construct, repair and maintain necessary dikes, levees, cuts, canals or ditches upon any land, and acquire by purchase, condemnation or by other lawful means, in the name of the district, any lands, rights-of-way, easements, property or material necessary for any of those purposes;

(d) Make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the use or taking of property for dikes, levees, cuts, canals or ditches;

(e) Enter upon without hindrance any lands, within or without the district, for the purpose of inspection to ascertain whether breeding places of mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* exist upon those lands;

(f) Abate public nuisances in accordance with this chapter;

(g) Ascertain if there has been a compliance with notices to abate the breeding of mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* upon those lands;

(h) Treat with oil, other larvicidal material, or other chemicals or other material any breeding places of mosquitoes, flies, other insects, rats, or liver fluke or *Fasciola hepatica* upon those lands;

(i) Sell or lease any land, rights-of-way, easements, property or material acquired by the district; and

(j) Sell real property pursuant to this subsection to the highest bidder at public auction after 5 days' notice given by publication.

2. In connection with the basic power stated in this section, the district may:

(a) Levy annually a general ad valorem property tax of not exceeding:

(1) Fifteen cents on each \$100 of assessed valuation of taxable property; or

(2) Twenty cents on each \$100 of assessed valuation of taxable property if the board of county commissioners of each county in which the district is located approves such a tax in excess of 15 cents on each \$100 of assessed valuation of taxable property.

(b) Levy a tax in addition to a tax authorized in paragraph (a), if the additional tax is authorized by the qualified electors of the district, as provided in subsections 4 to 7, inclusive.

3. The proceeds of any tax levied pursuant to the provisions of this section must be used for purposes pertaining to the basic purpose stated in this section, including, without limitation, the establishment and maintenance of:

(a) A cash-basis fund of not exceeding in any fiscal year 60 percent of the estimated expenditures for the fiscal year to defray expenses between the beginning of the fiscal year and the respective times tax proceeds are received in the fiscal year; and

(b) An emergency fund of not exceeding in any fiscal year 25 percent of the estimated expenditures for the fiscal year to defray unusual and unanticipated expenses incurred during epidemics or threatened epidemics from diseases from sources which the district may exterminate or abate.

4. Whenever it appears to the board of a district authorized to exercise the basic power stated in subsection 1 that the amount of money required during an ensuing fiscal year will exceed the amount that can be raised by a levy permitted by paragraph (a) of subsection 2, the board may:

(a) At a special election or the next primary or general election submit to the qualified electors of the district a question of whether a tax shall be voted for raising the additional money;

(b) Provide the form of the ballot for the election, which must contain the words "Shall the district vote a tax to raise the additional sum of?" or words equivalent thereto;

(c) Provide the form of the notice of the election and provide for the notice to be given by publication; and

(d) Arrange other details in connection with the election.

5. A special election may be held only if the board determines, by a unanimous vote, that an emergency exists. The determination made by the board is conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board must be commenced within 15 days after the board's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the board to prevent or mitigate a substantial financial loss to the district or to enable the board to provide an essential service to the residents of the district.

6. Except as otherwise provided in this chapter:

(a) The secretary of the district shall give notice of the election by publication and shall arrange such other details in connection with the election as the board may direct;

(b) The election board officers shall conduct the election in the manner prescribed by law for the holding of general elections and shall make their returns to the secretary of the district; and

(c) The board shall canvass the returns of the election at any regular or special meeting held within 5 days following the date of the election, or at such later time as the returns are available for canvass, and shall declare the results of the election.

7. If a majority of the qualified electors of the district who voted on any proposition authorizing the additional tax voted in favor of the proposition, and the board so declares the result of the election:

(a) The district board shall report the result to the board of county commissioners of the county in which the district is situated, stating the additional amount of money required to be raised. If the district is in more than one county the additional amount must be prorated for each county by the district board in the same way that the district's original total estimate of money is prorated, and the district board shall furnish the board of county commissioners and auditor of each county a written statement of the apportionment for that county; and

(b) The board of county commissioners of each county receiving the written statement shall, at the time of levying county taxes, levy an additional tax upon all the taxable property of the district in the county sufficient to raise the amount apportioned to that county for the district.

8. The district shall not:

(a) Borrow money except for medium-term obligations pursuant to [chapter 350](#) of NRS;

(b) Levy special assessments; or

(c) Fix any rates, fees or other charges except as otherwise provided in this section.

9. The district may determine to cause an owner of any real property to abate any nuisance pertaining to the basic power stated in this section, after a hearing on a proposal for such an abatement and notice thereof by mail addressed to the last known owner or owners of record at his or their last known address or addresses, as ascertained from any source the board deems reliable, or in the absence of the abatement within a reasonable period fixed by the board, to cause the district to abate the nuisance, as follows:

- (a) At the hearing the district board shall redetermine whether the owner must abate the nuisance and prevent its recurrence, and shall specify a time within which the work must be completed;
 - (b) If the nuisance is not abated within the time specified in the notice or at the hearing, the district board shall abate the nuisance by destroying the larvae or pupae, or otherwise, by taking appropriate measures to prevent the recurrence of further breeding;
 - (c) The cost of abatement must be repaid to the district by the owner;
 - (d) The money expended by the district in abating a nuisance or preventing its recurrence is a lien upon the property on which the nuisance is abated or its recurrence prevented;
 - (e) Notice of the lien must be filed and recorded by the district board in the office of the county recorder of the county in which the property is situated within 6 months after the first item of expenditure by the board;
 - (f) An action to foreclose the lien must be commenced within 6 months after the filing and recording of the notice of lien;
 - (g) The action must be brought by the district board in the name of the district;
 - (h) When the property is sold, enough of the proceeds to satisfy the lien and the costs of foreclosure must be paid to the district and the surplus, if any, must be paid to the owner of the property if known, and if not known, must be paid into the court in which the lien was foreclosed for the use of the owner if ascertained; and
 - (i) The lien provisions of this section do not apply to the property of any county, city, district or other public corporation, except that the governing body of the county, city, district or other public corporation shall repay to any district exercising the basic power stated in subsection 1 the amount expended by the district upon any of its property pursuant to this chapter upon presentation by the district board of a verified claim or bill.
- (Added to NRS by 1967, 1694; A 1973, 13; 1993, 1061; 1995, 1815)

NRS 318.1181 Protection from fire. In the case of a district created wholly or in part for the purpose of furnishing fire protection, the board may:

- 1. Acquire fire protection equipment and acquire, construct or improve fire protection facilities and make improvements necessary and incidental thereto;
- 2. Eliminate fire hazards existing within the district in the manner prescribed in [NRS 474.580](#) for districts created pursuant to [chapter 474](#) of NRS;
- 3. Clear public highways and private lands of dry grass, stubble, bushes, rubbish and other inflammable material which in its judgment constitutes a fire hazard;
- 4. Coordinate fire protection activities with the State Forester Firewarden and the Advisory Board on Natural Resources; and
- 5. Cooperate with the State Forester Firewarden and the Advisory Board on Natural Resources in formulating a statewide plan for the prevention and control of fires.

(Added to NRS by 1977, 525; A 1991, 382; 1993, 1554)

NRS 318.1185 Emergency medical services. In the case of a district created wholly or in part for furnishing emergency medical services, the board may:

- 1. Acquire any equipment and property necessary for those services;
- 2. Hire and supervise emergency medical technicians certified pursuant to [chapter 450B](#) of NRS and other personnel necessary to carry out the functions of the district; and
- 3. Fix rates or charges for the use of the services furnished by the district and change those rates or charges as it considers necessary.

(Added to NRS by 1985, 1798)

NRS 318.1187 Facilities for FM radio.

- 1. In the case of a district created wholly or in part for acquiring facilities for FM radio, the board has the power to:
 - (a) Acquire broadcast, transmission and relay improvements for FM radio.
 - (b) Levy special assessments against specially benefited real property on which are located receivers operated within the district and able to receive broadcasts of FM radio supplied by the district.
 - (c) Fix tolls, rates and other service or use charges for services furnished by the district or facilities of the district,

including, without limitation, any one, all or any combination of the following:

- (1) Flat rate charges;
- (2) Charges classified by the number of receivers;
- (3) Charges classified by the value of property served by receivers of FM radio;
- (4) Charges classified by the character of the property served by receivers of FM radio;
- (5) Minimum charges;
- (6) Stand-by charges; or
- (7) Other charges based on the availability of service.

2. The district does not have the power in connection with the basic power stated in this section to:

(a) Borrow money which loan is evidenced by the issuance of any general obligation bonds or other general obligations of the district.

(b) Rebroadcast an FM radio signal in a community served by a commercial radio station licensed by the Federal Communications Commission.

(Added to NRS by 1995, 1904)

NRS 318.119 Public cemeteries. In the case of a district created wholly or in part for acquiring public cemetery improvements, the board shall have the power to:

1. Maintain a cemetery for the use of all inhabitants of the district, and for that purpose shall be capable of holding title to property in trust for the district.

2. Levy annually, except for the payment of any outstanding general obligation bonds of the district, a general (ad valorem) property tax of not exceeding 2 mills on each dollar of assessed valuation of taxable property, for purposes pertaining to the basic purpose stated in this section.

3. Levy annually such a tax fully sufficient to pay the principal of, interest on and any prior redemption premium due in connection with any outstanding general obligation bonds pertaining to the basic purpose stated in this section.

4. The district shall not have the power in connection with the basic power stated in this section to:

(a) Levy special assessments; or

(b) Borrow money which loan is evidenced by the issuance of any revenue bonds, special assessment bonds or other special obligations of the district.

(Added to NRS by 1967, 1697; A 1969, 201)

NRS 318.1191 Swimming pools.

1. In the case of a district created wholly or in part for acquiring swimming pool improvements, the board shall have power to acquire real property swimming pool improvements, appurtenant shower, locker and other bathhouse facilities, and lighting, filtration and other equipment pertaining thereto.

2. The district shall not have the power in connection with the basic power stated in this section to:

(a) Levy special assessments; nor

(b) Borrow money which loan is evidenced by the issuance of any special assessment bonds or other special obligations payable from special assessments.

(Added to NRS by 1967, 1697)

NRS 318.1192 Facilities for television: Powers of board. In the case of a district created wholly or in part for acquiring television maintenance facilities, the board shall have power to:

1. Acquire television broadcast, transmission and relay improvements.

2. Levy special assessments against specially benefited real property on which are located television receivers operated within the district and able to receive television broadcasts supplied by the district.

3. Fix tolls, rates and other service or use charges for services furnished by the district or facilities of the district, including, without limitation, any one, all or any combination of the following:

(a) Flat rate charges;

(b) Charges classified by the number of receivers;

(c) Charges classified by the value of property served by television receivers;

(d) Charges classified by the character of the property served by television receivers;

(e) Minimum charges;

(f) Stand-by charges; or

(g) Other charges based on the availability of service.

4. The district shall not have the power in connection with the basic power stated in this section to borrow money which loan is evidenced by the issuance of any general obligation bonds or other general obligations of the district.

(Added to NRS by 1967, 1697; A 1971, 204; [2001, 2084](#))

NRS 318.1193 Facilities for television: Limitation on organization if area includes existing service. No district proposing to furnish television facilities, as provided in [NRS 318.1192](#), may be organized which includes any area already served by a community antenna television company unless the governing body of the local government which granted a franchise to the community antenna television company determines that both the company and the district may furnish service to that area.

(Added to NRS by 1967, 1229; A 1983, 2010; 1985, 2052)

NRS 318.1194 Facilities for television: Approval of electors required in certain districts for franchise for community antenna television system.

1. In any area where a general improvement district has been formed which exercises the powers conferred by [NRS 318.1192](#), in a county having a population of less than 100,000, no franchise may be granted pursuant to [NRS 711.190](#) unless approved by the qualified electors of the district.

2. The board of county commissioners of the county where such a district is located shall order that the question of approval of the franchise or certificate be voted upon by the qualified electors of the district at a special election or the next primary or general election.

3. A special election may be held only if the board of county commissioners determines, by a unanimous vote, that an emergency exists. The determination made by the board of county commissioners is conclusive unless it is shown that the board acted with fraud or a gross abuse of discretion. An action to challenge the determination made by the board must be commenced within 15 days after the board's determination is final. As used in this subsection, "emergency" means any unexpected occurrence or combination of occurrences which requires immediate action by the board of county commissioners to prevent or mitigate a substantial financial loss to the district or county or to enable the board of trustees to provide an essential service to the residents of the district.

(Added to NRS by 1969, 768; A 1969, 1545; 1979, 537; 1983, 2011; 1985, 2052; 1993, 1064)

NRS 318.1195 Fencing. In the case of a district created wholly or in part for acquiring fencing improvements, the board shall have the power to construct, reconstruct or replace fences for the protection of any area within the district and to acquire improvements necessary thereto.

(Added to NRS by 1971, 261)

NRS 318.120 Streets and alleys.

1. In the case of a district created wholly or in part for acquiring paving, the board shall have the power to grade and regrade and to surface and to resurface streets, alleys and public highways, and parts thereof, within the district, with suitable material, and to acquire street and alley improvements necessary and incidental thereto.

2. Such street, alley and public highway improvements may include, without limitation, grades, regrades, gravel, oiling, surfacing, macadamizing, paving, crosswalks, driveway inlets, curb cuts, curbs, sidewalks, gutters, valley gutters, catch basins, culverts, drains, sewers, manholes, inlets, outlets, retaining walls, bridges, overpasses, tunnels, underpasses, approaches, artificial lights and lighting equipment, grade separators, traffic separators, traffic-control equipment, off-street parking facilities and structures, parkways, canals and other water type streets, or any combination thereof.

(Added to NRS by 1959, 462; A 1971, 1053)

NRS 318.125 Curbs, gutters and sidewalks. In the case of a district created wholly or in part for acquiring curb and gutter, the board shall have the power to improve streets within the district by grading and regrading and by the construction and reconstruction of curb, gutter and combined curb and gutter, in combination with sidewalk or otherwise, and to acquire improvements necessary and incidental to the foregoing improvements, including, without limiting the generality thereof, drains, catch basins, valley gutters, driveway inlets and the removal of existing improvements.

(Added to NRS by 1959, 462)

NRS 318.130 Sidewalks. In the case of a district created wholly or in part for acquiring sidewalk, the board shall have the power to construct, reconstruct, replace or extend sidewalks, adjacent to or in combination with curb and gutter or otherwise, within the district, and to acquire improvements necessary and incidental thereto.

(Added to NRS by 1959, 462)

NRS 318.135 Storm drainage or flood control. In the case of a district created wholly or in part for acquiring, improving or operating storm drainage or flood control improvements, the board may construct, reconstruct, replace or extend storm sewer and other drainage or flood control facilities and improvements necessary and incidental

thereto within the district, including, but not limited to, the laying of pipes and the erection of catch basins, drains and necessary inlets and outlets.

(Added to NRS by 1959, 462; A 1991, 1708)

NRS 318.140 Sanitary sewer improvements. In the case of a district created wholly or in part for acquiring sanitary sewer improvements:

1. The board may:

(a) Construct, reconstruct, improve or extend the sanitary sewer system or any part thereof, including, without limitation, mains, laterals, wyes, tees, meters and collection, treatment and disposal plants.

(b) Sell any product or by-product thereof and acquire the appropriate outlets within or without the district and extend the sewer lines of the district thereto.

(c) Enter into and perform, without any election, contracts or agreements for a term not to exceed 50 years with any person or a public agency, to provide the services, equipment or supplies necessary or appropriate to conduct tests of the discharge of pollutants into the state's water and to report the results of those tests as required by [chapter 445A](#) of NRS or the regulations adopted thereunder. For the purposes of this paragraph, "public agency" has the meaning ascribed to it in [NRS 277.100](#).

2. The provisions of [chapters 332](#) and [339](#) of NRS do not apply to a contract under which a private developer extends a sewer main to his development or installs any appurtenances to that extension. Except as otherwise provided in this subsection, the provisions of [chapter 338](#) of NRS do not apply to such a contract. If the developer does not pay all of the initial construction costs of the extension, the provisions of [NRS 338.013](#) to [338.090](#), inclusive, apply to the contract.

(Added to NRS by 1959, 463; A 1967, 1711; 1971, 1053; 1977, 541; 1983, 1285; 1995, 12)

NRS 318.141 Lighting of streets. The board shall have the power to acquire, construct, reconstruct, improve, extend or better a works, system or facilities for lighting public streets, ways and places. It may also, without calling for bids, contract for providing such facilities and the electrical current necessary therefor, or such current, with any public utility serving in the district, at uniform rates and charges established for the utility operator.

(Added to NRS by 1963, 626)

NRS 318.142 Collection and disposal of garbage and refuse. The board shall have the power to acquire, by purchase or lease, sites for the disposal of garbage and refuse, and to own and operate equipment for the collection and disposal of, and collect and dispose of, garbage and refuse, or to contract, without calling for bids, for the collection and disposal of garbage and refuse from within the district.

(Added to NRS by 1963, 626)

NRS 318.143 Recreational facilities.

1. Subject to the provisions of subsection 2, the board may acquire, construct, reconstruct, improve, extend and better lands, works, systems and facilities for recreation.

2. If the proposed recreational facilities are situated within 7 miles from the boundary of an incorporated city or unincorporated town, and if the county in which the proposed recreational facilities are situated has adopted a recreation plan pursuant to [NRS 278.010](#) to [278.630](#), inclusive, the authority conferred by subsection 1 may be exercised only in conformity with such plan.

3. Such recreational facilities may include without limitation exposition buildings, museums, skating rinks, other type rinks, fieldhouses, sports arenas, bowling alleys, swimming pools, stadiums, golf courses, tennis courts, squash courts, other courts, ball fields, other athletic fields, tracks, playgrounds, bowling greens, ball parks, public parks, promenades, beaches, marinas, levees, piers, docks, wharves, boat basins, boathouses, harborages, anchorages, gymnasiums, appurtenant shower, locker and other bathhouse facilities, amusement halls, dance halls, concert halls, theaters, auditoriums, aviaries, aquariums, zoological gardens, biological gardens and vivariums (or any combination thereof).

(Added to NRS by 1965, 1088; A 1967, 1714; 1971, 1054)

NRS 318.144 Supply, storage and distribution of water.

1. The board may acquire, construct, reconstruct, improve, extend or better a works, system or facilities for the supply, storage and distribution of water for private and public purposes.

2. The provisions of [chapters 332](#) and [339](#) of NRS do not apply to a contract under which a private developer constructs water facilities for his development. Except as otherwise provided in this subsection, the provisions of

[chapter 338](#) of NRS do not apply to such a contract. If the developer does not pay all of the initial construction costs of the facility, the provisions of [NRS 338.013](#) to [338.090](#), inclusive, apply to the contract.

(Added to NRS by 1961, 464; A 1967, 1712; 1971, 1054; 1973, 716; 1977, 542; 1995, 12)

NRS 318.1445 District not required to furnish water for man-made lake or stream when prohibited by ordinance in certain counties; exceptions. In any county whose population is 400,000 or more:

1. Except as otherwise provided in subsection 2, nothing in this chapter requires a district to furnish water for the purpose of filling or maintaining a man-made lake or stream where that use of water is prohibited or restricted by ordinance of:

- (a) The county, if the man-made lake or stream is located within the unincorporated areas of the county; or
- (b) A city, if the man-made lake or stream is located within the boundaries of the city.

2. The provisions of subsection 1 and of any ordinance referred to in subsection 1 do not apply to:

(a) Water stored in a man-made reservoir for use in flood control, in meeting peak water demands or for purposes relating to the treatment of sewage;

(b) Water used in a mining reclamation project; or

(c) A body of water located in a recreational facility that is open to the public and owned or operated by the United States or the State of Nevada.

(Added to NRS by 1989, 1445)

NRS 318.145 Operation, maintenance and repair of improvements. The board shall have the power to operate, maintain and repair the improvements acquired by the district, including, without limitation, the maintenance and repair of dedicated streets and alleys and the removal of snow therefrom, and all facilities of the district relating to any basic power which the district is authorized to exercise, and in connection therewith to exercise from time to time any one, all or any combination of the incidental powers provided in this chapter and any law supplemental thereto, except as may be otherwise provided in this chapter or in any such supplemental law.

(Added to NRS by 1959, 463; A 1967, 1698; [2001, 2084](#))

NRS 318.160 Acquisition, disposal of and encumbrances on property. The board shall have the power to acquire, dispose of and encumber real and personal property, and any interest therein, including leases, easements, and revenues derived from the operation thereof. The constitutional and inherent powers of the legislature are hereby delegated to the board for the acquisition, disposal and encumbrance of property; but the board shall in no case receive title to property already devoted to public purpose or use, except with the consent of the owners of such property, and except upon approval of a majority of the board.

(Added to NRS by 1959, 464)

NRS 318.165 Entry on land, water or premises to survey or inspect. The board shall have the power to enter on any lands, waters and premises for the purposes of making surveys, soundings, examinations, tests and inspections.

(Added to NRS by 1959, 464)

NRS 318.170 Water, drainage, sewerage and disposal of garbage and other refuse: Approval of system; additional powers.

1. The board may, in connection with a district with basic powers relating to storm drainage facilities, sanitary sewer facilities, refuse collection and disposal facilities, and water facilities, or any combination of such facilities:

(a) Consult with the Health Division of the Department of Human Resources about any system or proposed system of drainage or sewage or garbage and other refuse collection and disposal as to the best method of disposing of the district's drainage or sewage or garbage and other refuse with reference to the existing and future needs of other cities, towns, districts or other persons which may be affected, and submit to the Health Division for its advice and approval the district's proposed system of drainage or sewage or garbage and other refuse disposal and collection, including without limitation both liquid wastes and solid wastes.

(b) Except as limited by the provisions of paragraph (c), compel all owners of inhabited property in the district to use the district's system for the collection and disposal of sewage, garbage and other refuse, either as to liquid wastes, or solid wastes, or both liquid wastes and solid wastes, by connection with the district's sewer system or otherwise, except for industrial property for which arrangements have been made with local health authorities for the disposal of wastes.

(c) Cause a connection by an owner of inhabited property to such a system if a service line is brought by the district to a point within 400 feet of his dwelling place, and upon a failure of the owner so to connect within 60 days after written mailed notice by the board, cause:

(1) The connection to be made by a person other than an owner; and

(2) A lien to be filed against the property for expense incurred in making the connection.

(d) Make and enforce all necessary regulations for the removal of sewage, garbage or other refuse, and for the proper use of water within the district.

(e) Make all other sanitary regulations not in conflict with the Constitution or laws of this state, and provide that any person who violates these regulations or ordinances shall be punished by a fine not to exceed \$100 or by imprisonment not to exceed 1 month, or by both fine and imprisonment.

(f) Provide that any industrial user who violates a federally mandated standard shall be punished by a fine not to exceed \$1,000 per day for each day the violation continues.

2. A district shall not proceed to acquire or improve any system of water supply, drainage or sewage disposal or garbage and other refuse collection and disposal without first obtaining the approval of the county board of health.

3. As used in this section:

(a) "Drainage" means rainfall, surface and subsoil water.

(b) "Sewage" means domestic and industrial filth and waste.

(Added to NRS by 1959, 464; A 1963, 901; 1967, 1153, 1699; 1969, 24; 1985, 271; 1991, 345)

NRS 318.175 Management of district's business; acquisition and operation of projects. The board shall have the power:

1. To manage, control and supervise all the business and affairs of the district.

2. To acquire, improve, equip, operate and maintain any district project.

(Added to NRS by 1959, 464)

NRS 318.180 Employees: Power to hire and retain. The board shall have the power to hire and retain agents, employees, servants, engineers and attorneys, and any other persons necessary or desirable to effect the purposes of this chapter.

(Added to NRS by 1959, 464)

NRS 318.185 Employees: Duties and compensation. The board shall have the power to prescribe the duties of officers, agents, employees and servants, and fix their compensation.

(Added to NRS by 1959, 464)

NRS 318.190 Eminent domain. The board shall have and may exercise the power of eminent domain and dominant eminent domain in the manner provided by law for the condemnation by a city of private property for public use to take any property necessary to the exercise of the powers granted, both within and without the district.

(Added to NRS by 1959, 464)

NRS 318.195 Construction of works across watercourse, highway or vacant public land; restoration of property.

1. The board shall have the power to construct and maintain works and establish and maintain facilities across or along any public street or highway, and in, upon or over any vacant public lands, which public lands are, or may become, the property of the State of Nevada, and to construct works and establish and maintain facilities across any stream of water or watercourse.

2. The board shall promptly restore any such street or highway to its former state of usefulness as nearly as may be, and shall not use the same in such manner as to impair completely or unnecessarily the usefulness thereof.

(Added to NRS by 1959, 464)

NRS 318.197 Rates, tolls and charges; liens; regulations governing connection and disconnection for facilities and services of district; collection of charges and penalties.

1. The board may fix, and from time to time increase or decrease, electric energy, cemetery, swimming pool, other recreational facilities, television, FM radio, sewer, water, storm drainage, flood control, snow removal, lighting, garbage or refuse rates, tolls or charges other than special assessments, including, but not limited to, service charges and standby service charges, for services or facilities furnished by the district, charges for the availability of service, annexation charges, and minimum charges, and pledge the revenue for the payment of any indebtedness or special obligations of the district.

2. Upon compliance with subsection 9 and until paid, all rates, tolls or charges constitute a perpetual lien on and against the property served. A perpetual lien is prior and superior to all liens, claims and titles other than liens of general taxes and special assessments and is not subject to extinguishment by the sale of any property on account of nonpayment of any liens, claims and titles including the liens of general taxes and special assessments. A perpetual

lien must be foreclosed in the same manner as provided by the laws of the State of Nevada for the foreclosure of mechanics' liens. Before any lien is foreclosed, the board shall hold a hearing thereon after providing notice thereof by publication and by registered or certified first-class mail, postage prepaid, addressed to the last known owner at his last known address according to the records of the district and the real property assessment roll in the county in which the property is located.

3. The board shall prescribe and enforce regulations for the connection with and the disconnection from properties of the facilities of the district and the taking of its services.

4. The board may provide for the collection of charges. Provisions may be made for, but are not limited to:

(a) The granting of discounts for prompt payment of bills.

(b) The requiring of deposits or the prepayment of charges in an amount not exceeding 1 year's charges from persons receiving service and using the facilities of the enterprise or from the owners of property on which or in connection with which services and facilities are to be used. In case of nonpayment of all or part of a bill, the deposits or prepaid charges must be applied only insofar as necessary to liquidate the cumulative amount of the charges plus penalties and cost of collection.

(c) The requiring of a guaranty by the owner of property that the bills for service to the property or the occupants thereof will be paid.

5. The board may provide for a basic penalty for nonpayment of the charges within the time and in the manner prescribed by it. The basic penalty must not be more than 10 percent of each month's charges for the first month delinquent. In addition to the basic penalty, the board may provide for a penalty of not exceeding 1.5 percent per month for nonpayment of the charges and basic penalty. On the first day of the calendar month following the date of payment specified in the bill the charge becomes delinquent if the bill or that portion thereof which is not in bona fide dispute remains unpaid. The board may provide for collection of the penalties provided for in this section.

6. The board may provide that charges for any service must be collected together with and not separately from the charges for any other service rendered by it, and that all charges must be billed upon the same bill and collected as one item.

7. The board may enter into a written contract with any person, firm or public or private corporation providing for the billing and collection by the person, firm or corporation of the charges for the service furnished by any enterprise. If all or any part of any bill rendered by the person, firm or corporation pursuant to a contract is not paid and if the person, firm or corporation renders any public utility service to the person billed, the person, firm or corporation may discontinue its utility service until the bill is paid, and the contract between the board and the person, firm or corporation may so provide.

8. As a remedy established for the collection of due and unpaid deposits and charges and the penalties thereon an action may be brought in the name of the district in any court of competent jurisdiction against the person or persons who occupied the property when the service was rendered or the deposit became due or against any person guaranteeing payment of bills, or against any or all such persons, for the collection of the amount of the deposit or the collection of delinquent charges and all penalties thereon.

9. A lien against the property served is not effective until a notice of the lien, separately prepared for each lot affected, is:

(a) Mailed to the last known owner at his last known address according to the records of the district and the real property assessment roll of the county in which the property is located;

(b) Delivered by the board to the office of the county recorder of the county within which the property subject to such lien is located;

(c) Recorded by the county recorder in a book kept by him for the purpose of recording instruments encumbering land; and

(d) Indexed in the real estate index as deeds and other conveyances are required by law to be indexed.

(Added to NRS by 1959, 465; A 1963, 632; 1967, 1700; 1969, 95; 1971, 187, 1054; 1975, 137; 1977, 542; 1991, 1708; 1995, 1906; 1997, 452)

NRS 318.199 Rates, tolls and charges for sewerage or water services or products: Schedules; public hearings; adoption of resolution; action to set aside resolution.

1. The board of trustees of any district organized or reorganized under this chapter and authorized to furnish sanitary sewer facilities pursuant to [NRS 318.140](#) or to furnish water facilities pursuant to [NRS 318.144](#) shall establish schedules showing all rates, tolls or charges for services performed or products furnished.

2. Whenever the board of trustees proposes to change any individual or joint rate, toll, charge, service or product, or any individual or joint practice which will affect any rate, toll, charge, service or product, the board of trustees shall hold public hearings after 30 days' notice has been given to all users of the service or product within the district.

3. Notice shall be given by publication in a newspaper published in the county and if no such newspaper is published, then a newspaper published in this state which has a general circulation in the county. The notice shall not

be placed in that portion of the newspaper where legal notices and classified advertisements appear and the type used in the headline of such notice shall not be smaller than 18 point.

4. All users of the service or product shall be afforded a reasonable opportunity to submit data, views or arguments orally or in writing at the place, date and time specified in the notice, or at any subsequent place or time to which the hearing may be adjourned.

5. If, after public hearing, the board of trustees determines that the proposed action is required, the board shall adopt a resolution establishing the new or changed rates, tolls, charges, services to be performed or products to be furnished.

6. Within 30 days immediately following the effective date of such resolution, any person who has protested it may commence an action in any court of competent jurisdiction to set aside the resolution.

7. Within 30 days after the effective date of the resolution, the secretary of the district shall file a copy of the new schedules in the office of the district. The schedules shall be made available to any user of the service or product. (Added to NRS by 1977, 541)

NRS 318.201 Procedure for collection of service charges on tax roll.

1. Any board which has adopted rates pursuant to this chapter may, by resolution or by separate resolutions, elect to have such charges for the forthcoming fiscal year collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the county's general taxes. In such event, it shall cause a written report to be prepared and filed with the secretary, which shall contain a description of each parcel of real property receiving such services and facilities and the amount of the charge for each parcel for such year, computed in conformity with the charges prescribed by the resolution.

2. The powers authorized by this section are alternative to all other powers of the district, and alternative to other procedures adopted by the board for the collection of such charges.

3. The real property may be described by reference to maps prepared by and on file in the office of the county assessor or by descriptions used by him, or by reference to plats or maps on file in the office of the secretary.

4. The board may make the election specified in subsection 1 with respect only to delinquent charges and may do so by preparing and filing the written report, giving notice and holding the hearing therein required only as to such delinquencies.

5. The secretary shall cause notice of the filing of the report and of a time and place of hearing thereon to be published once a week for 2 weeks prior to the date set for hearing, in a newspaper of general circulation printed and published within the district if there is one and if not then in such paper printed and published in a county within which the district is located.

6. Before the board may have such charges collected on the tax roll, the secretary shall cause a notice in writing of the filing of the report proposing to have such charges for the forthcoming fiscal year collected on the tax roll and of the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in the report is assessed in the last equalized assessment roll available on the date the report is prepared, at the address shown on the assessment roll or as known to the secretary. If the board adopts the report, then the requirements for notice in writing to the persons to whom parcels of real property are assessed does not apply to hearings on reports prepared in subsequent fiscal years but notice by publication as provided in this section is adequate.

7. At the time stated in the notice, the board shall hear and consider all objections or protests, if any, to the report referred to in the notice and may continue the hearing from time to time. If the board finds that protest is made by the owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land.

8. Upon the conclusion of the hearing, the board may adopt, revise, change, reduce or modify any charge or overrule any or all objections and shall make its determination upon each charge as described in the report, which determination is final.

9. After the hearing, when the board has made a final decision on a service charge or fee to be collected on the county tax roll, the secretary shall prepare and file a final report, which shall contain a description of each parcel receiving the services and the amount of the charge, with the county assessor for inclusion on the assessment roll. If a report is filed after the closing of the assessment roll but before the extension of the tax roll, the auditor shall insert the charges in such extension.

10. The amount of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed as of the time when the lien of taxes on the roll attach.

11. The county treasurer shall include the amount of the charges on bills for taxes levied against the respective lots and parcels of land. Thereafter the amount of the charges shall be collected at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the county. The

charges shall become delinquent at the same time as such taxes and are subject to the same delinquency penalties.

12. All laws applicable to the levy, collection and enforcement of general taxes of the county, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, refund, redemption and sale, are applicable to such charges.

13. The county treasurer may issue separate bills for such charges and separate receipts for collection on account of such charges.

(Added to NRS by 1963, 626; A 1967, 1701; 1975, 465)

NRS 318.202 Procedure for collection of charges for connecting to water, drainage or sewerage facilities on tax roll or by special assessments.

1. Subject to [NRS 318.199](#), the board may by resolution:

(a) Fix fees or charges for the privilege of connecting to its water, drainage or sewerage facilities;

(b) Fix the time or times at which such fees or charges shall become due;

(c) Provide for the payment of such fees or charges prior to connection or in installments over a period of not to exceed 15 years; and

(d) Provide the rate of interest, not to exceed 6 percent per annum, to be charged on the unpaid balance of such fees or charges.

2. The amount of such fees or charges and the interest thereon constitute a lien against the respective lots or parcels of land to which the facilities are connected if the board complies with subsection 9 and gives notice to the owners of the lots or parcels of land affected.

3. The notice shall set forth:

(a) The schedule of fees or charges to be imposed.

(b) A description of the property subject to such fees or charges, which description may be as provided in subsection 3 of [NRS 318.201](#).

(c) The time or times at which such fees or charges shall become due.

(d) The number of installments in which such fees or charges shall be payable.

(e) The rate of interest, not to exceed 6 percent per annum, to be charged on the unpaid balance of such fees or charges.

(f) That it is proposed that the fees or charges and interest thereon shall constitute a lien against the lots or parcels of land to which the facilities are furnished.

(g) The time and place at which the board will hold a hearing at which persons may appear and present any and all objections they may have to the imposition of the fees or charges as a lien against the land.

4. The notice shall be published once a week for 2 weeks prior to the date set for hearing. At least 10 days prior to the date of hearing, written notice shall be mailed to all persons owning land subject to such fees or charges, whose names and addresses appear on the last equalized assessment roll.

5. At the time stated in the notice the board shall hear and consider all objections or protests, if any, to the imposition of the fees or charges as set forth in the notice and may continue the hearing from time to time.

6. Upon the conclusion of the hearing, the board may adopt, revise, change, reduce or modify the fees or charges or may overrule any or all objections and make its determination, which determination is final.

7. Prior to the time the county treasurer posts taxes to the county tax roll following such final determination, the board shall certify to the county auditor a list of the lots or parcels of land, as they appear on the current assessment roll, subject to such fees or charges and the amounts of the installments of such fees or charges and interest to be entered against such lots or parcels on the assessment roll. If a lot or parcel connected to the facilities is subsequently divided into two or more lots or parcels as shown on the current assessment roll, the board shall designate the lot or parcel that remains connected to the facilities and against which the installments of the fees or charges and interest are to be entered.

8. The county treasurer shall annually collect the charges or the respective installments thereof as provided in subsections 10 to 13, inclusive, of [NRS 318.201](#).

9. A lien against the respective lots or parcels of land to which the facilities are connected is not effective until a notice of the lien, separately prepared for each lot or parcel, is:

(a) Delivered by the board to the office of the county recorder of the county within which the property subject to such lien is located;

(b) Recorded by the county recorder in a book kept by him for the purpose of recording instruments encumbering land; and

(c) Indexed in the real estate index as deeds and other conveyances are required by law to be indexed.

(Added to NRS by 1963, 628; A 1967, 1703; 1977, 544)

NRS 318.203 Structure reasonably believed to be used as dwelling unit: Affidavit filed by employee of district or other person; notice and hearing; resolution to charge owner of dwelling unit for services provided by district.

1. If an employee of a general improvement district or other person has a reasonable belief that a dwelling unit exists that is not currently being charged for services provided by a general improvement district in a county whose population is less than 400,000, the employee or other person may submit an affidavit to the board of trustees of the district, setting forth the facts upon which the employee or other person bases his belief, including, without limitation, personal knowledge and visible indications of use of the property as a dwelling unit.

2. If a board of trustees receives an affidavit described in subsection 1, the board may set a date for a hearing to determine whether the unit referenced in the affidavit is being used as a dwelling unit. At least 30 days before the date of such a hearing, the board shall send a notice by certified mail, return receipt requested, to the owner of the property where the unit referenced in the affidavit is located at the address listed in the real property assessment roll in the county in which the property is located. The notice must specify the purpose, date, time and location of the hearing.

3. Except as otherwise provided in this subsection, if, after the hearing, the board determines that the unit referenced in the affidavit submitted pursuant to subsection 1 is being used as a dwelling unit, the board may adopt a resolution by the affirmative votes of not less than two-thirds of the total membership of the board to charge the owner pursuant to [NRS 318.197](#) for the services provided by the district to the dwelling unit. The board shall not adopt such a resolution if the owner provides evidence satisfactory to the board that the unit referenced in the affidavit is not being used as a dwelling unit.

4. As used in this section:

(a) "Dwelling unit" means a structure that is designed for residential occupancy by one or more persons for living and sleeping purposes, consisting of one or more rooms, including a bathroom and kitchen. The term does not include a hotel or a motel.

(b) "Kitchen" means a room, all or part of which is designed or used for storage, refrigeration, cooking and preparation of food.

(c) "Owner" means a person to whom the parcel of real property upon which the unit referenced in an affidavit submitted pursuant to subsection 1 is located is assessed in the most recent assessment roll available.

(Added to NRS by [2001, 1709](#))

NRS 318.205 Bylaws. The board shall have the power to adopt and amend bylaws, not in conflict with the Constitution and laws of the State:

1. For carrying on the business, objects and affairs of the board and of the district.

2. Regulating the use or right of use of any project or improvement.

(Added to NRS by 1959, 465; A 1967, 1715)

NRS 318.210 Implied powers. The board shall have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this chapter. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter.

(Added to NRS by 1959, 465)

NRS 318.215 Conveyance of facilities to city or town; assumption of indebtedness; dissolution of district.

1. When a district abuts a city or town, the board shall have the power to convey to such city or town, at the discretion of the district and with the consent of the governing authority thereof, all of the property of such district upon the condition that such city or town:

(a) Will operate and maintain such property, regardless of whether the area comprising the district is annexed to the municipality; and

(b) May assume all of the indebtedness of such district upon such conditions as the county or town and the governing body of the district may agree.

2. Upon such conveyance and assumption of indebtedness the district shall be dissolved and a certificate to such effect shall be signed by the clerical officer of the city or town and filed with the Secretary of State and county clerk of any county in which the ordinance creating the district is filed.

(Added to NRS by 1959, 465; A 1965, 1081)

NRS 318.220 Conveyances by cities, counties or districts to general improvement districts.

1. Any municipality, county, special district or owner may sell, lease, grant, convey, transfer or pay over to any district, with or without consideration, any project or any part thereof or any interest in real or personal property or any money available for construction or improvement purposes, including the proceeds of bonds issued before, on or

after March 30, 1959, for construction or improvement purposes which may be used by the district in the construction, improvement, maintenance or operation of any project.

2. Any municipality, county or special district is also authorized to transfer, assign and set over to any district any contracts which may have been awarded by the municipality, county or special district for the construction of projects not begun or, if begun, not completed.

3. The territory being served by any project or the territory within which the project is authorized to render service at the time of the acquisition of the project by a district must include the area served by the project and the area in which the project is authorized to serve at the time of acquisition and any other area into which the service may be extended within the district. If an election is required either by general law or charter provision to authorize the transfer, such election must be called and conducted as provided by law.

(Added to NRS by 1959, 466; A 1997, 1609)

TAXATION

NRS 318.225 Power to levy taxes. In addition to the other means for providing revenue for such districts, the board shall have power and authority to levy and collect general (ad valorem) taxes on and against all taxable property within the district, such levy and collection to be made by the board in conjunction with the county and its officers as set forth in this chapter.

(Added to NRS by 1959, 466)

NRS 318.230 Levy and collection of taxes.

1. To levy and collect taxes, the board shall determine, in each year, the amount of money necessary to be raised by taxation, taking into consideration other sources of revenue of the district, and shall fix a rate of levy which, when levied upon every dollar of assessed valuation of taxable property within the district, and together with other revenues, will raise the amount required by the district annually to supply money for paying:

(a) The expenses of organization and the costs of operating and maintaining the works and equipment of the district; and

(b) The costs of acquiring the works and equipment of the district and, when due, all interest on and principal of general obligation bonds and other general obligations of the district.

È In the event of accruing defaults or deficiencies, an additional levy may be made as provided in [NRS 318.235](#). The board shall identify separately the rate of tax which is levied pursuant to paragraph (a) and the rate which is levied pursuant to paragraph (b) and shall make such information available to the public upon request. The board shall not continue to levy a rate of tax pursuant to paragraph (b) after the cost to the district of acquiring the particular work or equipment for which the rate was levied has been recovered in full.

2. The board shall certify to the board of county commissioners, at the same time as fixed by law for certifying thereto tax levies of incorporated cities, the rate so fixed with directions that at the time and in the manner required by law for levying taxes for county purposes such board of county commissioners shall levy such tax upon the assessed valuation of all taxable property within the district, in addition to such other taxes as may be levied by such board of county commissioners at the rate so fixed and determined.

(Added to NRS by 1959, 466; A [1999, 793](#))

NRS 318.235 Levies to cover deficiencies.

1. The board, in certifying annual levies, shall take into account the maturing general obligation indebtedness for the ensuing year as provided in its contracts, maturing general obligation bonds and interest on such bonds, and deficiencies and defaults of prior years, and shall make ample provision for the payment thereof.

2. In case the money produced from such levies, together with other revenues of the district, is not sufficient punctually to pay the annual installments on such obligations, and interest thereon, and to pay defaults and deficiencies, the board shall make such additional levies of taxes as may be necessary for such purposes, and, notwithstanding any limitations, such taxes must be made and continue to be levied until the general obligation indebtedness of the district is fully paid but must not continue after that date.

(Added to NRS by 1959, 466; A [1999, 793](#))

NRS 318.240 County officers to levy and collect.

1. The body having authority to levy taxes within each county shall levy the taxes provided in this chapter.

2. All officials charged with the duty of collecting taxes shall collect such taxes at the time and in the same form and manner, and with like interest and penalties, as other taxes are collected and when collected shall pay the same to the district ordering its levy and collection. The payment of such collections shall be made monthly to the treasurer of

the district and paid into the depository thereof to the credit of the district.

3. All taxes levied under this chapter, together with interest thereon and penalties for default in payment thereof, and all costs of collecting the same, shall constitute, until paid, a perpetual lien on and against the property taxed; and such lien shall be on a parity with the tax lien of other general taxes.

(Added to NRS by 1959, 467)

NRS 318.245 Sales for delinquencies. If the taxes levied are not paid as provided in this chapter, the property subject to the tax lien shall be sold and the proceeds thereof shall be paid over to the district according to the provisions of the laws applicable to tax sales and redemptions.

(Added to NRS by 1959, 467)

NRS 318.250 Reserve funds. Whenever any indebtedness or other obligations have been incurred by a district, it shall be lawful for the board to levy taxes and collect revenue for the purpose of creating funds in such amount as the board may determine, which may be used to meet the obligations of the district, for maintenance and operating charges and depreciation, and provide extension of and betterments to the improvements of the district.

(Added to NRS by 1959, 467; A 1965, 744; 1971, 2108)

BOUNDARIES; INCLUSION AND EXCLUSION OF PROPERTY

NRS 318.256 Boundary changes; liability of property.

1. The boundary of any district organized under the provisions of this chapter may be changed in the manner prescribed in [NRS 318.257](#) and [318.258](#), but the change of boundaries of the district shall not impair nor affect its organization, nor shall it affect, impair or discharge any contract, obligation, lien or charge on which it or the property therein might be liable or chargeable had such change of boundaries not been made.

2. Property included within or annexed to a district shall be subject to the payment of taxes, assessments and charges, as provided in [NRS 318.258](#). Real property excluded from a district shall thereafter be subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the district outstanding at the time of such exclusion, and shall be subject to any outstanding special assessment lien thereon. Personal property may be excluded from a district on such terms and conditions as may be prescribed by the board of the district involved.

(Added to NRS by 1967, 1610)

NRS 318.257 Exclusion.

1. A fee owner of real property situate in the district, or the fee owners of any real properties which are contiguous to each other and which constitute a portion of the district may file with the board a petition praying that such lands be excluded and taken from the district.

2. Petitions shall:

(a) Describe the property which the petitioners desire to have excluded.

(b) State that the property is not capable of being served with facilities of the district, or would not be benefited by remaining in the district or by any future improvement it might make.

(c) Be acknowledged in the same manner and form as required in case of a conveyance of land.

(d) Be accompanied by a deposit of money sufficient to pay all costs of the exclusion proceedings.

3. The secretary of the board shall cause a notice of filing of such petition to be published, which notice shall:

(a) State the filing of such petition.

(b) State the names of the petitioners.

(c) Describe the property mentioned in the petition.

(d) State the prayer of the petitioners.

(e) Notify all persons interested to appear at the office of the board at the time named in the notice, showing cause in writing, if any they have, why the petition should not be granted.

4. The board at the time and place mentioned in the notice, or at the times to which the hearing of the petition may be adjourned, shall proceed to hear the petition and all objections thereto, presented in writing by any person showing cause why the prayer of the petition should not be granted.

5. The filing of such petition shall be deemed and taken as an assent by each and all such petitioners to the exclusion from the district of the property mentioned in the petition, or any part thereof.

6. The board, if it deems it not for the best interest of the district that the property mentioned in the petition, or portion thereof, be excluded from the district, shall order that the petition be denied in whole or in part, as the case may be.

7. If the board deems it for the best interest of the district that the property mentioned in the petition, or some portion thereof be excluded from the district, the board shall order that the petition be granted in whole or in part, as

the case may be.

8. There shall be no withdrawal from a petition after consideration by the board nor shall further objection be filed except in case of fraud or misrepresentation.

9. Upon allowance of such petition, the board shall file for record a certified copy of its resolution making such change, as provided in [NRS 318.075](#).

(Added to NRS by 1967, 1610)

NRS 318.258 Inclusion. The boundaries of a district may be enlarged by the inclusion of additional real property therein in the following manner:

1. The fee owner or owners of any real property capable of being served with facilities of the district may file with the board a petition in writing praying that such property be included in the district.

2. The petition shall:

(a) Set forth an accurate legal description of the property owned by the petitioners.

(b) State that assent to the inclusion of such property in the district is given by the signers thereto, constituting all the fee owners of such property.

(c) Be acknowledged in the same manner required for a conveyance of land.

3. There shall be no withdrawal from a petition after consideration by the board nor shall further objections be filed except in case of fraud or misrepresentation.

4. The board shall hear the petition at an open meeting after publishing the notice of the filing of such petition, and of the place, time and date of such meeting, and the names and addresses of the petitioners. The board shall grant or deny the petition and the action of the board is final and conclusive. If the petition is granted as to all or any of the real property therein described, the board shall make an order to that effect, and file it for record as provided in [NRS 318.075](#).

5. If the costs of extending the facilities of the district are paid by the property owners of the area to be included within the district, these property owners are entitled to receive any money charged and collected by the district when additional property owners utilize the facilities which were extended.

6. The board of trustees of the district shall pay to the property owners pro rata shares of the money charged and collected.

7. After the date of its inclusion in such district, such property is subject to all of the taxes and charges imposed by the district, and is liable for its proportionate share of existing general obligation bonded indebtedness of the district; but it is not liable for any taxes or charges levied or assessed prior to its inclusion in the district, nor shall its entry into the district be made subject to or contingent upon the payment or assumption of any penalty, toll or charge, other than any reasonable annexation charge which the board may fix and uniformly assess and the tolls and charges which are uniformly made, assessed or levied for the entire district. Such charges shall be computed in such a manner as not to place a new charge against the district members nor penalize the area annexed.

8. In any district within the region of any interstate compact relating to planning, when any petition for the inclusion of property into any district is denied, the petitioner may appeal the denial to the board of county commissioners of the county in which such district is located, which shall review such denial and may, in its discretion, order that such property be included in the district.

9. The board of county commissioners of any county in which a district is located may by ordinance require the district to include additional real property within its boundaries if:

(a) The inclusion is required by a federal law or regulation issued thereunder;

(b) The district can provide the services required by the owners of the real property; and

(c) The owners of the real property pay the costs of providing the facilities.

(Added to NRS by 1967, 1611; A 1971, 189; 1977, 545)

ANNEXATION OF TERRITORY BY DISTRICT CREATED TO FURNISH ELECTRICITY

NRS 318.261 Annexation of territory to district. Territory may be annexed to a district created wholly or in part to furnish electric light and power pursuant to [NRS 318.261](#) to [318.272](#), inclusive.

(Added to NRS by 1989, 1598)

NRS 318.262 Petition to enlarge district; approval of annexation by governing body of city required.

1. The boundaries of a district created wholly or in part to furnish electric light and power may be enlarged by the inclusion of additional real property by a petition, if the real property is capable of being served with the facilities of the district and the petition:

(a) Prays that the additional real property be included in the district;

- (b) Is signed by at least 75 percent of the owners in fee of the real property in the territory; and
- (c) Is filed with the board of trustees of the district.

2. The boundaries of any district expanded pursuant to the provisions of [NRS 318.261](#) to [318.272](#), inclusive, must not include any territory of any incorporated city unless the governing body of the incorporated city has approved the annexation of that territory.

(Added to NRS by 1989, 1598)

NRS 318.263 Petition: Contents. The petition must:

1. Set forth a general description of the proposed boundaries of the district or of the territory proposed to be included within the district, with such certainty as to enable an owner of property to determine whether his property is within the district.

2. State that the persons signing the petition assent to the inclusion of the property in the district and that 75 percent or more of the owners in fee of the real property in the territory proposed to be included in the district have signed the petition.

3. State that the property sought to be included is not within the boundaries of any other district, town, municipality or public utility which provides the same service as the district into which petitioners seek to be included.

4. State that the petitioners acknowledge that:

(a) After the date of inclusion of the real property in the district, it is subject to all of the taxes and charges imposed by the district and is liable for its proportionate share of existing general obligation bonded indebtedness of the district;

(b) The property is not liable for any taxes or charges levied or assessed before its inclusion in the district;

(c) Entry of the property into the district may not be subject to or contingent upon the payment or assumption of any penalty, toll or charge, other than any reasonable annexation charge which the board may fix and uniformly assess and the tolls and charges which are uniformly made, assessed or levied for the entire district; and

(d) Any charge imposed must be computed in a manner that does not impose a new charge on the members of the district and must not penalize the members of the territory to be annexed.

5. Be acknowledged in the same manner required for a conveyance of land.

(Added to NRS by 1989, 1598)

NRS 318.264 Petition: Withdrawal and objections. After consideration of the petition by the board there may be no withdrawal from the petition and no objections to the petition may be filed except an objection of fraud or misrepresentation.

(Added to NRS by 1989, 1599)

NRS 318.266 Public hearing; notice; requirements for conducting hearing. The board shall hear the petition at an open meeting after publishing notice of the petition at least 10 days before the meeting in a newspaper of general circulation published in the county or counties in which the territory proposed to be annexed to the district is located. The notice must include notice of the place, date and time of the meeting and the names and addresses of the petitioners. At the time designated in the notice, the board shall conduct a hearing on the petition which is open to the public and any person interested may be heard.

(Added to NRS by 1989, 1599)

NRS 318.267 Determination by board; filing of order by county clerk.

1. After conducting a hearing on the petition, the board, in its discretion, shall determine whether to grant or deny the petition. If the petition is granted as to all or any of the real property, the board shall make an order altering the boundaries of the district by annexing to it the territory described in the petition or as modified by the determination of the board.

2. Within 30 days after the effective date of any order made pursuant to subsection 1, the county clerk shall file a copy of the order in his office and shall cause to be filed an additional copy of the order in the Office of the Secretary of State. The Secretary of State shall not impose a fee for filing the order and shall file the order in the same manner as articles of incorporation are required to be filed under [chapter 78](#) of NRS.

(Added to NRS by 1989, 1599)

NRS 318.268 Reimbursement to property owners who paid costs of extending facilities.

1. If the costs of extending the facilities of the district are paid by the property owners of the area to be included within the district, these property owners are entitled to receive any money charged and collected by the district when additional property owners utilize the facilities which were extended.

2. The board of trustees of the district shall pay to the property owners who have paid the cost of extending the facilities, pro rata shares of any money charged and collected by the district when additional property owners utilize the facilities which were extended.

(Added to NRS by 1989, 1599)

NRS 318.269 Liability of included real property for taxes, charges and bonded indebtedness of district; exceptions. After the date of its inclusion in a district created wholly or in part to furnish electric light and power, the real property is subject to all of the taxes and charges imposed by the district and is liable for its proportionate share of existing general obligation bonded indebtedness of the district. The property is not liable for any taxes or charges levied or assessed before its inclusion in the district. Entry of the property into the district may not be subject to or contingent upon the payment or assumption of any penalty, toll or charge, other than any reasonable annexation charge which the board may fix and uniformly assess and the tolls and charges which are uniformly made, assessed or levied for the entire district. Any charge imposed must be computed in a manner that does not impose a new charge on the members of the district and must not penalize the members of the territory to be annexed.

(Added to NRS by 1989, 1599)

NRS 318.271 Appeal of denied petition to board of county commissioners. When any petition for the inclusion of property into a district created wholly or in part to furnish electric light and power is denied, the petitioner may appeal the denial to the board of county commissioners of the county in which the district is located. The board of county commissioners shall review the denial and may, in its discretion and upon a finding that inclusion would be in the best interests of the district and the petitioners, order that the property be included in the district.

(Added to NRS by 1989, 1600)

NRS 318.272 Judicial review. Any party aggrieved by a final decision of the board of county commissioners pursuant to [NRS 318.271](#) may obtain judicial review of the decision, as if the board of county commissioners were a state agency, in the manner provided by [NRS 233B.130](#) to [233B.150](#), inclusive.

(Added to NRS by 1989, 1600; A 1991, 470)

BORROWING, BONDS AND SPECIAL ASSESSMENTS

NRS 318.275 Forms of borrowing; approval of debt management commission.

1. Upon the conditions and under the circumstances set forth in this chapter, a district may borrow money and issue the following securities to evidence such borrowing:

- (a) Short-term notes, warrants and interim debentures.
- (b) General obligation bonds.
- (c) Revenue bonds.
- (d) Special assessment bonds.

2. The board of trustees of a district whose population within its boundaries is less than 5,000, shall not borrow money or issue securities to evidence such borrowing unless the board has obtained the approval of the debt management commission of the county in which the district is located.

3. The board of trustees of a district whose population within its boundaries is less than 5,000, shall not forward a resolution authorizing medium-term obligations to the Executive Director of the Department of Taxation unless such financing is approved by the commission.

(Added to NRS by 1959, 469; A 1967, 1704; 1977, 534; 1991, 972; 1995, 771; 1997, 555)

NRS 318.277 Debt limit of district. A district may borrow money and incur or assume indebtedness therefor, as provided in this chapter, so long as the total of all such indebtedness (but excluding revenue bonds, special assessment bonds, and other securities constituting special obligations which are not debts) does not exceed an amount equal to 50 percent of the total of the last assessed valuation of taxable property (excluding motor vehicles) situated within such district.

(Added to NRS by 1965, 1089; A 1967, 1704; 1977, 251)

NRS 318.280 Short-term notes, warrants and interim debentures.

1. A district, upon the affirmative vote of four trustees, is authorized to borrow money without an election in anticipation of the collection of taxes or other revenues (but excluding special assessments) and to issue short-term notes, warrants and interim debentures to evidence the amount so borrowed.

2. Such short-term notes, warrants and interim debentures:

(a) Shall be payable from the fund for which the money was borrowed.

(b) Shall mature before the close of the fiscal year in which the money is so borrowed, except for interim debentures.

(c) Shall not be extended or funded except in compliance with the Local Government Securities Law.

(Added to NRS by 1959, 470; A 1967, 1704)

NRS 318.320 Revenue bonds: Issuance for acquisition or improvement of facilities. A district created wholly or in part for a basic purpose or basic purposes in connection with which the district may derive revenues from the operation of facilities of the district or from the furnishing of services by the district, or from both such revenue sources, may issue bonds (without the necessity of holding an election and as an alternative or in addition to other forms of borrowing authorized in this chapter) for the purpose of acquiring or improving facilities appertaining to any such basic purpose, and such bonds shall be made payable solely out of the net revenues derived from the operation of such facilities or the furnishing of such services, or from both such revenue sources of the district; but a single bond issue may be had for more than one of such facilities or services and the revenues for any and all of the income-producing facilities and services provided by the district may be pledged to pay for any other such facilities or service. To that end, a single utility fund for all or any number of such facilities and services may be established and maintained.

(Added to NRS by 1959, 471; A 1963, 633; 1967, 1706)

NRS 318.325 Local Government Securities Law: Types of securities authorized to be issued.

1. Subject to the limitations and other provisions in this chapter, a board of any district may issue on its behalf and in its name at any time or from time to time, as the board may determine, the following types of securities in accordance with the provisions of the Local Government Securities Law, except as otherwise provided in subsection 2:

(a) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes;

(b) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes, the payment of which securities is additionally secured by a pledge of and lien on net revenues;

(c) Revenue bonds and other securities constituting special obligations and payable from net revenues, but excluding the proceeds of any general (ad valorem) property taxes or any special assessments, which payment is secured by a pledge of and lien on such net revenues; or

(d) Any combination of such securities.

2. General obligation or revenue bonds may be sold at a discount only if the amount of discount permitted by the board has been capitalized as a cost of the project.

(Added to NRS by 1959, 472; A 1965, 1083; 1967, 229, 1706; 1969, 870, 1288; 1971, 2108; 1975, 854; 1979, 584; 1981, 960)

NRS 318.339 Power of certain districts to borrow money from State or Federal Government. A district organized or reorganized pursuant to this chapter and authorized to exercise any of the basic powers provided in [NRS 318.140](#), [318.142](#) and [318.144](#) may borrow money from the State or Federal Government without limitation by other provisions of this chapter. The power conferred by this section may be exercised only for the purpose of exercising one or more of the basic powers enumerated in this section, whether or not the district is authorized to exercise any other basic power.

(Added to NRS by 1968, 58)

NRS 318.350 Assessments to pay expenses of improvements; exempt property.

1. Except as otherwise provided in subsection 2, such part of the expenses of making any public improvement (to implement any one, all or any combination of basic powers stated in [NRS 318.116](#) and granted to any district in proceedings for its organization or in any proceedings for its reorganization or as may be otherwise provided by law), as the board determines by an affirmative vote of at least two-thirds of its members, may be defrayed by special assessments upon lands and premises abutting upon that part of the street or alley so improved or proposed so to be, or the lands abutting upon the improvement and the other lands as in the opinion of the board may be specially benefited by the improvement.

2. Unless the board of trustees of the district consents to the assessment, all property owned and used by a school district is exempt from any assessment made pursuant to the provisions of this chapter.

(Added to NRS by 1959, 473; A 1975, 855; 1981, 961; 1989, 1043; 1991, 696)

MERGER, CONSOLIDATION AND DISSOLUTION OF DISTRICTS

NRS 318.490 General procedure: County ordinance; notice.

1. Except as otherwise provided in [NRS 318.492](#), whenever a majority of the members of the board of county commissioners of any county deem it to be in the best interests of the county and of the district that the district be merged, consolidated or dissolved, it shall so determine by ordinance, after there is first found, determined and recited in the ordinance that:

- (a) All outstanding indebtedness and bonds of all kinds of the district have been paid or will be assumed by the resulting merged or consolidated unit of government.
- (b) The services of the district are no longer needed or can be more effectively performed by an existing unit of government.

2. The county clerk shall thereupon certify a copy of the ordinance to the board of the district and shall mail written notice to all property owners within the district in his county, containing the following:

- (a) The adoption of the ordinance;
 - (b) The determination of the board of county commissioners that the district should be dissolved, merged or consolidated; and
 - (c) The time and place for hearing on the dissolution, merger or consolidation.
- (Added to NRS by 1959, 482; A 1965, 1087; 1973, 562; 1989, 521)

NRS 318.492 Procedure when district included within boundaries of incorporated city.

1. If all the territory within a district organized pursuant to this chapter is included within the boundaries of a city incorporated under the provisions of [chapter 266](#) of NRS, the board of county commissioners of the county shall, within 90 days after the filing of the notice required by [NRS 266.033](#), adopt an ordinance providing for the merger of the district with the city and fixing a time and place for a hearing on the merger.

2. The county clerk shall certify a copy of the ordinance and give notice of its adoption in the manner provided by subsection 2 of [NRS 318.490](#).

3. The board of county commissioners shall thereafter proceed to hear and determine the matter as provided in [NRS 318.495](#) and [318.500](#).

(Added to NRS by 1989, 520)

NRS 318.495 Protests; adoption of final ordinance.

1. Any person who owns property which is located within the district may, on or before the date fixed, protest against the dissolution, merger or consolidation of such district, in writing, which protest shall be filed with the county clerk of such county.

2. If, at or before the time fixed by the ordinance and notice, written protest is filed signed by a majority of the owners of property within the district, the district shall not be dissolved, merged or consolidated. If any written protests are filed and the board of county commissioners determines that the protests so filed represent less than a majority of the owners of property within the district, the board may, if it so determines, complete the dissolution, merger or consolidation by the adoption of a final ordinance of dissolution, which ordinance shall contain a recital of the protests, and such recital is binding and conclusive for all purposes.

(Added to NRS by 1959, 482; A 1965, 1087; 1977, 535)

NRS 318.500 Hearing. At the place, date and hour specified for the hearing in the notice or at any subsequent time to which the hearing may be adjourned, the board of county commissioners shall give full consideration to all protests which may have been filed and shall hear all persons desiring to be heard and shall thereafter adopt either the final ordinance of dissolution, merger or consolidation or an ordinance determining that it shall not be dissolved, merged or consolidated.

(Added to NRS by 1959, 482; A 1965, 1087)

NRS 318.505 Filing of copies of ordinance. Within 30 days after the effective date of any ordinance dissolving, merging or consolidating the district, the county clerk shall file a copy of the ordinance in his office and shall cause to be filed an additional copy of the ordinance in the Office of the Secretary of State, which filings shall be without fee and be otherwise in the same manner as articles of incorporation are required to be filed under [chapter 78](#) of NRS.

(Added to NRS by 1959, 482; A 1965, 1087)

NRS 318.508 Effect of final ordinance to dissolve district included within boundaries of incorporated city.

If a final ordinance of dissolution is adopted pursuant to [NRS 318.492](#):

1. The merger of the district is effective on July 1 of the year next following the date the incorporation of the city becomes effective.
2. The city shall assume the obligations and functions of the district.
3. Any outstanding and unpaid tax sale or levy and any special assessment lien of the district is valid and remains a lien upon the property against which it is assessed or levied until paid, subject to the limitations of liens provided by general law. Any tax or special assessment paid after the effective date of the merger must be placed in the general fund of the city.
4. The city council of the city has the same power to enforce the collection of any special assessment or outstanding tax sales of the district as the district would have had if it had not been merged.
(Added to NRS by 1989, 521)

NRS 318.510 Surrender and transfer of property and money; collection and disposition of taxes and special assessments.

1. All property and all funds remaining in the treasury of any district must be:
 - (a) Surrendered and transferred to the county in which the district exists and become a part of the general fund of the county, if the district is dissolved;
 - (b) Transferred to the governmental unit which assumes its obligations and functions, if the district is merged; or
 - (c) Transferred to the consolidated governmental unit, if the district is consolidated.
2. All outstanding and unpaid tax sales and levies and all special assessment liens of a dissolved district are valid and remain a lien against the property against which they are assessed or levied until paid, subject to the limitations of liens provided by general law. Taxes and special assessments paid after dissolution must be placed in the general fund of the county in which the property was assessed.
3. Except as otherwise provided in [NRS 318.508](#), the board of county commissioners has the same power to enforce the collection of all special assessments and outstanding tax sales of the district as the district had if it had not been dissolved, merged or consolidated.
4. If any area comprising the district or portion thereof is annexed to a city or town within 6 months from the effective date of the dissolution ordinance, a pro rata share of all such property and funds must be transferred to the municipality.
5. If any area comprising the district or portion thereof is not annexed to a city or town within 6 months from the effective date of the dissolution ordinance, the board of county commissioners shall pay to the owners of property located within the former district pro rata shares of the money remaining in the treasury of the district, and an amount of money equal to the value of any property which is not used for the benefit of the area formerly comprising the district. The board of county commissioners may, before paying such money, apply a proportionate amount of such payment to any special assessments which are due.
(Added to NRS by 1959, 482; A 1965, 1087; 1977, 535; 1989, 521)

CORRECTIVE ACTION

NRS 318.515 Procedure for corrective action by board of county commissioners: Notification or petition; hearing; adoption and challenge of ordinance or resolution.

1. Upon notification by the Department of Taxation or upon receipt of a petition signed by 20 percent of the qualified electors of the district, that:
 - (a) A district of which the board of county commissioners is not the board of trustees is not being properly managed;
 - (b) The board of trustees of the district is not complying with the provisions of this chapter or with any other law; or
 - (c) The service plan established for the district is not being complied with,the board of county commissioners of the county in which the district is located shall hold a hearing to consider the notification or petition.
2. The county clerk shall mail written notice to all persons who own property within the district and to all qualified electors of the district, which notice shall set forth the substance of the notification or petition and the time and place of the hearing.
3. At the place, date and hour specified for the hearing, or at any subsequent time to which the hearing may be adjourned, the board of county commissioners shall give full consideration to all persons desiring to be heard and shall thereafter:
 - (a) Adopt an ordinance constituting the board of county commissioners, ex officio, as the board of trustees of the district;

(b) Adopt an ordinance providing for the merger, consolidation or dissolution of the district pursuant to [NRS 318.490](#) to [318.510](#), inclusive;

(c) File a petition in the district court for the county in which the district is located for the appointment of a receiver for the district; or

(d) Determine by resolution that management and organization of the district will remain unchanged.

4. The Department of Taxation or any interested person may, within 30 days immediately following the effective date of the ordinance adopted under paragraph (a) or resolution adopted under paragraph (d) of subsection 3, commence an action in any court of competent jurisdiction to set aside the ordinance or resolution. After the expiration of 30 days, all actions attacking the regularity, validity and correctness of that ordinance or resolution are barred.

(Added to NRS by 1977, 523; A 1979, 802; 1989, 522)

EFFECT OF CHAPTER 542, STATUTES OF NEVADA 1967

NRS 318.520 Rights and liabilities not affected by enactment. Chapter 542, Statutes of Nevada 1967, shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to May 1, 1967, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if chapter 542, Statutes of Nevada 1967, had not been passed.

(Added to NRS by 1967, 1710)

NRS 318.525 Reorganization of governing bodies of certain districts; exercise of powers under [chapter 318](#) of NRS.

1. Chapter 542, Statutes of Nevada 1967, does not affect the corporate existence nor the area included within the boundaries of any district organized or reorganized before May 1, 1967, under any chapter in title 25 of NRS, but the governing body of any such district (excluding any local improvement district organized or reorganized under the provisions of [chapter 309](#) of NRS, any housing authority or other municipal corporation subject to the provisions of [chapter 315](#) of NRS, and excluding any district organized or reorganized before May 1, 1967, under and already subject to the provisions of this [chapter 318](#) of NRS) shall reorganize as provided in this chapter as amended by chapter 542, Statutes of Nevada 1967.

2. Any district organized or reorganized before May 1, 1967, under and exercising powers as provided in any chapter in title 25 of NRS (excluding [chapters 309](#), [315](#) and [318](#) of NRS) shall operate under and exercise powers pertaining to each basic power for which the district is organized or reorganized as provided in [chapter 318](#) of NRS, including without limitation the provisions of the Special District Control Law to the extent it is applicable by the terms thereof.

(Added to NRS by 1967, 1710; A 1985, 272)

NRS 318.530 Outstanding securities and contracts not affected or modified.

1. The adoption of chapter 542, Statutes of Nevada 1967, shall not repeal or in any way affect or modify:

(a) Any law authorizing the issuance by any district organized or reorganized prior to May 1, 1967, under any chapter in title 25 of NRS of any outstanding:

(1) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes;

(2) General obligation bonds and other general obligation securities payable from general (ad valorem) property taxes, the payment of which securities is additionally secured by a pledge of and lien on designated revenues of such district;

(3) Revenue bonds and other securities constituting special obligations and payable from designated revenues derived by any such district;

(4) Special assessment bonds and other securities constituting special obligations and primarily payable from special assessments levied by any such district; and

(5) Any other outstanding securities of any such district.

(b) Any other contract of any such district.

(c) Any law pursuant to which there has been levied by or on behalf of any such district and there have not been paid in full, including without limitation principal, any interest, and any penalties, the following:

(1) General (ad valorem) property taxes;

(2) Special assessments; and

(3) Tolls, rates and charges pertaining to the facilities or services, or both facilities and services, furnished by any such district.

(d) The running of the statutes of limitations in force on May 1, 1967.

2. All incomplete proceedings had and taken by any such district, under any law repealed by chapter 542, Statutes of Nevada 1967, preliminary to and in the acquisition or improvement of any project, the creation of any special assessment district, the levy and collection of any special assessment, or the issuance of any interim or temporary bond, or any definitive bond, which proceedings are in substantial compliance herewith, may, at the option of the board, be completed hereunder the same as if such incomplete proceedings had been had and taken pursuant to the provisions of this chapter.

3. The adoption of chapter 542, Statutes of Nevada 1967, shall not repeal or in any way affect or modify the power of a board of directors of a district organized pursuant to [chapter 311](#) of NRS prior to May 1, 1967, concerning the borrowing of money or the acceptance of any grant of public or private money, which power was exercised prior to May 1, 1967.

(Added to NRS by 1967, 1710)