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BILL NO. _____

SUMMARY – An Ordinance to amend Title 9 and add a new Chapter 9.02 to the Clark County Code for the development of an affordable housing program and providing for other matters properly related thereto.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 9 AND ADD A NEW CHAPTER 9.02 TO THE CLARK COUNTY CODE FOR THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROGRAM; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, NRS 244.189 authorizes the Board of County Commissioners to enact an ordinance as the Board of County Commissioners determines is necessary and proper for the development of affordable housing that is not in conflict with other laws and regulations of the State of Nevada;

WHEREAS, the Board of County Commissioners has identified the development of affordable and attainable housing as a priority for the economic stabilization of Clark County;

WHEREAS, the lack of affordable housing is detrimental to health, safety, and welfare if the County's residents, who may be forced to live in less than adequate housing, or pay a disproportionate share of their income to live in adequate housing; and

WHEREAS, on April 5, 2022, the Board of County Commissioners created a

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Community Housing Fund to provide funding to increase access to affordable housing in Clark County.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 9 of the Clark County Code is hereby amended to add a new chapter 9.02 to read as follows:

Chapter 9.02 – Affordable Housing Program

9.02.010 - Authority, general purpose and objectives

Pursuant to NRS 244.189 the objective of this chapter is to establish a program for the development, operation and maintenance of Affordable Housing units that includes loans, grants and donations to Applicants.

9.02.020 - Definitions

As used in this chapter, unless the context otherwise requires, the words and terms have the meaning ascribed to them in this section. Words used in the present tense include the future, words in the singular number include the plural and the plural the singular.

- (a) “Affordable Housing” has the meaning ascribed to it in NRS 278.0105.
- (b) “Affordable Housing units” are residential property units that are rented or owned by individuals that qualify for Affordable Housing.
- (c) “Applicant” means a valid Nevada registered business or governmental entity, including but not limited to corporations, limited liability companies, and joint ventures. An applicant cannot be an individual.

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- (d) “Board” means the Board of County Commissioners of Clark County, Nevada
- (e) “Department” means the Department of Administrative Services of Clark County.
- (f) “Fund” means the Community Housing Fund or other funds allocated for
affordable housing.

9.02.030 - Creation of an Affordable Housing Program

Pursuant to NRS 244.189 the Board hereby creates an affordable housing program that is supported by the Fund to increase the development, operation, and maintenance of Affordable Housing units in Clark County through grants, loans, and donations to eligible Applicants.

09.02.040 – Administration of Affordable Housing Program

The Department of Administrative Services is hereby designated the lead agency the administration of the Clark County Affordable Housing Program carried out pursuant to this chapter.

09.02.050 – Award of Loans, Grants and Donations for Affordable Housing

Upon approval of the Board, the Department may award a loan, grant, or donate Funds to an Applicant for the development, operation, and maintenance of Affordable Housing units. The Department and Applicant will enter into funding agreement based on the terms of the award. The Department shall provide the Board with an annual report regarding the program. The report shall include information on all approved grants and loans including any outstanding loan balances.

9.02.060 – Period of Affordability

To assure that any Funds loaned, granted, or donated for the development, operation, and maintenance of Affordable Housing units any funding agreement between

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an Applicant and the Department must contain a restriction that:

- (a) New construction projects must remain affordable housing for a minimum of twenty-years; or
- (b) Acquisition and rehabilitation projects must remain affordable housing for a minimum of five years, or more depending on the amount of Funds received as determined by the Department.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the ____ day of _____, 2022.

PROPOSED BY: _____

PASSED on the ____ day of _____ 2022.

AYES: _____

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NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: _____
JAMES B. GIBSON, Chair

ATTEST:

LYNN GOYA, County Clerk

This ordinance shall be in force and effect from and after the ____ day of the
_____, 2022.