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COOPERATION WITH UNITED STATES; FINANCIAL ASSISTANCE

General Provisions

NRS 543.010 “Director” defined. As used in [NRS 543.010](#) to [543.150](#), inclusive, “Director” means the Director of the State Department of Conservation and Natural Resources.

(Added to NRS by [1960, 56](#))

NRS 543.020 Declaration of policy. It is hereby declared to be the policy of the State of Nevada to cooperate with the United States and its departments and agencies, and with the counties, cities and public districts of the State, in preventing loss of life and property, disruption of commerce, interruption of transportation and communication and waste of water resulting from floods, and in furthering the conservation, development, utilization and disposal of water.

(Added to NRS by [1960, 56](#))

Participation in Projects for Control of Floods With United States

NRS 543.030 Director of State Department of Conservation and Natural Resources to give assurances and perform acts required in connection with projects as directed by Legislature. The Director is hereby authorized to give all assurances and perform any other acts required by the Secretary of the Army and the Congress of the United States in connection with flood control projects in the State of Nevada, when and as directed by acts of the Legislature of the State of Nevada.

(Added to NRS by [1959, 165](#))

NRS 543.040 Flood Control Account: Creation; money in Account does not lapse. The Flood Control Account is hereby created in the State General Fund. Money in the Flood Control Account does not lapse at the end of any fiscal year.

(Added to NRS by [1959, 165](#); A [1979, 116](#); [1991, 1786](#))

NRS 543.050 Flood Control Account: Authorized expenditures; reimbursements. The Director shall use the money in the Flood Control Account to pay all necessary costs in order to carry out the assurances and to perform the acts provided for in [NRS 543.030](#). Reimbursements to the Account must be in the manner described in [NRS 543.060](#).

(Added to NRS by [1959, 165](#); A [1979, 116](#); [1991, 1787](#))

NRS 543.060 Reimbursements in proportion to benefit received; time of payments; budgets.

1. The Director shall determine which counties, cities and public districts benefit by the project, and whether the State is benefited by the project, and to what extent there is benefit to the subdivisions, and reimbursement to the Flood Control Account must be made in proportion to the benefit received.

2. If any portion of the Flood Control Account is used for maintenance of any of those flood control projects, the Flood Control Account must be fully reimbursed for cost of the maintenance by the State, counties, cities and public districts benefited by the project.

3. The Director shall determine the period for repayment of the initial nonfederal charges as provided for under subsection 1, which period may not be more than 5 years after completion of the project for which money has been authorized.

4. The Director, after having determined the benefits as set forth in subsection 1, shall, between the first Monday of October and the first Monday of December of each year, prepare a budget showing the amount of money estimated to be necessary to repay the initial capital outlay, which initial capital outlay is to be assessed in equal annual installments, and any estimated maintenance cost for the then current year, and submit the budget to the board of county commissioners. When the flood control project lies in more than one county, separate budgets must be prepared for each county.

(Added to NRS by [1959, 165](#); A [1979, 116](#); [1991, 1787](#))

NRS 543.070 Certification of charges by county commissioners to county assessor; entry on assessment roll; collection of special tax; liens.

1. Upon receipt of such budget by the board of county commissioners, the board of county commissioners shall certify the respective charges contained therein to the county assessor. The county assessor shall enter the amount of such charge or charges on the assessment roll against the beneficiaries.

2. The proper officers of the county shall collect such special tax as other special taxes are collected, and such charge shall be a lien upon the property so served, and shall be collected in the same manner as other taxes are collected.

(Added to NRS by [1959, 165](#))

NRS 543.080 Taxes and charges deposited for credit to Flood Control Account; claims against Account.

1. The taxes and charges provided for in [NRS 543.070](#), when collected, must be deposited with the State Treasurer for credit to the Flood Control Account.

2. All bills against the Account must be certified by the Director and, when certified and approved by the State Board of Examiners, the State Controller is authorized to draw his or her warrant against the Flood Control Account.

(Added to NRS by [1959, 166](#); A [1979, 117](#); [1991, 1787](#))

Loans From Flood Control Account

NRS 543.090 Loans to counties, cities and public districts for planning, engineering, administration, acquisition of easements and other costs.

1. Whenever the Secretary of Agriculture or the Secretary of the Army has approved or may approve a work of improvement or a flood control project in the State of Nevada, and the Congress of the United States has appropriated or may appropriate money for such work or project, and a county, city or public district, or a combination thereof, has given or is in a position to give the assurances required by the Watershed Protection and Flood Prevention Act, Public Law 566, 83rd Congress, 68 Stat. 666, as amended, or the Flood Control Act of 1954, Public Law 780, 83rd Congress, 68 Stat. 1256, as amended, and such county, city or public district is in need of immediate financial assistance for planning, engineering, administration, acquisition of easements and rights-of-way or other costs,

such county, city or public district may apply to the Director for such assistance in the manner provided in [NRS 543.090](#) to [543.140](#), inclusive.

2. A city, county or public district may apply to the Director for financial assistance pursuant to [NRS 543.090](#) to [543.140](#), inclusive, for the payment of the cost of surveying along a river when such surveying potentially but not necessarily will culminate in or assist a flood control project.

(Added to NRS by [1960, 56](#); A [1973, 772](#))

NRS 543.100 Loans approved by Director of State Department of Conservation and Natural Resources, Governor and State Board of Finance. Upon a petition from a county, city or public district to the Director, in a form prescribed by the Director, requesting financial assistance to aid in paying the costs of planning, engineering, administration, acquisition of easements and rights-of-way and other proper expenses connected with a flood control project, or in paying costs for a riparian survey, the Director may, following study and approval of the proposed project or survey, and subject to the approval of the Governor and the State Board of Finance, loan money from the Flood Control Account in the manner provided in [NRS 543.090](#) to [543.140](#), inclusive.

(Added to NRS by [1960, 56](#); A [1973, 773](#); [1979, 117](#); [1991, 1787](#))

NRS 543.110 Contents of petition for loan; repayment period; budgets.

1. Each petition to the Director must describe the proposed flood control project or riparian survey, state the amount of money requested, and designate the areas to be assessed to reimburse the Flood Control Account.

2. The Director shall determine the period to be allowed for repayment of the money loaned, which period may not be longer than 5 years from the date of the loan.

3. The Director shall, between the first Monday of October and the first Monday of December of each year following the date of any loan, prepare a budget based on repayment of the loan in equal annual installments showing the amount of money to be repaid in the next succeeding fiscal year, and shall submit the budget to the board of county commissioners of the county in which the project or survey is located. If the project or survey is located in more than one county, separate budgets must be prepared for each county.

(Added to NRS by [1960, 56](#); A [1973, 773](#); [1979, 117](#); [1991, 1787](#))

NRS 543.120 Certification of charges by county commissioners to county assessor; entry on assessment roll; collection of special tax; liens.

1. Upon receipt of a budget from the Director, the board of county commissioners shall certify the charge or charges contained therein to the county assessor. The county assessor shall enter such charge or charges on the assessment roll against the property benefited.

2. The appropriate officers of the county shall collect such charges in the same manner as special taxes are collected. Such charge shall be a lien upon the property so assessed, which shall be enforced in the same manner as other property tax liens are enforced.

(Added to NRS by [1960, 56](#))

NRS 543.130 Receipts deposited in Flood Control Account; claims against Account.

1. The receipts of the charges provided for in [NRS 543.120](#), when collected, must be deposited, in the same manner as receipts of special taxes are deposited, with the State Treasurer for credit to the Flood Control Account.

2. All claims against the Account must be certified by the Director, and when they have been certified and approved by the State Board of Examiners, the State Controller shall draw his or her warrant against the Flood Control Account.

(Added to NRS by [1960, 57](#); A [1979, 117](#); [1991, 1788](#))

NRS 543.140 Limitations on loans. Loans may be made pursuant to [NRS 543.090](#) to [543.140](#), inclusive, from time to time for each proposed flood control project at the discretion of the Director and within the limits of money available in the Flood Control Account.

(Added to NRS by [1960, 57](#); A [1979, 117](#); [1991, 1788](#))

Loans for Emergency Repair of Damage From Floods

NRS 543.150 Legislative declaration; application; conditions; repayment.

1. The Legislature finds and declares that the people of this State have a paramount interest in the maximum use of all the water of the State and in efficient and effective water distribution to the public by governmental subdivisions, thus ensuring the public's health and safety.

2. Whenever the system for the distribution of water of a governmental subdivision of this State has been damaged by flood or other act of God, resulting in an emergency condition of a shortage of water for public use, the governing body of the governmental subdivision may make application to the Director for a loan to assist in repairing the damage. The application must be made in the manner and form prescribed by the Director. The Director shall transmit the application to the Bureau of Environmental Health of the Division of Public and Behavioral Health of the Department of Health and Human Services requesting an investigation and survey of the damage, and a report thereon. If the report of the Bureau of Environmental Health of the Division of Public and Behavioral Health finds that the damage has resulted in a lack of service and a threat to public health because of the emergency resulting from a shortage of water, the Director may loan money from an appropriate account of the State Department of Conservation and Natural Resources in the State General Fund to repair the damage or to reimburse the governmental subdivision for money expended by it to repair the damage. The Director shall determine the period to be allowed for repayment of the money, not to exceed 20 years after the date of the loan. The Director shall also determine the schedule of repayment of the loans. All money received by the Director as repayments of loans must be deposited in the account from which it was lent.

(Added to NRS by [1961, 447](#); A [1963, 573](#); [1973, 1406](#); [1985, 721](#))

DISTRICTS FOR CONTROL OF FLOODS

General Provisions

NRS 543.170 Legislative declaration. The Legislature finds and declares that:

1. Facilities to alleviate flooding in any district, whether located in a city, an unincorporated town or another unincorporated area of the county, benefit all the residents and owners of property in the district.

2. These facilities provide protection for life and property throughout the district, and usually require planning and development throughout a drainage basin.

(Added to NRS by [1961, 427](#); A [1985, 1190](#))

NRS 543.180 Definitions. As used in [NRS 543.170](#) to [543.830](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 543.181](#) to [543.188](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1961, 427](#); A [1975, 749](#); [1985, 1191](#); [1987, 431, 720](#); [2001, 892](#))

NRS 543.181 “Acquisition” and “acquire” defined. “Acquisition” includes extension, alteration, reconstruction, repair or other improvement by purchase, construction, installation, reconstruction, condemnation, lease, rent, gift, grant, bequest, devise, contract or other means, or any combination thereof. “Acquire” has a correspondingly extensive meaning.

(Added to NRS by [1985, 1189](#))

NRS 543.182 “Board” defined. “Board” means the board of directors of a district.

(Added to NRS by [1985, 1189](#))

NRS 543.184 “District” defined. “District” means any district for the control of floods organized or, in the case of organizational provisions, proposed to be organized, pursuant to [NRS 543.170](#) to [543.830](#), inclusive.

(Added to NRS by [1985, 1189](#); A [1987, 720](#))

NRS 543.185 “Hydrographic area” defined. “Hydrographic area” means the drainage basin of a stream and its tributaries as described in the master plan.

(Added to NRS by [1985, 1189](#); A [1989, 1523](#))

NRS 543.1855 “Master plan” defined. “Master plan” means the master plan for control of floods.

(Added to NRS by [1987, 429](#))

NRS 543.186 “Project” and “improvement” defined. “Project” and “improvement” each means any structure, facility, undertaking or system which a district is authorized to acquire, improve, equip, maintain or operate.

(Added to NRS by [1985, 1189](#))

NRS 543.188 “Taxpaying elector” defined. “Taxpaying elector” means a person who is qualified to vote at general elections in this state, whether or not registered to vote or a resident in the district, and who, or whose spouse, is obligated as an owner or as a contract purchaser at a designated time or event to pay a general tax on real property within the district.

(Added to NRS by [1985, 1189](#))

NRS 543.190 Computation of time. To compute any period prescribed in [NRS 543.170](#) to [543.830](#), inclusive, the day of the first publication, or other designated time, must be excluded and the day of the last publication, or other designated action or time, must be included.

(Added to NRS by [1961, 428](#); A [1987, 720](#))

NRS 543.195 Publication of notice. When notice is required to be given by publication pursuant to [NRS 543.170](#) to [543.830](#), inclusive, publication must be made at least once each 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.

(Added to NRS by [1985, 1189](#); A [1987, 720](#))

NRS 543.200 Correction of faulty notices. In any case where a notice is provided for in [NRS 543.170](#) to [543.830](#), inclusive, if the court finds for any reason that due notice was not given, the court does not thereby lose jurisdiction, and the proceeding in question is not void or abated. The court shall order 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 [1961, 428](#); A [1987, 720](#))

NRS 543.210 Sufficiency of [NRS 543.170](#) to [543.830](#), inclusive. [NRS 543.170](#) to [543.830](#), inclusive, without reference to other statutes of the state, except as specifically provided in [NRS 543.170](#) to [543.830](#), inclusive, constitute full authority for the authorization and issuance of bonds pursuant to [NRS 543.170](#) to [543.830](#), inclusive. 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 [NRS 543.170](#) to [543.830](#), inclusive, to be done applies to any proceedings taken under [NRS 543.170](#) to [543.830](#), inclusive, or acts done pursuant thereto, it being intended that [NRS 543.170](#) to [543.830](#), inclusive, provide a separate method of accomplishing their objectives, and not an exclusive one, and [NRS 543.170](#) to [543.830](#), inclusive, does not repeal or amend any such other law.

(Added to NRS by [1961, 428](#); A [1987, 720](#))

NRS 543.220 Liberal construction. [NRS 543.170](#) to [543.830](#), inclusive, being necessary to secure the public health, safety, convenience and welfare, must be liberally construed to effect their purposes.

(Added to NRS by [1961, 429](#); A [1987, 721](#))

Organization of Districts

NRS 543.240 Area included within district.

1. In any county whose population is 700,000 or more, the entire county constitutes the district.

2. In any other county a district may:

(a) Consist of one contiguous area or of two or more noncontiguous areas.

(b) Include all or part of municipal corporations and other political subdivisions.

(Added to NRS by [1961, 429](#); A [1985, 1192](#); [1989, 1931](#); [2011, 1295](#))

NRS 543.250 Creation in certain counties; interest not prohibited; inclusion of territory within another county.

1. In any county whose population is less than 700,000 the board of county commissioners may create districts.
2. No member of a board of county commissioners or board of directors is disqualified to perform any duty imposed by [NRS 543.170](#) to [543.830](#), inclusive, by reason of ownership of property within any proposed district.
3. A district so created may include territory within another such county, with the consent of the board of county commissioners of the other county.
(Added to NRS by [1961, 429](#); A [1969, 1545](#); [1975, 749](#); [1985, 1192](#); [1987, 721](#); [1989, 1931](#); [2011, 1296](#))

NRS 543.260 Initiating ordinance; contents.

1. The organization of a district must be initiated by the adoption of an ordinance by the board of county commissioners, which ordinance is in [NRS 543.170](#) to [543.830](#), inclusive, sometimes designated the “initiating ordinance.”
2. The initiating ordinance must set forth:
 - (a) The name of the proposed district, consisting of a chosen name preceding the words “District for the Control of Floods.”
 - (b) A statement of the necessity for the district and the general purposes for which the district is proposed to be created.
 - (c) A statement that improvements of the district will not interfere with or affect vested water rights.
 - (d) A general description of the boundaries of the district or the territory to be included therein, with such certainty as to enable a property owner to determine whether his or her property is within the district.
 - (e) The place and time for the hearing on the creation of the district.
(Added to NRS by [1961, 429](#); A [1987, 721](#))

NRS 543.270 Notice of organizational hearing. After such initiating ordinance has been adopted by the board of county commissioners, the county clerk shall give notice by publication 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 [1961, 429](#))

NRS 543.280 Protests against organization of district.

1. Any taxpaying elector within the district may, on or before the date fixed, protest against the establishment of such district, in writing, which protest must be filed with the county clerk.
2. If, at or before the time fixed in the initiating ordinance and notice, written protest is filed, signed by 51 percent or more of the taxpaying electors within the proposed district, the district must 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 51 percent of the taxpaying electors in the district, the board of county commissioners 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 [NRS 543.170](#) to [543.830](#), inclusive, must contain a recital as to the percentage of protest and that recital is binding and conclusive for all purposes.
(Added to NRS by [1961, 429](#); A [1987, 721](#))

NRS 543.290 Organizational hearing; ordinance creating or abandoning.

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. 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 [1961, 430](#))

NRS 543.300 Conclusiveness of ordinance creating district; filing of ordinance with Secretary of State; filing of map with county recorder.

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 543.280](#), 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:
 - (a) File a copy of the ordinance in the county clerk’s 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.
 - (b) File with the county recorder a map showing the boundaries of the district.
(Added to NRS by [1961, 430](#))

NRS 543.310 Payment of organizational costs. Necessary costs incurred in connection with the organization of the district may be paid by the board of county commissioners from any available funds or may be advanced by the board of county commissioners. Reimbursement for advances shall subsequently be made by the district.
(Added to NRS by [1961, 430](#))

Board of Directors: Powers and Duties

NRS 543.320 Board of county commissioners or regional transportation commission constitutes board of directors.

1. Except as otherwise provided in subsection 2, the district is governed by a board of directors consisting of the members of the board of county commissioners of the county.
2. If the district coincides with a county in which a regional transportation commission has been created pursuant to [chapter 277A](#) of NRS, unless the county has a population of 100,000 or more but less than 700,000, the members of that commission constitute the board of directors of the district.
(Added to NRS by [1961, 431](#); A [1985, 1192](#); [1995, 2662](#); [2011, 1296](#))

NRS 543.330 District officers: Designation and selection; duties; compensation and expenses.

1. The board shall meet in July of each year to organize and choose one of its members as chair of the board and president of the district, and elect a secretary of the board and of the district, who may or may not be a member of the board.
2. The county treasurer is the treasurer of the board and of the district.
3. The secretary shall keep audio recordings or transcripts of all meetings and, in a well-bound book, a record of all of the board's proceedings, minutes of all meetings, certificates, contracts, bonds given by employees, and all corporate acts, which, except as otherwise provided in [NRS 241.035](#), must be open to inspection by all owners of real property in the district as well as other interested persons. A copy of the minutes or audio recordings must be made available to a member of the public upon request at no charge pursuant to [NRS 241.035](#).
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.
5. No member of the board may receive compensation for the member's services, but members may be reimbursed for their necessary expenses in attending district meetings and for necessary expenses incurred in traveling within and without the State when required to carry out the affairs of the district.
(Added to NRS by [1961, 431](#); A [1985, 1192](#); [2005, 1415](#); [2013, 332](#))

NRS 543.340 Meetings; quorum; written policies and procedures.

1. In addition to the requirements of [NRS 543.330](#), the board may meet at such time or times and at such regular meeting place within the district as it determines by resolution.
2. Special meetings may be held on notice to each member of the board as often as, and at such place or places within the district as, the needs of the district require.
3. A majority of the members of the board constitutes a quorum at any meeting.
4. The board shall adopt written policies and procedures for administering the district and for operating and maintaining its projects and improvements.
(Added to NRS by [1961, 431](#); A [1985, 1193](#))

NRS 543.355 Citizens' advisory committee: Creation; composition; powers and duties.

1. Each district shall establish a citizens' advisory committee to be composed of representatives of the general public. The committee must consist of one member appointed by the county and each city all or part of whose territory is included in the district, and one member appointed by each member of the board. The board shall determine the terms of the members.
2. The members of the committee shall elect a chair and a vice chair. The committee may adopt rules for its own management.
3. The committee may meet as often as necessary to advise the board.
4. The committee shall represent the public interest and advise the board on matters related to the master plan and such other matters as the board directs.
(Added to NRS by [1987, 429](#))

NRS 543.360 Acquisition, construction and operation of projects and improvements; conservation of water; expenditure or provision of money for certain purposes. The board may:

1. By the affirmative vote of two-thirds of the members voting on the matter, acquire, construct, improve, extend, maintain and operate:
 - (a) Projects and improvements for the control of flood and storm waters of the district and the flood and storm waters of streams which have their sources outside of the district but flow into the district. Except as otherwise provided in subsection 7, such a project or improvement must not be acquired unless it is included in the master plan.
 - (b) Projects which mitigate the adverse effect of the acquired projects.
 - (c) Projects which are required as a result of the proposed alteration or diversion of a natural watercourse identified in the master plan for the control of drainage.

➤ A project or improvement must not be acquired unless it is first approved by an agreement among the board, each county in whose unincorporated area any part of the project or improvement is located and each city in which any part of the project or improvement is located. The agreement must contain an estimate of the cost of the project or improvement and show its relation to the master plan.
2. Conserve such waters for beneficial and useful purposes by spreading, storing, retaining and causing them to percolate into the soil within or without the district.
3. Save and conserve in any manner all or any of such waters and protect from floods or storm waters the watercourses, watersheds, public highways, life and property in the district.
4. Prevent waste of water or diminution of the water supply in, or the exportation of water from, the district.
5. Obtain, retain and reclaim drainage, storm, flood and other waters for beneficial use of the district.
6. Upon approval of an amendment to the district's master plan pursuant to [NRS 543.5975](#), expend or provide money:
 - (a) To make public property or private property, or both, impervious or resistant to damage from floods.
 - (b) To relocate public or private structures, or both, which are located in an area that is susceptible to flooding.
7. Expend or provide money for the acquisition of a local project or improvement for the control of drainage which is not included in the master plan if the district's chief engineer determines that:
 - (a) The governmental entity requesting the project or improvement has established:
 - (1) A procedure to allow persons within its jurisdiction to file complaints concerning the program for controlling floods within its jurisdiction;
 - (2) A master plan for its local drainage system which identifies the project or improvement; and
 - (3) Guidelines for implementing drainage projects and improvements within its jurisdiction; and
 - (b) The local project or improvement is a necessary appurtenance to collect and deliver flows to allow a project or improvement that is included in the district's master plan to function in the manner intended.

➤ If the local project or improvement is one-quarter mile or more from a regional facility, the district may not contribute more than 50 percent of the cost of the project or improvement. The district may appropriate not more than 3 percent of its revenues in any fiscal year to projects approved pursuant to this subsection. Money that is provided pursuant to this subsection but not expended in a fiscal year may be expended in the following fiscal year.
(Added to NRS by [1961, 431](#); A [1985, 1193](#); [1989, 1523](#); [1991, 1371](#); [1993, 834](#); [2001, 892](#))

NRS 543.362 Project may consist of any interest in property. A project may consist of any kind of personal or real property or any estate, interest or right in property, singly or in any combination.

(Added to NRS by [1985, 1189](#))

NRS 543.365 Aesthetic enhancement of projects. The board may enhance any project of the district by providing recreational facilities, landscaping and similar amenities in order to increase the usefulness of the project to the community, provide aesthetic compatibility with the surrounding community and mitigate the adverse effect of the project on the environment.

(Added to NRS by [1985, 1190](#))

NRS 543.368 Location of improvement along or across public road or highway. Any improvement pursuant to [NRS 543.170](#) to [543.830](#), inclusive, may be located, constructed and maintained in, along or across any public road or highway in the district in a manner that affords security for life and property. The board shall restore or cause to be restored the road or highway to its former condition as nearly as may be, in order not to impair its usefulness.

(Added to NRS by [1985, 1190](#); A [1987, 722](#))

NRS 543.370 Perpetual existence of board. Subject to the limitations of [NRS 543.170](#) to [543.830](#), inclusive, the board has perpetual existence.

(Added to NRS by [1961, 431](#); A [1987, 722](#))

NRS 543.380 Corporate seal. The board shall have the power to have and use a corporate seal.

(Added to NRS by [1961, 432](#))

NRS 543.390 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 [1961, 432](#))

NRS 543.400 Acquisition, improvement and disposal of property. The board may take by grant, purchase, gift, devise or lease, or otherwise, and hold, use, enjoy and lease, or dispose of real or personal property of every kind within or without the district necessary or proper to carry out any of the purposes of [NRS 543.170](#) to [543.830](#), inclusive, and to complete, extend, add to, repair or otherwise improve any works or improvements or any property acquired by the district as authorized by [NRS 543.170](#) to [543.830](#), inclusive.

(Added to NRS by [1961, 432](#); A [1987, 722](#))

NRS 543.410 Storage and reclamation of floodwater; actions and proceedings concerning water. The board may:

1. Store floodwater in surface or underground reservoirs within or without the district for the common benefit of the district.
2. Conserve and reclaim floodwaters for present and future use within the district.
3. Subject to the limitations contained in [NRS 543.170](#) to [543.830](#), inclusive, to appropriate and acquire water and water rights, and import water into the district and conserve it within or without the district for any useful flood control purpose.
4. Commence, maintain, intervene in and compromise, in the name of the district or otherwise, and assume the costs and expenses of any action or proceeding involving or affecting ownership or use of water or water rights within the district used or useful for any purpose of the district.
5. Commence, maintain, intervene in, determine, compromise, and assume the costs and expenses of any action or proceeding involving the wasteful use of water in the district.
6. Prevent unlawful exportation of water from the district.
7. Prevent contamination and pollution of the surface or subsurface waters used in the district.
8. Commence, maintain and defend actions and proceedings to prevent interference with waters used in the district as may endanger and damage the inhabitants, lands or use of water in the district. The board shall not intervene or take part in, or pay the costs and expenses of, actions or proceedings between the owners of lands or water rights within the boundaries of the district which do not involve taking water outside or away from the district.

(Added to NRS by [1961, 432](#); A [1987, 722](#))

NRS 543.420 Eminent domain. Subject to the limitations contained in [NRS 543.170](#) to [543.830](#), inclusive, the board may exercise the right of eminent domain within and without the district, in the manner provided by law for the condemnation of property for public use or for taking any property necessary to carry out the purposes of [NRS 543.170](#) to [543.830](#), inclusive.

(Added to NRS by [1961, 432](#); A [1975, 750](#); [1987, 723](#))

NRS 543.430 Acquired water to be used only in replenishing water basin. Any water acquired by the district shall be used only in replenishing the water basin of the area contained in the district.

(Added to NRS by [1961, 432](#))

NRS 543.440 Use of property taken by eminent domain declared public use; diversion of water.

1. It is hereby declared that the use of the property, lands, rights-of-way, easements or materials which may be condemned, taken or appropriated under the provisions of [NRS 543.170](#) to [543.830](#), inclusive, is a public use subject to the regulation and control of the State in the manner prescribed by law.
2. The provisions of [NRS 543.170](#) to [543.830](#), inclusive, do not authorize any district or person to divert the waters of any river, creek, stream, irrigation system, canal or ditch from its channel to the detriment of any person having any interest in that river, creek, stream, irrigation system, canal or ditch or the waters thereof or therein, unless previous compensation is first ascertained and paid therefor under the laws of this state authorizing the taking of private property for public use.

(Added to NRS by [1961, 432](#); A [1987, 723](#))

NRS 543.450 Surveys; acquisition of land and water; agreements; cooperation with governmental agencies and public and private corporations. The board may:

1. Enter upon any land to make surveys and locate the necessary improvements and the lines for channels, conduits, canals, pipelines, basins for retention or detention of water, roadways and other rights-of-way.
2. Acquire, by purchase, lease, contract, condemnation or other legal means, all lands and water and water rights and other property necessary or convenient for the construction, use, supply, maintenance, repair and improvement of those works, including

works constructed or being constructed by private owners, lands for basins for retention or detention of water, and all necessary appurtenances.

3. Enter into agreements with and do any acts necessary or proper for the performance of any agreements with the United States, or any state, county, district of any kind, public or private corporation, association, firm or other person for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance or repair or operation of any rights, works or other property of any kind which might be lawfully acquired or owned by the district.

4. Acquire the right to retain or detain water in any basin, or carry water through any canal, ditch or conduit not owned or controlled by the district.

5. Grant to any owner or lessee the right to use any facility of the district.

6. Enter into and do any act necessary or proper for the performance of any agreement of the district of any kind with a person or a governmental organization, or the transfer or delivery of any water, water right or water supply stored, appropriated or otherwise acquired or stored for the use of the district, or for the purpose of exchanging it for any other water, water rights or water supply to be delivered to the district.

7. Cooperate with and act in conjunction with the State of Nevada, or any of its engineers, officers, boards, commissions, departments or agencies, or with the United States Government or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation in the construction of any work for the controlling of floodwaters of the district, or for the protection of life or property therein, or for the purpose of conserving those waters for beneficial use within the district, or for any other acts or purposes provided for in this section and to adopt and carry out any definite plan or system of work for that purpose.

(Added to NRS by [1961, 433](#); A [1985, 1194](#))

NRS 543.460 Investigations, studies and research; development of new techniques and processes; establishment of standards and criteria. The board may:

1. Carry on technical and other investigations of all kinds.

2. Make measurements, collect data and make analyses, studies and inspections pertaining to the control of floods and the use of floodwater.

3. Engage in research.

4. Participate or cooperate with local, state and federal agencies or private or public corporations in the development of such new techniques or processes as may apply to the field of water management, both within and without the district.

5. Establish standards and criteria concerning the design of systems for drainage.

(Added to NRS by [1961, 434](#); A [1991, 1371](#))

NRS 543.470 Operation, maintenance and repair of improvements. The board shall have the power to operate, maintain and repair the improvements acquired by the district.

(Added to NRS by [1961, 434](#))

NRS 543.480 Contracts; improvements made by district.

1. Except as otherwise provided in [NRS 543.170](#) to [543.830](#), inclusive, the board may enter into contracts and agreements affecting the affairs of the district, including but not limited to contracts with the United States of America and any of its agencies or instrumentalities and contracts with any municipality or district for the operation of a common or jointly owned project.

2. Any improvement of any nature made in any district, except such work done by employees of the district with supplies and materials purchased by it as provided in subsection 3, or except by labor or supplies and materials, or all of such, supplied under agreement with the United States of America, the State of Nevada, or any federal or state agency, instrumentality or corporation, or other political subdivision, must be done only under independent contract to be entered into by the district in the manner prescribed by [chapter 332](#) of NRS. Upon default in the performance of any contract, the proper official may advertise and relet the remainder of the work without further resolution and deduct the cost from the original contract price and recover any excess cost by suit on the performance bond, or otherwise.

3. The board may make any improvement, or portion thereof, in any district, directly by the officers, agents and employees of the district, with supplies and materials purchased or otherwise acquired therefor. All supplies and materials purchased by the board for any district except by a contractor must be purchased in the manner prescribed by [chapter 332](#) of NRS.

(Added to NRS by [1961, 434](#); A [1963, 169](#); [1967, 1242](#); [1987, 723](#))

NRS 543.490 Borrowing money; evidences of indebtedness. The board may borrow money and incur indebtedness and other obligations and evidence the indebtedness by certificates, notes or debentures, and to issue bonds, in accordance with the provisions of [NRS 543.170](#) to [543.830](#), inclusive.

(Added to NRS by [1961, 435](#); A [1987, 724](#))

NRS 543.500 Acquisition and 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.

(Added to NRS by [1961, 435](#))

NRS 543.510 Appointment and powers of chief engineer and general manager; duties and compensation of other employees; technical committee; contracts with agencies of Federal Government; duties of county officers and employees.

1. The board may:

(a) Appoint a chief engineer and general manager who must be a civil engineer licensed pursuant to the provisions of [chapter 625](#) of NRS and may be selected from among nominees proposed by the citizens' advisory committee for the district.

(b) Prescribe the duties of officers, agents and employees and fix their compensation.

(c) Create a technical committee for the district. If the board of county commissioners constitutes the board of directors, the technical committee must include one member and one alternate appointed by the county and by each city within the district. If the regional transportation commission constitutes the board of directors, the number of members and alternates appointed respectively by the county and by each city must be equal to the number of its representatives on the commission. The citizens' advisory committee for the district shall appoint one of its members to the technical committee. The chief engineer and general manager is a member of the technical committee and shall serve as its executive director. Each member of the committee has one vote, except the member from the citizens' advisory committee and the chief executive and general manager, each of whom may otherwise participate in the activities of and make recommendations to the technical committee. The committee shall annually choose one of its members as chair.

2. The chief engineer and general manager may hire and retain agents, employees, engineers and attorneys, and any other persons necessary or desirable to effect the purposes of the district.

3. The board may contract with any agency of the Federal Government for any services related to projects for the control of floods in the district.

4. The district attorney, the county surveyor, the county assessor, the county auditor or comptroller, the county treasurer, their deputies, assistants, clerks and other employees are ex officio officers, deputies, assistants, clerks and employees of the district. They shall, if requested by the board, perform the same various duties for the district as for the county. The board shall reimburse the county for the cost of rendering these services.

(Added to NRS by [1961, 435](#); A [1985, 1195](#); [1987, 431](#); [1997, 1070](#))

NRS 543.520 Bylaws. The board shall have the power to adopt and amend bylaws, not in conflict with the Constitution and laws of the State, for carrying on the business, objects and affairs of the board and of the district.

(Added to NRS by [1961, 435](#))

NRS 543.530 Implied powers. The board shall exercise all rights and powers necessary or incidental to or implied from the specific powers granted in [NRS 543.170](#) to [543.830](#), inclusive. The specific powers are not a limitation upon any power necessary or appropriate to carry out the purposes and intent of [NRS 543.170](#) to [543.830](#), inclusive.

(Added to NRS by [1961, 435](#); A [1987, 724](#))

NRS 543.540 Agreements concerning projects for control of floods. In addition to the general powers granted in [NRS 543.170](#) to [543.830](#), inclusive, to the board, the board may cooperate with the United States, the State of Nevada, or any instrumentality, department, agency or political subdivision or municipal corporation of either in the construction, maintenance and operation of projects for the control of floods. To that end, appropriate agreements may be entered into and the district may:

1. Acquire and provide without cost to the operating entity the land, easements and rights-of-way necessary for the construction of those projects.

2. Hold and save harmless the cooperating entity free from any claim for damages arising from the construction, maintenance and operation of those projects.

3. Maintain and operate all works in accordance with regulations prescribed by the cooperating entity.

4. Establish and enforce flood channel limits and regulations, if any, satisfactory to the cooperating entity.

(Added to NRS by [1961, 435](#); A [1987, 724](#))

NRS 543.545 Exemption from requirements of public bidding for construction of certain flood control facilities. Except as otherwise provided in subsection 3, the provisions of any law requiring public bidding or otherwise imposing requirements on any public contract, project, works or improvements, including, without limitation, the provisions of [chapters 332, 338](#) and [339](#) of NRS, do not apply to any contract entered into by a flood control district for the construction of a flood control facility pursuant to the master plan, if a majority of the construction costs are paid by a private developer and the written agreement:

1. Complies with the requirements of subsection 1 of [NRS 543.360](#);

2. Clearly sets forth the computation of the construction costs, and includes the terms and conditions of the contract; and

3. Contains a provision stating that the requirements of [NRS 338.010](#) to [338.090](#), inclusive, apply to any construction work performed pursuant to the contract.

(Added to NRS by [1989, 1523](#))

NRS 543.547 Compliance with master plan required for construction of flood control facility by local government; state agencies required to comply with master plan if practicable.

1. Flood control facilities constructed by local governments must be constructed in compliance with the master plan. Local governments may request an amendment to the master plan pursuant to [NRS 543.597](#).

2. State agencies shall consider the master plan when planning and designing their flood control facilities. Whenever practicable, state agencies shall comply with the master plan.

(Added to NRS by [1989, 1523](#))

NRS 543.550 Rights-of-way across public lands granted to districts.

1. There is hereby granted to a district the right-of-way for the construction and maintenance of floodways, ditches, waterways, conduits, canals, dikes, embankments, basins for retention or detention of water and protective works in, over and across public lands of the State of Nevada not otherwise disposed of or in use, but not in any case exceeding the length or width necessary for the construction of those works and adjuncts or for the protection thereof.

2. Whenever any selection of right-of-way for those works or adjuncts is made by the district, the board shall transmit to the Division of State Lands of the State Department of Conservation and Natural Resources and any other agency or entity of the state owning land in the area, including the Nevada System of Higher Education and the Colorado River Commission of Nevada, and to the county recorder of the county in which the selected lands are situated a plat of the lands so selected, giving the extent thereof and the uses for which they are claimed or desired, verified to be correct.

3. If the Division of State Lands of the State Department of Conservation and Natural Resources approves the selection so made, it must be endorsed upon the plat and a permit must be issued to use the rights-of-way and land.

(Added to NRS by [1961, 436](#); A [1985, 1195](#); [1993, 412](#); [2001, 2443](#))

NRS 543.560 Acquisition of right to flood or interfere with property; relocation of streets, highways and other property.

In case any street, road, highway, railroad, canal or other property subject or devoted to public use shall become subject to flood or other interference by reason of the construction or proposed construction of any works of the district, the board may acquire by agreement or condemnation the right so to flood or otherwise interfere with such property within or without the district, whether it be publicly or privately owned. If such right is acquired by condemnation proceedings, the judgment may, if the court finds that public necessity or convenience so requires, direct the district to relocate such street, road, highway, railroad, canal or other property in accordance with the plans prescribed by the court. If, by such judgment or agreement, the district shall be required to relocate any such street, road, highway, railroad, canal or other property subject or devoted to public use, the board shall have the power to acquire in the name of the district, by agreement or condemnation, all rights-of-way and other property necessary or proper for compliance with the agreement or judgment of condemnation, and thereafter to make such conveyance of such relocated street, road, highway, railroad, canal or other property as may be proper to comply with the agreement or judgment.

(Added to NRS by [1961, 436](#))

NRS 543.570 Connection with storm water drain or flood control facility: Application; fee; penalty.

1. Any person desiring to make a connection to any storm water drain or flood control facility of the district or to cause storm waters to be emptied into any ditch, drain, canal, floodway or other appurtenant structure of the district shall first make application to the board to make the connection. The board may require the connection to be made in such manner as it may direct and may impose such reasonable connection fees as it deems proper, or, if reasonably justified by the circumstances, may refuse permission.

2. Any person making a connection or causing floodwaters to be so discharged without first having obtained permission is guilty of a misdemeanor.

(Added to NRS by [1961, 436](#))

NRS 543.580 Chief engineer and general manager: Investigations, reports and estimates; recommendations; employment of engineers and surveyors.

1. The chief engineer and general manager may investigate carefully the best plan or plans:

(a) To control the floodwaters of the district and the floodwaters of streams that have their sources outside of the district but flow into the district;

(b) To conserve those waters for beneficial and useful purposes by spreading, storing, retaining, or causing to percolate into the soil within or without the district, or to save or conserve in any manner, any of those waters; and

(c) To protect the watercourses, watersheds, public highways, life and property in the district from damage from that water, and to obtain such other information in regard thereto as may be deemed necessary or useful in carrying out the purposes of [NRS 543.170](#) to [543.830](#), inclusive.

2. The chief engineer and general manager shall make and file reports from time to time with the board, which must show:

(a) A general description of the work to be done on each project or work of improvement.

(b) General plans, profiles, cross sections and other general specifications of the work to be done on each project or work of improvement.

(c) A general description of the lands, rights-of-way, easements and property proposed to be taken, acquired or injured in the carrying out of that work.

(d) An estimate of the cost of each project or work of improvement including:

(1) An estimate of the costs of lands, rights-of-way, easements and property proposed to be taken, acquired or injured in carrying out the project or work of improvement.

(2) An estimate of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds, if any, necessary to be issued to pay for it.

(3) A comparison of the total cost of the proposed works with an estimate of the cost of condemnation and relocation or replacement of property within the boundaries of the floodplain.

3. The chief engineer and general manager shall, from time to time, as directed by the board, file with the board supplementary, amendatory and additional reports and recommendations as necessity and convenience may require.

4. The chief engineer and general manager may, subject to the control and direction of the board, employ other engineers, surveyors and other persons required for making all surveys and doing any work necessary for the making of the reports.

(Added to NRS by [1961, 437](#); A [1985, 1196](#); [1987, 725](#))

NRS 543.590 Survey and report of problems; assistance in preliminary planning; adoption of master plan.

1. After a district has been established, the board shall cause its chief engineer or qualified private engineers or consultants to make a survey of the problems of controlling floods in the district and to prepare a report setting forth:

(a) A description of existing facilities for the control of floods in the area.

(b) Recommendations as to cooperation between the district and the owner or owners of the facilities.

(c) Recommendations for the construction or other acquisition of facilities to carry out the purpose of the district, with a preliminary plan therefor.

(d) A description of the property proposed to be acquired or damaged in the performance of work.

(e) A map showing the boundaries of the district and location of the work proposed to be done.

(f) A map showing the hydrographic areas to be used by the district for planning and acquisition of projects and improvements.

(g) Such other facts and information as the board may request.

2. In the preparation of the report, the Director of the State Department of Conservation and Natural Resources and the Division of Public and Behavioral Health of the Department of Health and Human Services may assist in preliminary planning by:

(a) The assignment of technical, professional and administrative personnel.

(b) Providing information for engineering and other planning.

(c) Acting as coordinator and liaison between the district and participating local, state and federal agencies.

➔ Money expended in preliminary planning may, upon application to the Director of the State Department of Conservation and Natural Resources and to the Division of Public and Behavioral Health, be refunded, if money for these purposes has been appropriated by the Legislature.

3. The chief engineer for the district shall then prepare for each hydrographic area a master plan for the control of floods which must set forth the most effective structural and regulatory means for correcting existing problems of flooding within the area and dealing with the probable effects of future development, taking into consideration the recommendations submitted in the report. In preparing the master plan, the chief engineer shall incorporate insofar as possible the planning completed or undertaken by the county, each city all or part of whose territory is included in the area, and any private engineer or developer for any part of the area. The master plan may include as separate elements the immediate needs, indicating their relative priority, and other future needs. The master plan may also include bridge structures that may become necessary as a result of the implementation of the master plan.

4. When a master plan satisfactory to the board, and after review by the Director of the State Department of Conservation and Natural Resources, is available, it must be tentatively adopted. A public hearing on the proposed work must be scheduled and notice of the hearing given by publication. After hearing and any adjournments thereof which may be ordered, the board may either require changes to be made in the master plan as the board considers desirable or the board may approve the tentative master plan as prepared. If changes are ordered a further hearing must be held pursuant to notice given by publication.

5. The county and each city all or part of whose territory is included within each hydrographic area shall then hold a public hearing to consider adopting the tentative master plan as a component of its master plan pursuant to [chapter 278](#) of NRS. The master plan or its parts for that hydrographic area do not become final until adopted by the county and each city.

(Added to NRS by [1961, 437](#); A [1963, 969](#); [1973, 1406](#); [1985, 1197](#); [1989, 1524](#))

NRS 543.595 Adoption of uniform regulations; variances; incorporation of regulations into ordinances by city or county; compliance with standards, criteria and policies of board.

1. The board shall adopt uniform regulations for the control of drainage, in accordance with the master plan, from land which is developed after the regulations become effective. The regulations may include provisions for the granting of a variance by the board upon application by the governmental entity having jurisdiction and a showing of conditions which justify the variance. The board may grant a variance from the strict enforcement of the uniform regulations for that piece of property if the granting of the variance will not cause any:

- (a) Detriment to the public good;
- (b) Impairment of any affected natural resources; or
- (c) Deviation from the intent and purpose of the district's master plan.

2. Before granting such a variance, the board must consider the effect of the proposed variance on the adjacent property, the entire hydrographic area and the continued implementation of the master plan.

3. On and after July 1, 1987, a county or city is not eligible to receive money, from the regional fund for the control of floods, for the acquisition of a project or improvement unless it has incorporated these regulations in its ordinances governing the subdivision of land, parcel maps, and division of land into large parcels. The county or city is then responsible for their enforcement, but the county or any city may bring an action against any of the others to compel enforcement in the latter's territory.

4. The board may also require as a condition of granting money to a county or city that the recipient comply with the standards and criteria developed by the board concerning the design of systems for drainage and with the policies established by the board for the design, construction, operation and maintenance of a project or improvement.

(Added to NRS by [1985, 1190](#); A [1987, 432](#); [1991, 1372](#))

NRS 543.5955 Annual review of master plan; annual report by board.

1. The board shall direct its chief engineer and general manager to prepare an annual review of the master plan for consideration by the board. The review must include consideration of:

- (a) Growth and development in the district;
- (b) The cost of and progress in construction of facilities for the control of floods;
- (c) The district's uniform code for management of a floodplain and the development of standards for construction of facilities for the control of floods;
- (d) Progress in the development of facilities by the United States Army Corps of Engineers; and
- (e) The establishment of additional long-range priorities for the control of floods.

2. The board shall prepare an annual report in conjunction with its review. The report must set forth:

- (a) The source and amount of money received during the previous year;
- (b) The amount of money expended during the previous year;
- (c) A listing of any project completed during the previous year;
- (d) A listing of any project under construction;
- (e) A listing of any project which is proposed for the ensuing year and the time estimated for its completion;

(f) The amount of money expended during the previous year for the operation and maintenance of facilities for the control of floods; and

- (g) Any recommended amendments of the master plan.

3. A copy of the report must be filed with the district's chief engineer. A copy must be provided to any person upon request for a fee which does not exceed the actual cost of printing and mailing the report.

(Added to NRS by [1987, 429](#))

NRS 543.596 Further review of master plan at 5-year intervals. The review of the master plan conducted every 5 years, in addition to considering the information required in subsection 1 of [NRS 543.5955](#), must:

1. Add to the plan any new information which is relevant to the plan; and

2. Assess the progress toward fulfillment of the master plan during the 5-year period, identify any major obstacles to completion of the master plan and recommend amendments to the master plan resulting from growth and development in the district.

(Added to NRS by [1987, 430](#))

NRS 543.5965 More frequent review of master plan authorized; budget to include funding for review and amendment of plan.

1. The review provided for in [NRS 543.596](#) may be performed more frequently if the board finds that circumstances warrant performing those reviews at shorter intervals.

2. The budget of the district must include funding for the review and amendment of the master plan.

(Added to NRS by [1987, 430](#))

NRS 543.597 Change of facility on or amendment of master plan; exception.

1. The district's chief engineer or any governmental entity may propose to:

- (a) Change the size, type or alignment of a facility on the district's master plan; or
- (b) Amend the district's master plan. A proposed amendment must be submitted to the district.

2. Upon receipt of a change proposed pursuant to paragraph (a) of subsection 1, the board shall hold a public hearing to consider the adoption of the change. With the approval of two-thirds of the members voting on the proposed change, the board may adopt any proposed change which:

- (a) Is consistent with the general principles set forth in subsection 3 of [NRS 543.590](#) for the master plan;
- (b) Is hydraulically similar to a proposed facility included in the master plan;
- (c) Is the most cost-effective structural or regulatory means of controlling floodwaters of the district; and
- (d) Does not adversely affect the continued implementation of the master plan.

3. Upon receipt of an amendment proposed pursuant to paragraph (b) of subsection 1, the board shall determine whether the proposed amendment is consistent with the general principles set forth in subsection 3 of [NRS 543.590](#) for the master plan. If the proposed amendment is determined to be generally consistent with those principles, the board shall hold a public hearing to consider the adoption of the proposed amendment. The board may adopt a proposed amendment to the district's master plan with the approval of two-thirds of the members voting on the proposed amendment.

4. The board shall file a copy of any amendment or change adopted by it with the governing body of each local government whose jurisdiction includes a hydrographic area affected by the adopted amendment or change.

5. Except as otherwise provided in subsection 6, upon receipt of an amendment, the governing body of each local government affected shall hold a public hearing to consider the adoption of the proposed amendment as a component of its comprehensive master plan pursuant to [chapter 278](#) of NRS. If the governing bodies of each local government whose jurisdiction includes a hydrographic area affected by the amendment to the district's master plan approve the proposed amendment, it becomes effective.

6. If a proposed amendment to the master plan is adopted unanimously by the board, and by the governing body of the local government in whose jurisdiction will be located the structures necessary to carry out the purposes of the amendment, after a public hearing by each, the amendment becomes effective and no other hearing or approval is required by any other board or commission, including those responsible for decisions relating to planning or zoning.

7. The provisions of this section do not apply to an amendment of a master plan pursuant to [NRS 543.5975](#).

(Added to NRS by [1987, 430](#); A [1989, 1525](#); [1991, 1372](#); [1993, 835](#); [1995, 83](#); [2001, 893](#))

NRS 543.5975 Amendment of master plan for expenditure or provision of money to protect public or private property from flooding.

1. The district's chief engineer or any governmental entity may propose an amendment to the district's master plan to allow the expenditure or provision of money pursuant to subsection 6 of [NRS 543.360](#). The proposed amendment must be submitted to the district.

2. Upon receipt of an amendment proposed pursuant to subsection 1, the board shall determine whether it:

- (a) Is consistent with the general principles set forth in subsection 3 of [NRS 543.590](#) for the master plan;
- (b) Is the most cost-effective structural or regulatory means of protecting structures from floodwaters of the district; and
- (c) Does not adversely affect the continued implementation of the master plan.

3. If the board determines that the proposed amendment meets the requirements of subsection 2, the board shall hold a public hearing to consider the adoption of the amendment. The board may adopt a proposed amendment to the district's master plan with the approval of two-thirds of the members voting on the proposed amendment.

4. The board shall file a copy of any amendment adopted by it with the governing body of each local government whose jurisdiction includes a hydrographic area affected by the adopted amendment.

5. Except as otherwise provided in subsection 6, upon receipt of an amendment, the governing body of each local government affected shall hold a public hearing to consider the adoption of the proposed amendment as a component of its comprehensive master plan pursuant to [chapter 278](#) of NRS. If the governing bodies of each local government whose jurisdiction includes a hydrographic area affected by the amendment to the district's master plan approve the proposed amendment, it becomes effective.

6. If a proposed amendment to the master plan is adopted unanimously by the board, and by the governing body of the local government in whose jurisdiction the project will be located, after a public hearing by each, the amendment becomes effective and no other hearing or approval is required by any other board or commission, including those responsible for decisions relating to planning or zoning.

(Added to NRS by [2001, 891](#))

Taxation

NRS 543.600 Public hearing and election required in certain counties; requirements for ballot question; special elections; power to levy taxes; use of other money.

1. In a county whose population is 700,000 or more, the board of county commissioners shall hold public hearings before deciding which one or combination of the powers set forth in subsections 3 and 4 is to be used to provide revenue for the support of the district. The method selected must be approved by a majority of the voters of the district voting on the question at a special, primary or general election. The ballot question submitted to the voters must contain the rate of the proposed additional property tax stated in dollars and cents per \$100 assessed valuation, the purpose of the proposed additional property tax, the duration of the proposed additional property tax and an estimate established by the governing body of the increase in the amount of property taxes that an owner of a new home with a fair market value of \$100,000 will pay per year as a result of passage of the question.

2. 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 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 to provide an essential service to the residents of the district.

3. The board of county commissioners in such a county may levy and collect taxes ad valorem upon all taxable property in the county. This levy is not subject to the limitations imposed by [NRS 354.59811](#). A district for which a tax is levied pursuant to this subsection is not entitled to receive any distribution of revenue from the supplemental city-county relief tax.

4. The board of county commissioners in such a county may impose a tax of not more than 0.25 percent on retail sales and the storage, use or other consumption of tangible personal property in the county. The ordinance imposing this tax must conform, except as to amount, to the requirements of [chapter 377](#) of NRS and the tax must be paid as provided in that chapter.

5. In any other county, the board of county commissioners may only levy taxes ad valorem upon all taxable property in the district.

6. In any county, the board of directors may use any other money, including federal revenue sharing, that is made available to the district.

(Added to NRS by [1961, 438](#); A [1985, 1198](#); [1989, 1931, 2086](#); [1993, 1092](#); [1999, 1086](#); [2011, 1296](#))

NRS 543.605 Applicability of [NRS 543.610](#) to [543.640](#), inclusive. The provisions of [NRS 543.610](#) to [543.640](#), inclusive, apply to a district in which a tax ad valorem is levied on all taxable property in the county.

(Added to NRS by [1987, 431](#))

NRS 543.610 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, and shall fix a rate of levy which, when levied upon every dollar of assessed valuation of taxable property within the district, will raise the amount required by the district annually to supply funds for paying expenses of organization and the costs of acquiring, operating and maintaining the works and equipment of the district, and promptly to pay in full, when due, all interest on and principal of general obligation bonds and other general obligations of the district. In the event of accruing defaults or deficiencies, an additional levy may be made as provided in [NRS 543.620](#).

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 [1961, 438](#))

NRS 543.620 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 moneys produced from such levies, together with other revenues of the district, are 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 shall be made and continue to be levied until the general obligation indebtedness of the district shall be fully paid.

(Added to NRS by [1961, 439](#))

NRS 543.630 County officers to levy and collect.

1. The body having authority to levy taxes within each county shall levy the taxes provided in [NRS 543.170](#) to [543.830](#), inclusive.

2. All officials charged with the duty of collecting taxes shall collect those 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 taxes to the district ordering its levy and collection. The payment of the collections must 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 [NRS 543.170](#) to [543.830](#), inclusive, together with interest thereon and penalties for default in payment thereof, and all costs of collecting the taxes constitute, until paid, a perpetual lien on and against the property taxed, and the lien is on a parity with the tax lien of other general taxes.

(Added to NRS by [1961, 439](#); A [1987, 725](#))

NRS 543.640 Sales for delinquencies. If the taxes levied are not paid as provided in [NRS 543.170](#) to [543.830](#), inclusive, the property subject to the tax lien must be sold and the proceeds thereof must be paid over to the district according to the provisions of the laws applicable to tax sales and redemptions.

(Added to NRS by [1961, 439](#); A [1987, 726](#))

NRS 543.650 Deposit of money in regional fund for control of floods; creation of reserve fund; limitations on use of money in funds.

1. The proceeds of all taxes and charges levied or imposed for the support of the district and all other revenues received for its account from any source must be deposited in the regional fund for the control of floods. No money may be drawn from the fund except for the use of the district.

2. Whenever any indebtedness has been incurred by a district, the board may also levy taxes and collect revenue for the purpose of creating a reserve fund in such amount as the board may determine, which may only be used to meet the obligations of the district, for maintenance and operating charges and depreciation, and to provide extension of and betterments to the improvements of the district.

3. The board shall not use money in the regional fund for the control of floods or the reserve fund:

(a) For the construction, operation, maintenance, extension or repair of streets, highways or bridges, except as authorized pursuant to [NRS 543.170](#) to [543.830](#), inclusive; or

(b) To supplement the budget of the county in which the district is located.

(Added to NRS by [1961, 440](#); A [1985, 1199](#); [1991, 1400](#))

Boundaries; Inclusion and Exclusion of Property

NRS 543.665 Boundary changes; liability of property.

1. The boundary of any district organized under the provisions of [NRS 543.170](#) to [543.830](#), inclusive, may be changed in the manner prescribed in [NRS 543.675](#) and [543.685](#), but the change of boundaries of the district does not impair or affect its organization, or affect, impair or discharge any contract, obligation, lien or charge on which it or the property therein might be liable or chargeable had the change of boundaries not been made.

2. Property included within or annexed to a district is subject to the payment of taxes, assessments and charges, as provided in [NRS 543.685](#). Real property excluded from a district is thereafter subject to the levy of taxes for the payment of its proportionate share of any indebtedness of the district outstanding at the time of the exclusion and is subject to any outstanding special assessment lien thereon.

(Added to NRS by [1967, 1618](#); A [1987, 726](#))

NRS 543.675 Exclusion.

1. In a county whose population is less than 700,000 an owner in fee of real property situate in the district may file with the board a petition praying that those lands be excluded from the district.

2. Petitions must:

(a) Describe the property which the petitioner desires to have excluded.

(b) State that the property does not produce any runoff of floodwater capable of being served by the facilities of the district or by any future improvement contained in the master plan.

(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 proceedings for exclusion.

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

(a) State the filing of the 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, and show cause in writing 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.

5. The filing of the petition is an assent by each petitioner to the exclusion from the district of all or part of the property mentioned in the petition.

6. The board, if it considers it not to be in the best interest of the district that all or part of the property 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 considers it to be in the best interest of the district that the property mentioned in the petition 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 may be no withdrawal from a petition after consideration by the board nor may further objection be filed except in case of fraud or misrepresentation.

9. Upon granting the petition, the board shall file for record a certified copy of its ordinance making the change, in the manner provided in [NRS 543.300](#).

(Added to NRS by [1967, 1618](#); A [1985, 1199](#); [1989, 1932](#); [2011, 1297](#))

NRS 543.685 Inclusion. In a county whose population is less than 700,000 the boundaries of a district may be enlarged by the inclusion of additional real property in the following manner:

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

2. The petition must:

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

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

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

3. There may be no withdrawal from a petition after consideration by the board nor may 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 the petition, and of the place, time and date of the 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 described, the board shall make an order to that effect, and file it for record in the manner provided in [NRS 543.300](#).

5. After the date of its inclusion in the district, the property is subject to all of the taxes imposed by the district, and is liable for its proportionate share of the existing general obligation bonded indebtedness of the district. It is not liable for any taxes levied or assessed before its inclusion in the district.

(Added to NRS by [1967, 1619](#); A [1985, 1200](#); [1989, 1933](#); [2011, 1297](#))

Borrowing and Bonds

NRS 543.690 Forms of borrowing; applicability of Local Government Securities Law; additional security; notice of proposed issuance of long-term general obligation bonds required.

1. Upon the conditions and under the circumstances set forth in [NRS 543.170](#) to [543.830](#), inclusive, a district or, if requested by the district, the board of county commissioners of the county in which the district is situated, may:

(a) Borrow money and issue the following securities to evidence the borrowing, subject to the provisions of [NRS 350.020](#) to [350.070](#), inclusive:

(1) Notes;

(2) Warrants;

(3) Bonds;

(4) Temporary bonds;

(5) Interim debentures; and

(6) Special assessment bonds; and

(b) Make any other contract creating an indebtedness.

2. Subject to the provisions of subsection 1, the board of directors of a district or the board of county commissioners may, on the behalf and in the name of the district or the county, as the case may be, issue the securities, and in connection with any undertaking or facilities authorized in [NRS 543.170](#) to [543.830](#), inclusive, may otherwise proceed as provided in the Local Government Securities Law.

3. The payment of general obligation securities issued pursuant to subsection 1 may be additionally secured by a pledge of any revenue from a tax imposed pursuant to [NRS 543.600](#) on retail sales and the storage, use or other consumption of tangible personal property in the county.

4. At least 60 days before any general obligation bonds for a term of more than 10 years are issued pursuant to this section, the board of directors of the district shall publish a notice of the proposed issuance of long-term general obligation bonds in a newspaper of general circulation within the district. The notice must be published at least twice during the first 3 weeks of the 60 days. Each time the notice is published it must be at least as large as 5 inches high by 4 inches wide.

(Added to NRS by [1961, 441](#); A [1969, 1633](#); [1975, 750](#); [1985, 306](#); [1987, 726](#); [1991, 1373](#))

NRS 543.700 Short-term notes.

1. A district, upon the affirmative vote of a majority of the board, may borrow money without an election in anticipation of the collection of taxes or other revenues and to issue short-term notes to evidence the amount so borrowed.

2. Such short-term notes:

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

(b) Must mature in accordance with the provisions of [NRS 350.091](#).

(c) Must not be extended or funded except in compliance with [NRS 543.690](#).

(Added to NRS by [1961, 442](#); A [1991, 1374](#); [1995, 1828](#))

NRS 543.710 General obligation bonds: Interest; maturity; denominations; form.

1. To carry out the purposes of [NRS 543.170](#) to [543.830](#), inclusive, the board may issue general obligation negotiable coupon bonds of the district.

2. Bonds must:

(a) Bear interest at a rate or rates which do not exceed by more than 3 percent the Index of Twenty Bonds which was most recently published before the bids are received or a negotiated offer is accepted, payable semiannually.

(b) Be payable serially, either annually or semiannually, commencing not later than 3 years and extending not more than 40 years from date.

(c) Be in such denominations as the board determines and the bonds and coupons thereto attached must be payable to bearer.

(d) Be executed in the name of and on behalf of the district and signed by the chair of the board with the seal of the district affixed thereto and attested by the secretary of the board.

3. Any of the officers, after filing with the Secretary of State his or her manual signature certified under oath, may execute or cause to be executed with a facsimile signature in lieu of his or her manual signature any bond authorized in this section, but at least one signature required or permitted to be placed thereon must be manually subscribed, and his or her facsimile signature has the same legal effect as his or her manual signature. Interest coupons must bear the original or facsimile signature of the chair of the board.

4. The form and terms of the bonds, including provisions for their payment and redemption, must be determined by the board. If the board so determines, the bonds may be redeemable before maturity upon payment of a premium, not exceeding 9 percent of the principal thereof.

(Added to NRS by [1961, 442](#); A [1971, 2129](#); [1975, 877](#); [1981, 1421](#); [1983, 588](#); [1987, 727](#))

NRS 543.760 Applicability of NRS 350.500 to 350.720, inclusive. The provisions of [NRS 543.710](#) and this section are hereby declared to be complementary to the provisions of [NRS 350.500](#) to [350.720](#), inclusive, concerning bonds issued by political subdivisions of the state, and those provisions are applicable to any bond issue under [NRS 543.710](#) and this section, but in the event of conflict the provisions of [NRS 543.710](#) and this section shall be controlling.

(Added to NRS by [1961, 443](#); A [1969, 1634](#))

Dissolution of Districts

NRS 543.790 Resolution dissolving ordinance; notice. Whenever a majority of the members of the board considers it to be in the best interests of the district and the area served by the district that the district be dissolved, it shall so determine by resolution, after there is first found and determined and recited in the resolution that all outstanding indebtedness and bonds of all kinds of the district have been paid. The secretary of the board shall give notice by publication of:

1. The adoption of the resolution;

2. The determination of the board that the district should be dissolved; and

3. The time and place for hearing preliminary to the adoption of an ordinance on dissolution.

(Added to NRS by [1961, 444](#); A [1985, 1202](#))

NRS 543.800 Protests against dissolution; adoption of final ordinance.

1. Any taxpaying elector within the district may, on or before the date fixed, protest against the dissolution 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 shall be filed signed by 51 percent or more of the taxpaying electors within the district, the district shall not be dissolved. If any written protests are filed and the board of county commissioners determines that the protests so filed represent less than 51 percent of the taxpaying electors of the district, the board may, if it so determines, complete the dissolution by the adoption of a final ordinance of dissolution, which ordinance shall contain a recital as to the percentage of protests, and such recital shall be binding and conclusive for all purposes.

(Added to NRS by [1961, 445](#))

NRS 543.810 Hearing on dissolution. 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 or an ordinance determining that it shall not be dissolved.

(Added to NRS by [1961, 445](#))

NRS 543.820 Filing of ordinance dissolving district. Within 30 days after the effective date of any ordinance dissolving the district, the county clerk shall file a copy of the ordinance in the county clerk's 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 [1961, 445](#))

NRS 543.830 Transfer of property and money to county; collection and disposition of taxes.

1. All property and all funds remaining in the treasury of any district so dissolved shall be surrendered and transferred to the county in which the district exists and shall become a part of the general fund of the county.

2. All outstanding and unpaid tax sales and levies of a dissolved district shall be valid and remain a lien against the property against which they are assessed or levied until paid, subject, however, to the limitations of liens provided by general law. Taxes paid after dissolution shall be placed in the general fund of the county in which the property was assessed.

3. The board of county commissioners shall have the same power to enforce the collection of all outstanding tax sales of the district as the district would have had if it had not been dissolved.

(Added to NRS by [1961, 445](#))