

**TITLE:**

**PROPOSED ORDINANCE AMENDING TITLE 4 OF THE ELY CITY CODE ESTABLISHING ADDITIONAL NOTICE PROCEDURES AND REQUIREMENTS RELATING TO THE ABATEMENT OF NUISANCES, REMOVING CHAPTER 3 ENTIRELY WHILE TRANSPOSING ITS CONTENTS INTO CHAPTER 1, AND ADDING OR AMENDING OTHER PROVISIONS THROUGHOUT.**

- Whereas,** NRS 268.001 establishes the City’s authority to regulate matters of local concern;
- Whereas,** NRS 266.105 empowers the Ely City Council to pass ordinances necessary for the municipal government and the management of the affairs of the City, for the execution of all powers vested in the City, and for making effective the provisions of Chapter 266 of the Nevada Revised Statutes;
- Whereas,** NRS 268.014 established the City’s authority to revise and codify all general ordinances of the City.
- Whereas,** NRS 266.105 establishes the City’s authority to provide for fines and penalties to enforce ordinances.
- Whereas,** NRS 266.335 establishes the City’s authority to determine by ordinance what shall be deemed nuisances; provide for the abatement, prevention and removal of the nuisances at the expense of the person creating, causing or committing the nuisances; provide that the expense of removal is a lien upon the property upon which the nuisance is located; and provide any other penalty or punishment of persons responsible for the nuisance.
- Whereas,** NRS 268.4122 establishes the City’s authority to adopt by ordinance procedures pursuant to which the governing body or its designee may order an owner of property within the city to repair, safeguard or eliminate a dangerous structure or condition; clear debris, rubbish, refuse, litter, garbage, abandoned or junk vehicles or junk appliances which are not subject to the provisions of chapter 459 of NRS; or clear weeds and noxious plant growth, to protect the public health, safety and welfare of the residents of the city.
- Therefore,** in the best interest of the community, the City Council of the City of Ely, State of Nevada, does amend Title 4 of the Ely City Code and does otherwise ordain that the specified sections of Title 4 shall read as follows:

Chapter 3 of Title 4 shall be removed, and its provisions shall be transposed throughout Chapter 1 of Title 4, as provided herein.

Section 4-1-1(B) shall be amended as follows:

3. The provisions of this code shall apply generally to all property, buildings, and premises throughout the City of Ely without regard to the use, date of construction or alteration, wherein any of the conditions, hereinafter specified, are found to exist; provided, however, that any condition which would constitute a violation of this code, but which is duly authorized under state or federal law, shall not be deemed to be a violation of this code.

4. Actions to declare and abate a public nuisance may proceed before the city council or a court of competent jurisdiction.

5. Provisions of this code are to be supplementary and complementary to all of the provisions of the city code, state law, and any law cognizable at common law or in equity, and nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the City of Ely to abate any and all nuisances.

Section 4-1-2 shall be amended to include the following definitions:

<b>BLIGHT:</b>	Conditions that substantially impair the livability of or community appearance of, or the safe, social or economic conditions of, the surrounding neighborhood or city community as stated in NRS 279.388, as amended. Such conditions include, without limitation, the accumulation of debris-refuse-rubbish; broken, rotting, crumbling, cracking or rusting fencing; broken windows; landscaping that is dead or dying, or exhibits uncontrolled growth; and any other similar conditions of disrepair and deterioration that substantially harms the surrounding community.
<b>DEBRIS:</b>	Any material resulting from the alteration, construction, destruction, rehabilitation, or repair of any physical structure or item that is built by humans, including, without limitation, houses, buildings, industrial or commercial facilities, roadways, scrap motor vehicles or trailers or parts thereof, wagon beds or bodies, bed frames, bed springs, mattresses, or old wire fencing.
<b>NOXIOUS WEEDS</b>	Any species of plant which is, or likely to be, detrimental or destructive, difficult to control or eradicate, and easily spread to other properties, as designated under NAC 555.010.
<b>UNWHOLESOME OR OFFENSIVE MATTER:</b>	Any matter or substance that emits a foul odor, attracts flies and/or animals, or causes the rotting, staining, or destruction of property, including, without limitation, sewage, slop, waste, garbage, refuse, rubbish, manure, bones, or putrid or unsound meats, hides or skins of any kind.

Section 4-1-4 shall be amended to include the following provisions:

R. **Accumulation:** An accumulation of conditions that together endanger the health, safety, or general welfare of the community and/or substantially impairs the value of surrounding properties.

S. **Attractive Nuisance:** Any artificial condition, whether in a building, on the premises of a building or upon an unoccupied job site, which by its nature, location or character would tend to attract and substantially endanger the safety of any minor person. This includes, but is not limited to, unsecured swimming pools, abandoned wells or shafts; excavations; abandoned

refrigerators/freezers with doors or motor vehicles with unlocked doors; any structurally unsound fences or structures; lumber, trash/debris, or any other materials which may provide a hazard.

Section 4-1-5 shall be amended as follows:

**4-1-5: RESPONSIBILITY FOR PROPER PROPERTY MAINTENANCE:**

A. Every owner of real property within the city is required to maintain such property in a manner so as not to violate the provisions of this code and such owner remains liable for violations thereof regardless of any contract or agreement with any third party regarding such property.

B. Every occupant, lessee or holder of any interest in property, other than as owner thereof, is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed by this section on the owner thereof shall in no instance relieve those persons herein referred to from the similar duty.

Section 4-1-6 shall be amended as follows:

**4-1-6: USE OF PROVISIONS FOR HARASSMENT PROHIBITED:**

The provisions in this Chapter shall not be used with the intent to maliciously harass or annoy members of the community by routinely reporting activity or conditions that do not fall under an above-enumerated public nuisance and/or that a reasonable person under similar circumstances would not be compelled to report.

Section 4-1-7 shall be amended as follows:

**4-1-7: GENERAL NOTICE TO THE PUBLIC:**

The city clerk or designee shall cause to be published in a newspaper within the city during the first week of April of each year, unless changed by city council by resolution, notice and order to all property owners to remove any and all weeds, debris, or other offensive matter from the owner's property within thirty (30) calendar days after the first publication of such notice and order.

Section 4-1-8 shall be amended as follows:

**4-1-8: WRITTEN COMPLAINT OF EXISTENCE OF PUBLIC NUISANCE:**

Whenever a written complaint is filed with the office of the city clerk alleging the existence of a "public nuisance", as defined herein, within the city, the office of the city clerk shall have the appropriate city official investigate said complaint. Nothing herein shall prevent the police chief, fire chief, building inspector or other city personnel from identifying and reporting a nuisance.

Section 4-1-9 shall be amended as follows:

**4-1-9: INVESTIGATION OF WRITTEN COMPLAINT:**

The official to whom such notification is given by the city clerk, shall investigate the facts claimed to amount to a nuisance and shall report verification, or lack thereof, to the city clerk within three (3) days.

Section 4-1-10 shall be amended as follows:

**4-1-10: INFORMAL NOTICE TO PROPERTY OWNER OR APPROPRIATE PERSON**

A. **Informal Notice by City Clerk:** Upon receipt of the verification required by section 4-1-9, and prior to providing formal written notice to the property owner or appropriate person in charge or in control of the premises upon which the nuisance exists (hereinafter, "Person"), as provided for in section 4-1-11, the city clerk may elect to mail or hand deliver informal written notice of the complaint of existence of a nuisance to the Person, and/or post said notice in a conspicuous place upon the subject property. The provisions of such notice are provided for in subsection C of this section.

B. **Informal Notice by Police Chief, Fire Chief, or Building Official:** Prior to providing formal written notice to the Person as provided for in section 4-1-11, the police chief or his designee, fire chief or his designee, or building official or his designee, may mail or hand deliver informal written notice of the complaint of existence of a nuisance to the Person, and/or post said notice in a conspicuous place upon the subject property. The provisions of such notice are provided for in subsection C of this section.

C. **Provisions of Informal Notice:** Informal written notice shall provide a description of the property and the alleged nuisance thereon; the applicable ordinance being violated; the potential penalties associated with such violation; and that the Person must contact the city clerk within a maximum of ten (10) days of receiving the notice, otherwise, the complaint of existence of a nuisance shall be formally filed with the city clerk or the city attorney for further action.

Section 4-1-11 shall be amended as follows:

**4-1-11: FORMAL NOTICE TO PROPERTY OWNER OR APPROPRIATE PERSON:**

A. **Formal Notice by City Clerk:** Upon receipt of the verification required by section 4-1-9, or if the nuisance is not removed as prescribed by informal notice pursuant to 4-1-10, the city clerk shall, unless the matter is referred to the city attorney as provided hereafter, mail by certified mail, return receipt requested, notice of the complaint of the existence of a nuisance to the Person pursuant to the following section. As a separate or additional remedy, the city clerk may provide the city attorney's office a copy of all investigative material for the purpose of filing an action in a court of competent jurisdiction for prosecution of a violation of this code and abatement of the nuisance. In the event of a conviction in court, the judge, in addition to his or her other customary sentencing powers, may exercise any of the powers conferred upon the city council upon a finding that a public nuisance exists.

**B. Provisions of Formal Notice:** Formal written notice of the existence of a nuisance to the Person shall provide the following:

**1. Characterization:** A description of the property, the alleged condition of the property that qualifies as a nuisance defined herein, and the applicable ordinance that the Person is accused of violating;

**2. Required Action:** The requirement to commence work for removal of the nuisance within ten (10) days after mailing the notice, and to completely remove the nuisance by a specified date which shall be within a reasonable time after the commencement of the work; or

**a.** Pursuant to NRS 268.4122, if the condition is not an immediate danger to the public health, safety or welfare and was caused by the criminal activity of a person other than the owner, afforded a minimum of 30 days to abate the condition.

**3. Opportunity to be Heard:** The right to request a hearing within ten (10) days of receiving formal notice and that such hearing be held before the city clerk. The Person is entitled to be heard, present evidence, and be represented by legal counsel. Notice of legal representation must be given to the city clerk ten (10) days prior to the scheduled hearing date.

**a.** The date specified in the notice by which the Person must abate the condition is tolled for the period during which a hearing is requested and decision received.

**4. Appeal:** The right to appeal the decision by the city clerk within ten (10) days of the hearing. The appeal shall be heard before city council at the next feasible city council meeting, with proper notice of the meeting issued pursuant to section 4-1-12(A). The Person is entitled to be heard, present evidence, and be represented by legal counsel. Notice of legal representation must be given to the city clerk ten (10) days prior to the scheduled hearing date.

**5. Failure to Comply:** That should the Person fail to request a hearing or comply with the terms of the notice and order within the time specified, the city may (1) impose a fine of one hundred dollars (\$100.00) for each day thereafter that the Person has not abated the nuisance, (2) initiate the abatement process of the existing nuisance and issue a lien on the property to recover the cost of removal, and/or (3) file a complaint for prosecution in a court of competent jurisdiction.

**C. Extensions:** The city clerk shall have the discretion to grant extensions of time to begin removing the nuisance under special circumstances where such work cannot feasibly begin within ten (10) days of receiving the notice.

Section 4-1-12 shall be amended as follows:

**4-1-12: APPEAL:**

A. **Notice of Appeal Hearing:** Should the Person appeal the decision of the city clerk, the city clerk shall cause an appeal hearing to be held at the next feasible city council meeting, providing twenty one (21) calendar days' notice to the Person if served by certified mail, return receipt requested, or five (5) calendar days' notice if personally served upon the Person, according to the records in the office of the county assessor, pursuant to NRS 241.033 and/or NRS 241.034, of the time, date and location of the hearing; and the right to submit evidence at the hearing and to be represented by legal counsel.

1. **Proof of Service:** Pursuant to NRS 241.033 and NRS 241.034, a public body must receive proof of service of the written notice provided to a Person pursuant to the foregoing section before the public body may consider a matter relating to that Person at a meeting. Proof of service may be made by certificate, acknowledgment, or other proof satisfactory to show that the Person received notice of the appeal hearing.

B. **Order of Abatement by City Council:** During a properly noticed appeal hearing, if a majority of city council finds that a public nuisance exists on the property, city council shall direct the Person to abate the nuisance within such reasonable time as determined and apprise the Person of the potential penalties for non-compliance. A Person's failure to appear to the appeal hearing shall not limit city council's ability to rule on the existence of the nuisance and order the imposition of civil penalties and abatement of the nuisance.

Section 4-1-13 shall be amended as follows:

**4-1-13: FAILURE TO COMPLY:**

A. **Methods of Non-Compliance:** Pursuant to NRS 268.4122(4), a Person shall be considered non-compliant if one of the following conditions are met:

1. The owner has not requested a hearing within the time prescribed and has failed to abate the condition on the property within the period specified in the notice;

2. After a hearing in which the owner did not prevail, the owner has not filed an appeal within the time prescribed and has failed to abate the condition within the period specified in the order; or

3. The governing body or a court of competent jurisdiction has denied the appeal of the owner and the owner has failed to abate the condition within the period specified in the order.

B. **Non-Compliance Report:** Should the Person fail to comply with the terms of the notice and order within the time specified, an officer of the city will report to the city clerk the location and owner of all real property which has failed to comply with the notice and order.

C. **Penalties for Non-Compliance:** Should the Person fail to comply with the terms of the notice and order within the time specified, the city may (1) impose a fine of one hundred dollars (\$100.00) for each day thereafter that the Person has not abated the nuisance, (2) initiate the

abatement process of the existing nuisance and issue a lien on the property to recover the cost of removal, and/or (3) file a complaint for prosecution in a court of competent jurisdiction.

Section 4-1-14 shall be amended as follows:

**4-1-14: ABATEMENT:**

A. **Warrant:** Should the Person fail to comply with the terms of the notice and order within the time specified, the city shall, if required by law under the circumstance, obtain a warrant from a court of competent jurisdiction to enter upon the property of the Person and abate the nuisance.

B. **Assistance Utilized in Abatement:** In abating a public nuisance, the city may call upon any of its departments or divisions for whatever assistance shall be deemed necessary or may by private contract cause the abatement of the public nuisance.

C. **Extent of Abatement:** In abating such nuisance, the city shall go to whatever reasonable and just extent may be necessary to complete the abatement of the public nuisance and should it be practicable to salvage any material derived from the aforesaid abatement, the city may sell the salvaged material at public sale for the best price obtainable and shall keep an accounting of the proceeds thereof.

Section 4-1-15 shall be amended as follows:

**4-1-15: NOTICE AND ASSESSMENT:**

A. **Proceeds of Sale of Materials:** The proceeds, if any, obtained from the sale of any material salvaged as a result of an abatement of a public nuisance by the city shall be deposited to the general fund of the city and any deficit between the amount so received and the cost of the abatement may be levied as a lien against the property in question by the city council and collected as any other assessment by the city; however, any other alternative collection method may be utilized by the city to recoup the deficit. Should the proceeds of the sale of such salvaged material exceed the cost of abatement, the surplus, if any, shall be paid to the Person from which the public nuisance was first abated when a proper claim to the excess is established.

B. **Statement of Costs:** Within fifteen (15) days after completing the removal and abatement, city staff or any entity hired to abate the nuisance shall file with the city clerk a statement of costs to include the amount of work done, all expenses and costs incurred of any nature whatsoever, a description of the premises upon which the work was done, and the name of the Person, if known, chargeable with such costs and expenses, all as more specifically set forth hereafter.

C. **Assessment of Costs and Penalties:** Within fifteen (15) days after receipt of the statement of costs, the city clerk or designee shall make written demand by certified mail, return receipt requested, upon the legal owner as of record in the office of the county assessor, at the last

known address of such owner as recorded in said assessor's office, for the payment of the costs of removing the nuisance and any outstanding penalties.

I. **Notice of Assessment:** The written demand for payment shall provide notice of the amounts set forth in the statement of costs plus an additional amount sufficient to defray the costs of the notice, the amount owed on civil penalties and their dates of imposition, and provide that the costs of removing or abating the nuisance shall be a lien upon the property upon which the nuisance is located. The city clerk shall further state the full amount must be paid within twenty (20) days of the certified mail or hand delivered notice or an objection filed within twenty (20) days of the certified mail or hand delivered notice; and if the payment or objection is not received, the city clerk shall perfect the lien.

D. **Objection; Hearing:** If an objection by the Person is received by the city clerk prior to the expiration of the twenty (20) day period, the city clerk shall refer the matter to the city council for review at the next feasible meeting. The Person shall be notified in writing pursuant to the notice requirements outlined in 4-1-12(A).

E. **Uphold of Decision:** If, after the hearing, it is determined the proposed lien or any part of it is proper and authorized, the city council shall direct the city clerk to perfect the lien.

F. **Collection:** Collection of civil penalties and costs of removal shall be in accordance with NRS 268.4122, and any other such applicable laws as required. Nothing herein contained shall prevent the maintenance of a suit by the city against any of the persons herein mentioned to collect the expense of such abatement or removal or the prosecution criminally under the ordinances of the city of any person creating, maintaining, causing or committing a nuisance or owning or in possession, charge or control of the real property upon which a nuisance is created, maintained, caused or committed.

Section 4-1-16 shall be amended as follows:

**4-1-16: NATURE OF LIEN:**

Any lien for the expense of abatement and civil penalty as provided herein shall:

A. Be perfected by filing with the county recorder a statement by the city clerk of the amount of expenses due and unpaid, including costs of preparing and filing the lien, and describing the property subject to the lien, which sum shall include any civil penalty assessed by the city. The city clerk shall also certify to the county treasurer the amount of the same segregated to the parcel of land of each owner, requesting the county treasurer to collect the same as and when taxes on real property are collected as a special assessment against the property.

B. Be coequal with the latest lien thereon to secure the payment of general taxes.

C. Not be subject to extinguishment by the sale of any property on the account of the nonpayment of general taxes.



D. Be prior and superior to all liens, claims, encumbrances and titles, other than the liens of assessments and general taxes.

Section 4-1-17 shall be amended as follows:

**4-1-17: SATISFACTION OF LIEN:**

When the property owner pays the amount of the costs, plus the cost of preparing and releasing the lien as provided in this chapter, then the city clerk or designee shall cause to be recorded with the county recorder a satisfaction of the lien and shall in addition notify the county treasurer of the satisfaction of such claims.

**4-1-18: OVERHEAD CHARGE, CIVIL PENALTIES:**

The city council may provide any other civil penalties for persons responsible for such nuisance as the city council deems proper under the circumstances.

**4-1-19: REMEDIES CUMULATIVE:**

A. Generally: The remedies herein are cumulative and the city may proceed under one or more such remedies.

B. Violations: In addition to any cost incurred, any person in violation of any of the provisions of this nuisance code:

1. Upon conviction, shall be guilty of a city offense and punished as provided in section 1-4-1 of this code;

2. Shall be subject to the abatement notices, appeal procedures and lien or civil action provisions of this chapter;

3. Each day that a violation of this chapter continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings; and

4. Upon a finding by a court of competent jurisdiction that a nuisance exists, the court may order the city to secure and close the property. In addition, the court may order the owner to pay the city for all costs and fees incurred by the city in abating the condition and order any other appropriate relief.

C. Transfer Not Relief: The transfer of any and all interest in any manner of any property, building or premises against which a notice of violation has been issued shall not relieve the parties served with such notice.

**D. Requirements For Transfer:** Any legal entity, real or statutory, who transfers an interest, including, but not limited to, a sale, trade, lease, gift or assignment in any property, building or premises against which a notice of violation has been served shall either:

1. Obtain a written assumption of liability from the new owner of record for the items listed in the notice of violation; or

2. Acknowledge, in writing, its responsibility for compliance with the notice of violation. A copy of the assumption or acknowledgment shall be presented to the city within ten (10) days of the transfer.

**E. Responsible Person:** The owner of record, as recorded in the county recorder's office records, of the property upon which a violation of this nuisance code shall be presumed to be a person having lawful control over the property, building or premises. If more than one person shall be recorded as the owner, said person shall be jointly and severally presumed to be persons having lawful control over the property, building or premises.

**4-1-20: PROHIBITED DEPOSITS; MISDEMEANOR:**

It is hereby made a misdemeanor to throw or dump, or cause or permit to be thrown or dumped, into any street, sidewalk, alley, gutter, creek or ditch within the city any ashes, cans, slop, manure, contents of spittoons, or any rubbish or filth or other refuse matter or to permit the same to accumulate on any premises within the city, or to convey and dump, or cause or permit the same to be conveyed and dumped to or upon any other place than that designated as the city dumping ground as the same is fixed and defined by the city council.

**4-1-21: CRIMINAL ACTION:**

Nothing in this chapter shall be construed to limit or prohibit the prosecution of the owner, or others, for a violation of any provision of this code or other ordinance affecting the health or welfare of the people by criminal complaint.

**4-1-22: EMERGENCY DECLARATION AND ABATEMENT:**

All contrary provisions in this chapter notwithstanding, whenever the building inspector or in his or her absence, the city clerk or designee, determines a public nuisance exists and the public health, safety or welfare may be in immediate danger, then he or she shall notify the mayor and/or a majority of the city council who may call an emergency council meeting, in accordance with the open meeting law, to seek an abatement order from the city council. When emergency abatement is authorized, notice to the owner is not required prior to abatement; however, the provisions regarding notice of the statement of costs shall apply.

**4-1-23: METHOD OF ADOPTION AND EFFECT OF CHAPTER:**

That upon adoption, the city clerk is hereby directed to have the ordinance codified herein published, by title only, together with the council members voting for or against its passage, in

the *Ely Times* newspaper, a newspaper printed and published in the city, for at least one publication.

This chapter shall apply to all nuisances concerning any properties, conditions and uses with the city irrespective of whether the nuisance, use or condition was commenced or existed prior to the addition of this chapter.

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**Effective Date:** This ordinance shall become effective twenty days after its passage, approval, and publication according to law.

**Proposing Parties:** The foregoing ordinance was proposed by \_\_\_\_\_, at the regularly scheduled meeting of the Ely City Council on \_\_\_\_\_, read by title and referred to the City Council of the City of Ely, as a committee of the whole.

**Notice:** Notice of filing of such ordinance was duly given by publication as required by law.

**Reading:** It was read at the regular meeting on \_\_\_\_\_ and adopted by the following vote:

<b>VOTE:</b>	<b>AYES:</b>	_____
	<b>NAYES:</b>	_____
	<b>ABSENT:</b>	_____
	<b>ABSTAIN:</b>	_____

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
**NATHAN ROBERTSON, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JENNIFER LEE, CITY CLERK**

**Approved as to form and content**

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M. Leo Cahoon, Esq. City Attorney

**Explanation Documentation:**

**Funding Purpose:**

According to the USDA, more than 38 million people, including 12 million children, in the United States are food insecure. The pandemic has increased food insecurity among families with children. Every community in the country is home to families who face hunger, but rural communities are especially hard hit by hunger. Many households that experience food insecurity do not qualify for federal nutrition programs and visit their local food banks and other food programs for extra support. The ministerial association has seen increasing costs as well as increasing patronization of the holiday meals.

**Project description:**

The Holiday Feeding Program provides a healthy, fresh and nutritious meal to the community who are in hunger and need of social and emotional support and to the areas wherein we can see that the people cannot really accommodate their meals on a daily basis. This program also aims to give free meals to those in the community who are in need of food and community support. The Ministerial Association is seeking \$6,000 in funding from the City of Ely's ARPA funds to assist in this project.

**Identified need or negative Impact:**

For the previous two years the Ministerial Association has calculated the cost to put on the Thanksgiving and Christmas meals as \$9,700 for 2019 and \$10,200 for 2020. For this year the Ministerial Association has already paid out \$10,000 to put on just one of the usual two meals this season. These calculations include monetary expenditures as well as in-kind donations. The costs this year have risen exponentially roughly doubling over last year. The pandemic has exerted forces on the supply chain and economy in general driving up the costs to put on these meals as well as increasing the need for these meals in the community.

**How will the project address the need or impact:**

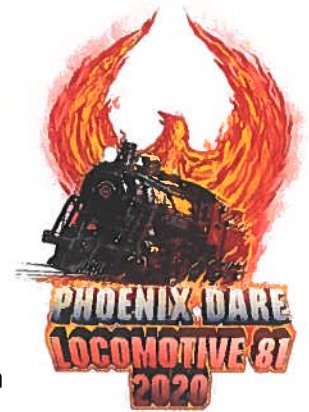
The additional funds that are being requested will allow the Ministerial Association to put on the second of their two holiday meals this year. The funding will also allow the Ministerial Association to continue providing take-and-make-at-home meals and take away plates for those who might not be comfortable or able to come to the public meals due to health concerns and/or pandemic issues.

**Other documentation:**

*(Other documentation showing calculations or analysis that support the assessment of the need or impact)*

# NEVADA NORTHERN RAILWAY

A NATIONAL HISTORIC LANDMARK



## Nevada Northern Railway Foundation

Depot: 1100 Avenue A, Ely, Nevada 89301

Mailing Address: PO Box 150040, Ely, Nevada 89315

Voice: (775) 289-2085 • Web: www.nnry.com • E-mail: info@nnry.com

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### Monthly Operations Report for November 2021

1. Locomotive Status – Updated
  - a. Locomotives in service: #81, #93, #105, #109, #204, Wrecking Crane A & Rotary B.
  - b. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs, she will be out of service until 2023.
  - c. Locomotives out of service needing moderate repairs: #201, #310 and #45
  - d. Locomotive 801 is being brought back into service. It is a very rare Baldwin VO diesel locomotive that is one of only eight left in existence.
  - e. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 801 and Rotary Snowplow B (for boiler overhaul.)
  - f. Locomotives out of service needing heavy repairs #802, #80 and the military locomotives.
3. Rolling Stock Status – No change
  - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
  - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
  - c. Caboose in service: #3, #6 and #22 are operational.
  - d. Caboose out service: #5
4. Track Status – No change
  - a. Keystone Branch is open
  - b. Adverse Branch is open.
5. Ridership and Ticket Sales – Updated
  - a. In November we carried 922 passengers. This is an increase of 230% over 2020, and an increase of 58% over 2019.
  - b. Year to date we have carried 15,002 passengers. This is an increase of 92% over 2021 and a 18% over 2019. We have carried more passengers this year than we did in either 2020 or 2019.
  - c. Since operations began in 1987, we have carried 326,404 passengers.
  - d. Ticket sales for Santa's Reindeer Flyer are very strong.

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#### **Award Winning Destination**

Best Tour in Rural Nevada – 2017

Nevada State Treasure – 2013 & 2012

Best Adrenalin Rush in Rural Nevada - 2020

Best Preservation Effort in the West • Attraction of the Year – 2012

Trip Advisor Certificate of Excellence – 2020, 2019, 2018, 2017, 2016, 2015, 2014

Best Museum in Rural Nevada – 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008

Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013

Best Place to Take the Kids in Rural Nevada 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

6. Social Media: Our reach on social media continues to expand, in the last 28 days:

- a. We reached 2,512,616 people, an 80% decrease.
- b. Post reach was 512,797, a 34% decrease.
- c. Our page likes increased 1,273, an increase of 12%
- d. We have 114,861 page likes.
- e. 147,838 people follow our page.

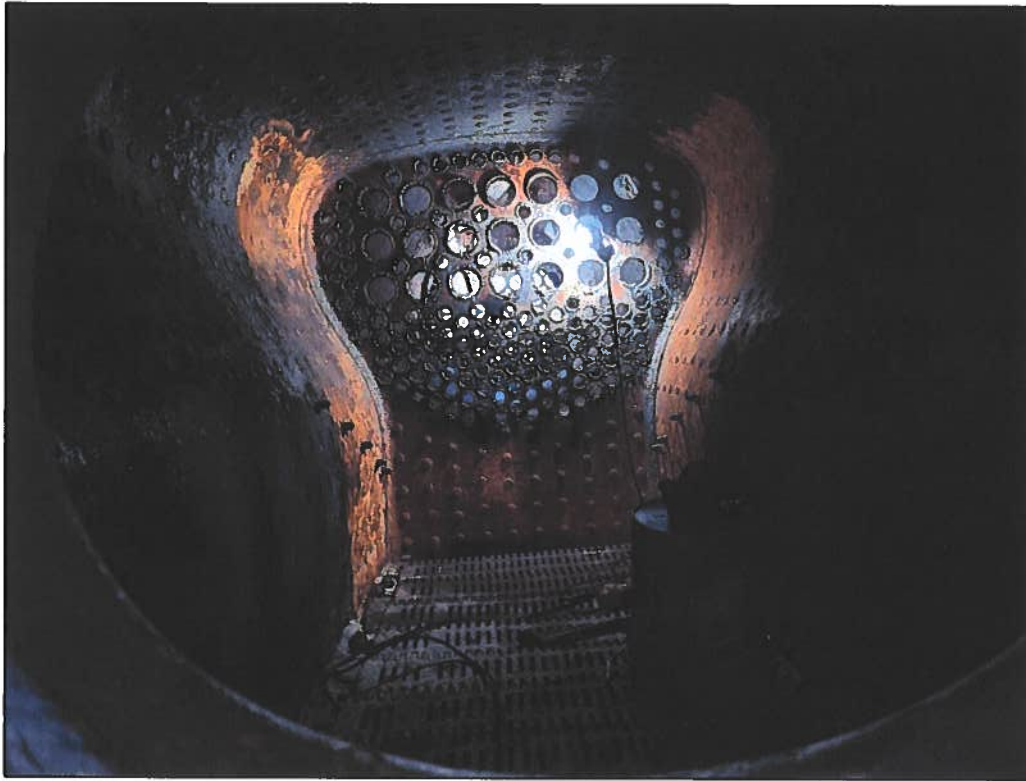
#### 7. Locomotive 40 Overhaul

Every 15 years or 1472 operating days, a steam locomotive is required to have its boiler inspected. This is mandated by the Federal Railroad Administration (FRA). We are at the 15-year mark with Locomotive 40. During this boiler inspection we will also address issues on the running gear.



As part of the boiler inspection all of the tubes have to come out of the boiler.





This is a view looking into the firebox. The tube ends have to be removed from the front flue sheet. Once this is completed the boiler will be closed, inspected, and then looked for imperfections.

Hidden away in the Nevada Northern Railway engine house is another rare locomotive. It is Locomotive 801, a VO-1000 diesel-electric switcher that was built by the Baldwin Locomotive Works in December 1942. It was used as a switcher at the McGill smelter and was in service until 1983.

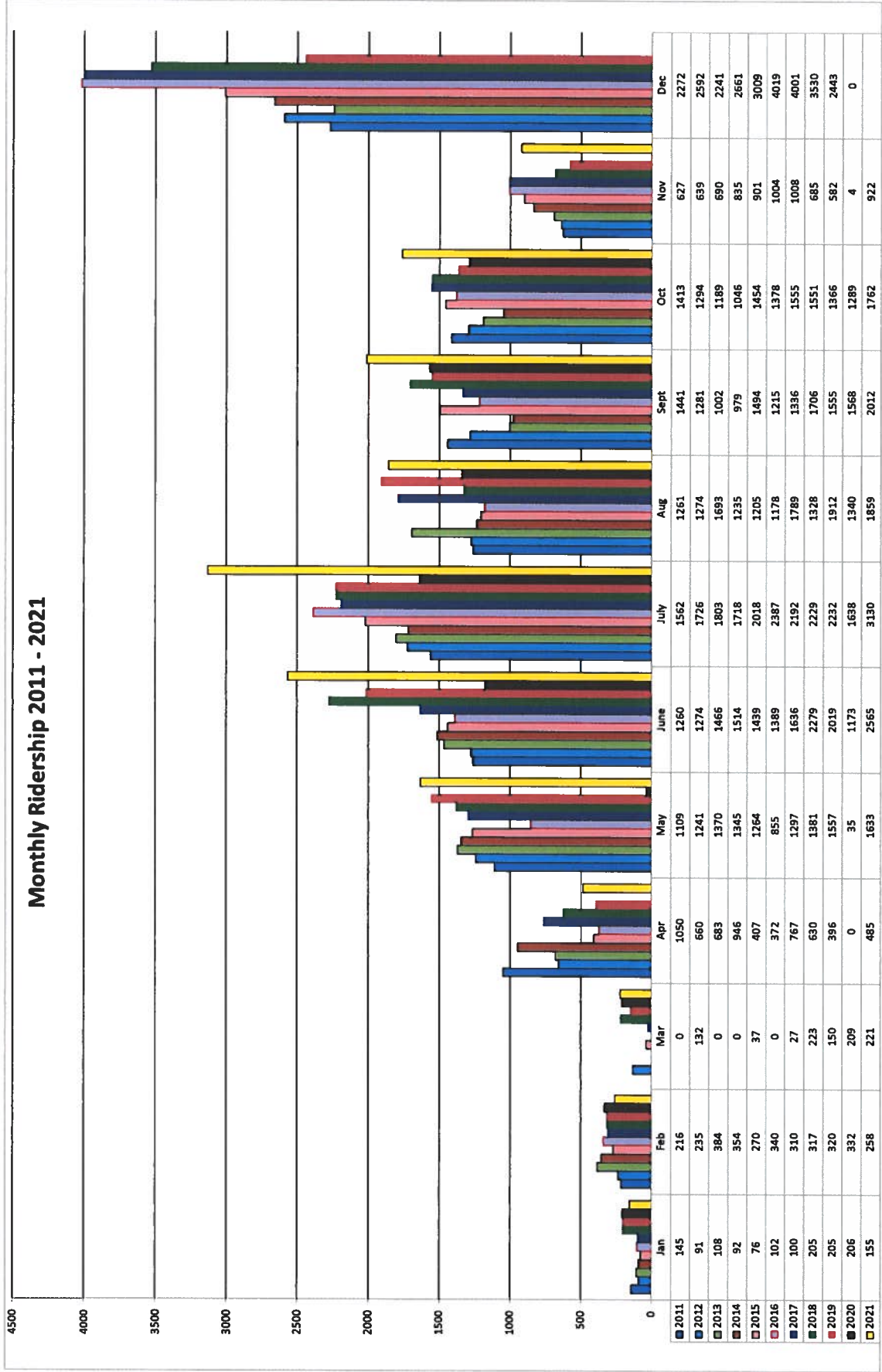


The VO-1000 was a popular Baldwin diesel locomotive, 548 locomotives were produced. Locomotive 801 was the 104th VO-1000 built. Today there are only eight surviving examples of the VO-1000. Our goal is to put Locomotive 801 back in service.

We have mechanically gone through the locomotive. When she was parked in 1983, she had been in service. We believe to operate Locomotive 801; all it needs are batteries. If we are going to put her into operation, she will need a paint job too. The combination of batteries and paint will come to \$25,000. Our members have donated the funds to purchase the batteries.



# Monthly Ridership 2011 - 2021



# Total Ridership

1987 - 2021

327,326 Passengers  
Through November 30, 2021

