

NYE COUNTY ORDINANCE NO. 628

SUMMARY: An Ordinance Amending Nye County Code Title 8, Titled Health And Safety, Chapter 8.24 Titled Solid Waste Management, Section 8.24.250 Titled Waiver Of Use Fees, By Waiving The Tipping Fee for Nye County Residents That Are Disposing Of Solid Waste At Nye County Landfills; And Providing For The Severability, Constitutionality And Effective Date Thereof; And Other Matters Properly Relating Thereto.

TITLE: AN ORDINANCE AMENDING NYE COUNTY CODE TITLE 8, TITLED HEALTH AND SAFETY, CHAPTER 8.24 TITLED SOLID WASTE MANAGEMENT, SECTION 8.24.250 TITLED WAIVER OF USE FEES, BY WAIVING THE TIPPING FEES FOR NYE COUNTY RESIDENTS THAT ARE DISPOSING OF SOLID WASTE AT NYE COUNTY LANDFILLS; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, at NRS 444.440, the Nevada Legislature has declared it to be the policy of Nevada to regulate the collection and disposal of solid waste in a manner that will: 1) Protect public health and welfare; 2) Prevent water or air pollution; 3) Prevent the spread of disease and the creation of nuisances; 4) Conserve natural resources; and 5) Enhance the beauty and quality of the environment; and

WHEREAS, pursuant to NRS 444.440 to 444.748, inclusive, Nye County is authorized and required to provide for a solid waste management system which adequately provides for the management and disposal of solid waste within the boundaries of the county, whether generated within or outside of the boundaries of the area; and

WHEREAS, the Nevada Division of Environmental Protection has adopted regulations regarding the design and operation of solid waste facilities located within Nevada; and

WHEREAS, pursuant to NRS 444.510 and the regulations adopted by the Nevada Division of Environmental Protection, the Nye County Board of Commissioners has developed a Solid Waste Management Plan for Nye County; and,

WHEREAS, pursuant to NRS 444.520, the Board of County Commissioners is authorized to enact an ordinance providing for the levy and collection of fees and charges and the issuance of licenses as may be appropriate and necessary to meet the Board of County Commissioners' responsibilities, as enumerated in NRS 444.460 to 444.610, inclusive; and,

WHEREAS, pursuant to NRS 444.530, the Board of County Commissioners must enact an ordinance establishing regulations for the operation of Nye County's solid waste management system,

NOW THEREFORE, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

CHAPTER 8.24 SOLID WASTE MANAGEMENT

8.24.250: Waiver Of Use Fees

Except as provided in section 8.24.220 of this article, any person may dispose of solid waste at any sanitary landfill or transfer station operated by the County, or its authorized contractor, subject to the rules, rates and fees established for such sanitary landfill or transfer station, provided however, that:

- A. Any resident (as verified by State of Nevada Identification Card), lessee or tenant of Nye County may dispose of solid waste generated at his or her own residence at any such sanitary landfill or transfer station operated by the County or its authorized contractor without charge, in accordance with such other rules and regulations as the Board of County Commissioners may from time to time adopt.
- B. Any business located within Nye County may dispose at any such sanitary landfill or transfer station of commercial solid waste generated at his or her own place of business without charge, upon presentation of a current, paid landfill maintenance fee bill from Nye County, and valid identification.
- C. All other types of waste from Nye County residents will be charged according to the sanitary landfill rates established by Nye County. A person who disposes of solid waste at the landfill must provide a State of Nevada Identification Card that proves residency in Nye County to be eligible for in-county disposal rates set forth by the Board of County Commissioners.
- D. Except as hereafter provided, the use fees shall be waived for any franchised solid waste hauler holding a license issued pursuant to this article.
 1. Except as otherwise provided by a specially negotiated fee agreement, pursuant to subsection 8.24.220D2 of this article, solid waste haulers licensed pursuant to this article shall pay the use fees for all out of County wastes (i.e., wastes generated or collected outside of Nye County) and wastes generated by Federal facilities (except parks, national forests and other public Federal facilities) deposited at any such sanitary landfill or transfer station owned or operated by Nye County or its authorized contractor.
 2. Each solid waste hauler licensed pursuant to this article, on a monthly basis shall report to the Nye County Department of Public Works the total yards of out of County wastes and wastes generated by Federal facilities deposited by the solid waste hauler at any such sanitary landfills and transfer stations owned or managed by Nye County or its authorized contractor.
 3. Concurrent with the filing of its monthly report, as required by subsection C2 of this section, each solid waste hauler shall remit to the Nye County Treasurer the total amount of fees due, based on the reported volumes. (Ord. 516, 2017)

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

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit from and after the 6th day of July 2026.

Proposed on the 19th day of May 2026

Proposed by: Commissioner Strickland

Adopted on the 18th day of June, 2026

Vote: Ayes: Commissioners: Koenig, Strickland, Jabbour, Bayne, Boskovich

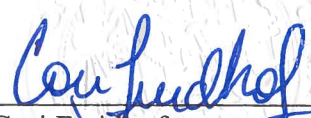
Nays: Commissioners: Ø

Absent: Commissioners: Ø

BY:


Ron Boskovich, Chair
Nye County Board of
County Commissioners

ATTEST:


Cori Freidhof
Clerk and Ex-Officio
Clerk of the Board