

CONTROL OF AIR POLLUTION NUISANCES
INCLUDING FUGITIVE DUST¹

EXHIBIT "A"

ARTICLE 1: GENERAL PROVISIONS

8.15.010 Short Title, Repeal of Former Provisions.

This Chapter, 8.15, shall be known, and may be cited as: "Control of Air Pollution Nuisances Including Fugitive Dust." All provisions of Title 16, Chapter 16.16.010 (K), "Dust and Sand Control" are hereby repealed.

Title 16, Chapter 16.16.010(K), upon repeal, is hereby substituted for and amended in its entirety so as to effect proper placement of this Chapter, in Title 8, of the Churchill County Code, as follows.²

K. Dust and Sand Control:

Any landowner effecting a division of land as provided for by this Chapter or who is otherwise subject to the provisions of this Chapter, or any person engaging in any construction activity or other disturbance to real property, must comply with all of the provisions of Chapter 8.15 (Control of Air Pollution Nuisances Including Dust Control).

8.15.020 Authority and Purpose.

A. Authority. *This Chapter is adopted pursuant to authority of NRS 244.361(1) which provides that "the board[] of county commissioners . . . may, by ordinance regularly enacted, regulate, control and prohibit, as a public nuisance, the excessive emission of dense smoke, and air pollution caused by excessive soot, cinders, fly ash, dust, noxious acids, fumes and gases within the*

¹ All italicized text in this Exhibit is intended to reflect new text for inclusion in Chapter 8.15.

² Upon enactment, only Paragraph 1 of 8.15.010 need be codified.

boundaries of the county.” The board of county commissioners, pursuant to NRS 278.020 is further empowered to regulate and restrict the improvement of land and to control the location and soundness of structures.

B. The purpose of this Chapter is to:

- 1. Control, prevent, prohibit and regulate excessive emissions from existing surface disturbances, whether stationary or mobile, for the purpose of eliminating dense smoke and air pollution within Churchill County, Nevada.*
- 2. To improve air quality in order to protect the health, safety and general welfare of residents within Churchill County, Nevada.*

8.15.030 Effect on Agricultural Operations.

This Chapter is intended to fully permit all agricultural operations involving customarily accepted practices on agricultural lands. Agricultural operations involving customarily accepted practices on agricultural lands are not public nuisances as defined in this Chapter.

8.15.040 Declaration of Nuisance.

- A. It is hereby declared that the excessive emission of dense smoke and air pollution caused by excessive soot, cinders, fly ash, dust, noxious acids, fumes and gases from any source, including a disturbance to real property, within Churchill County, Nevada, are public nuisances. The same are subject to abatement, control, prevention, prohibition, and regulation as provided for by this Chapter.*
- B. As used in this Section, the term public nuisance shall specifically include the disturbance to real property caused by the discontinuation of irrigation, by sale or lease, of appurtenant water rights in anticipation of, or actual transfer to, a non-appurtenant use -inconsistent with continued cultivation of the lands to which the water use described is appurtenant where such discontinuation results in air pollution or excessive emissions.*

8.15.050 Jurisdiction.

The provisions of this Chapter shall apply to the unincorporated areas of Churchill County, Nevada. The provisions of this Chapter do not impose a duty upon an owner of real property to control or mitigate dust related pollution associated with publicly maintained roads providing access to his or her real property.

8.16.060 Definitions.

“Agricultural operations” means all agricultural, horticultural, viticultural and vegetable producing operations of the soil, milk and dairy, poultry and livestock, haying, or any other operation involving the growing of crops for sale or for the support of other persons or animal life.

“Air pollution” means the presence in the outdoor atmosphere of one or more air contaminants or any combination thereof, including without limitation fugitive dust and sand, in such quantity and duration as may tend to:

- 1. Injure human health or welfare, animal or plant life or property;*
- 2. Limit visibility or interfere with scenic, aesthetic and historic values of the County; and,*
- 3. Interfere with the enjoyment of life or property.*

“Ambient Air” means that portion of the atmosphere, which is external to buildings, structures, facilities or installations to which the public has access.

“Atmosphere” means all the air surrounding the earth and external to buildings and structures.

“Best Practical Methods” means air pollution control measures including, without limitation, phased clearing of lands; the use of dust palliative; the use of water; the use of snow fencing (a fencing material that inhibits the wind); the use of windbreaks; re-vegetation (excluding noxious weeds); the use of ground cover (e.g. gravel, decorative stone); physical barriers and signs to prohibit access to the disturbed areas by motorized vehicles; controls on single lot development approved as a part of a land division subject to these regulations; or cessation of operations when wind conditions exceed the operator’s ability to control fugitive dust. The term “Best Practical Methods” is synonymous with the “Best Management Practices”.

“Burn Barrel” means a container made of metal or other fire resistant substance used to hold vegetative or combustible material while burning.

“Builder” means a person who is engaged in any construction activity.

“Commercial and Residential Construction” means construction or placement of structures intended to be utilized solely as personal dwellings, including but not limited to single-family dwellings, duplexes, fourplexes, apartments, condominiums, town houses; construction of institutional structures, schools, libraries, churches, hospitals, parks, office structures; shopping malls; residential streets within a subdivision; improvements to existing curbed paved roads; parking lots, parking lot structures; and

construction of underground utilities for sanitary sewer, water, electricity, natural gas and communication.

“Contractor” means a person acting as an agent of a landowner who is engaged in construction activity or other disturbance to real property.

“Construction Activity” means any component of the following including, without limitation: commercial and residential construction, flood control construction, and highway construction, including land clearing; maintenance, and land cleanup using machinery; soil and rock excavation or removal; soil or rock hauling; soil or rock crushing or screening; filling, compacting, stockpiling and grading; explosive blasting; demolition; implosion; handling of building materials capable of entrainment in air (e.g., sand, cement powder); dismantling or demolition of buildings; and mechanized trenching

“Control Measure” means a technique, practice, or procedure used to prevent or minimize the generation, emission, entrainment, suspension, and/or airborne transport of fugitive dust.

“Control Officer” means the duly employed and sworn code enforcement officer for Churchill County, Nevada.

“Corrective Action” means any action taken under this chapter by the control officer or any person for the purpose of eliminating dense smoke or air pollution.

“County” means Churchill County, Nevada, a political subdivision of the State of Nevada.

“Developer” means a person or persons responsible for the development of real property consisting of construction activity or the act of causing a land development.

“Disturbed Area” means a portion of the earth’s surface (or material placed thereupon), which has been physically moved, uncovered, or destabilized, thereby increasing the potential for the emission of fugitive dust. Any area that fails the Drop Ball Test or Rock Test as defined in the Dust Control Handbook is a Disturbed Area.

“Dust” means fine dry pulverized particulate matter including, without limitation, earth and sand.

“Dust Control Handbook” means a guide used to select the appropriate Best Practical Methods appropriate for each construction activity that will be used to control fugitive dust and itemized in a Dust Control Plan and a guide to the test methods that determine stabilization standards”

“Dust Control Plan” means a plan to formalize the Best Practical Methods (all the selected Control Measures) for a project-specific fugitive dust control program.

“Dust Palliative” means gyrosopic material, non-toxic chemical stabilizer or other material which is not prohibited for ground surface application by the federal Environmental Protection Agency (EPA) or the Nevada Department of Environmental Protection (NDEP) or any applicable law or regulation, used as a treatment material for reducing fugitive dust emissions. Water, solutions of water and chemical surfactants, and foam are not Dust Palliatives for the purpose of these regulations.

“Dust Suppressant” means water, hygroscopic material, solution of water and chemical surfactants, foam, non-toxic chemical stabilizer or any other dust palliative which is not prohibited for ground surface application by the federal Environmental Protection Agency (EPA) or the Nevada Department of Environmental Protection (NDEP) or any applicable law or regulation, used as a treatment material for reducing fugitive dust emissions.

“Emergency” means a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including Acts of God, that requires immediate corrective action to restore normal operations.

“Emission” means the act of passing into the atmosphere a pollutant regulated under this chapter. The term includes the material passed to the atmosphere.

“Excessive emission” means emissions such as soot, cinders, fly ash, dust, noxious acids, fumes, gases, and smoke, in such quantity and duration as may tend to:

- 1. Injure human health or welfare, animal or plant life or property;*
- 2. Limit visibility or interfere with scenic, aesthetic and historic values of the County; and,*
- 3. Interfere with the enjoyment of life or property.*

“Fugitive Dust” means fine dry pulverized particulate matter, including earth and sand, which is not collected by a capture system, which is entrained in the ambient air, and which is caused from human and/or natural activities, including, without limitation, movement of soil, vehicles, equipment, blasting, wind, or the cessation of water to irrigated lands.

“Garbage”. Putrescible animal and vegetable wastes resulting from the handling, storage, sale, preparation, cooking and serving of food.

“Grubbing and Clearing” means to clear an area by digging up roots and stumps.

“Hearing Officer” means any person or persons appointed by the board of county commissioners to conduct any hearing or proceeding under the provisions of this chapter, including, without limitation, the administration of oaths, the receipt of

evidence, and the entry of findings of fact and law.

“Open Areas and Vacant Lots” means any of the following described in subsections (A) through (F) below. For purposes of this chapter, vacant portions of residential or commercial lots that are immediately adjacent and owned and/or operated by the same individual or entity are considered one vacant open area or vacant lot.

- (A) An unsubdivided or undeveloped tract of land.*
- (B) A subdivided lot, which contains no approved or permitted buildings or structures of a temporary or permanent nature.*
- (C) An undeveloped or partially developed lot.*
- (D) Non-road easements.*
- (F) An area of land upon which the application of water, for purposes of irrigation, has been discontinued.*

“Open Burning” means any fire from which the products of combustion are emitted into the atmosphere without passing through a stack, chimney, or duct.

“Person” means the United States of America, the State of Nevada, any political subdivision of the State of Nevada, any individual, group of individuals, partnership, firm, company, corporation, association, trust estate, political subdivision, administrative agency, public or quasi-public corporation, or other legal entity.

“Refuse” means any:

- (A) Garbage.*
- (B) Sludge from a:
 - 1. Plant that treats waste water.*
 - 2. Plant that treats the water supply.*
 - 3. Facility for controlling air pollution.**
- (C) Other discarded material, except yard waste, including solid, semi- solid, liquid or contained gaseous material, resulting from industrial or commercial operations or community activities.*

“Roads” means all publicly maintained roads within Churchill County.

“Rubbish” means non-putrescible solid waste, consisting of both combustible and noncombustible wastes such as paper, cardboard, abandoned automobiles, tin cans, wood, glass, crockery and similar materials.

“Stop Order” means an order given to a person by the control officer, the hearing

officer, or by the judge of a court of competent jurisdiction to immediately cease an activity resulting in the emission of dense smoke or air pollution.

“Trackout” means earth materials that adhere to the wheels and equipment of construction vehicles and equipment on a construction site and is deposited on a paved road as the vehicles enter or leave said construction site.

“Unpaved Parking and Storage Areas” means those parcels, or portions of parcels that include (but are not limited to) parking lots, automotive impound and/or dismantling yards, material and equipment handling and/or storage yards, salvage and/or wrecking yards, outside storage and/or display, and similar uses.

8.16.070 Enforcement and Penalties.

- A. *Enforcement. The control officer shall be responsible for enforcement of all provisions of this Chapter.*
- B. *Violations. Failure to comply with any requirement of this Chapter is a violation and is subject to imposition of a penalty as further described in this Chapter. The control officer may issue a written Notice of Violation to the person causing air pollution or excessive emissions. Such Violations may include, without limitation, the following:*
 - 1. *The violation of any provision of this Chapter;*
 - 2. *The violation of any term or condition of any plan created to reduce or eliminate excessive emissions;*
 - 3. *Failure to pay a fee or fine;*
 - 4. *Falsification of any material statement, representation or certification in any application, notice or report made under this Chapter; or*
 - 5. *Penalty provisions provided for by Title 1, Chapter 1.12 (Administrative Procedures).*
- C. *Any person who violates any provision of this Chapter may be further punished by a fine of not more than \$10,000 for each day of any violation.*
- D. *Any person engaged in a violation of this Chapter may be referred to the Churchill County District Attorney’s Office, by the control officer, for commencement of a criminal prosecution.*
- E. *The control officer may issue a “Stop Order” to any person engaged in any*

disturbance to land, or any improvements thereto, resulting in an air pollution nuisance in Churchill County.

- F. *Any person served with a “Stop Order” must immediately cease all activities causing air pollution. Such a person may, after correction of the conditions causing air pollution, make application to rescind the “Stop Order” setting forth all facts and circumstances in favor of the application. In the event that the Control Officer finds that the circumstances justifying the “Stop Order” no longer exist, the order must be rescinded. If rescission of the “Stop Order” is not warranted, the Control Officer must issue a written summary of findings to the applicant. Any person aggrieved by the decision of the Control Officer may pursue an appeal as provided for by Chapter 1.12 of this Code.*

8.16.080 Interpretation, Conflict, Construction, Severability and Constitutionality.

- A. *In their interpretation and application, the provisions of this chapter shall be held to the minimum requirements. More stringent requirements may be imposed upon a showing of cause that such are necessary to promote the public health, safety and welfare.*
- B. *The provisions of this Chapter are intended to govern all procedures relating to any air pollution nuisance. Unless inconsistent with the express provisions of this Chapter, the general terms of Chapter 1.12 are intended to govern all administrative procedures.*
- C. *The provisions of this Chapter are severable. If a section, sentence, clause, or phrase of this Chapter is adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the decision shall not affect the remaining portions of this Chapter.*
- D. *The words and terms defined in Section 8.16.060 hereof are used in the singular and shall include a plural construction and the plural shall include a singular construction. Each gender shall include the others. Any tense shall include the other tenses. The terms “shall” or “must” are to be construed as mandatory. The words “may” and “should” are permissive.*

8.16.090 Control Officer-Duties and Authority

- A. *The administrative enforcement of the provisions of this Chapter shall be performed by the Control Officer subject to review by the Board of County Commissioners.*
- B. *No person shall refuse entry or access to the Control Officer, or other*

authorized representative of Churchill County, Nevada who requests entry for purposes of enforcement of the provisions of this Chapter, and who presents with appropriate credentials. No person may obstruct, hamper or interfere with any enforcement action, including without limitation, a preliminary investigation.

- C. *The Control Officer may require from any person such information as will disclose the nature, extent, quantity or degree of air contaminants which are or may be discharged from a source of air pollution.*
- D. *Whenever the Control Officer believes that a statute or regulation for the prevention, abatement or control of air pollution has been violated he shall cause written notice to be served in person or by certified mail upon the person or persons responsible for the alleged violation.*
- E. *The notice of violation issued under this Section shall specify as follows:*
 - 1. *The statute or regulation alleged to be violated.*
 - 2. *A summary of facts alleged to constitute the violation.*
 - 3. *The notice may include an order to take corrective action within a reasonable amount of time. Such corrective action shall be specified in the notice.*
 - 4. *Corrective action includes any stop order issued under Section 8.16.070(E) hereof. Any stop order will be specified in the notice.*
- F. *Any corrective action notice or stop order issued under this Section becomes final unless appealed to the Hearing Office as provided for by Chapter 1.12.400 of this Code, within ten (10) days after service upon the person ordered to take corrective action.*
- G. *Any corrective action or stop order may be immediately appealed to the Hearing Officer. The hearing officer, may upon a finding made at a hearing in the matter determine to stay the corrective action or stop order issued to a person by the Control Officer. An appeal of any decision by the hearing officer may be made to the Board of County Commissioners. Such an appeal must be made within ten (10) days of the date of decision made by the Hearing Officer.*
- H. *A corrective action order appealed to the Hearing Officer becomes final immediately upon its approval by the Hearing Officer.*
- I. *Failure to comply with a final corrective order or stop order is a violation of this Chapter.*
- J. *If corrective action is not taken within the time specified, with or without a corrective order, the Control Officer may issue notice for the person or persons*

responsible for the alleged violation(s) to appear before the Hearing Officer for imposition of an appropriate penalty and/or order to show cause.

- K. Nothing in this Section prevents the Board of County Commissioners or the Control Officer from attempting to obtain voluntary compliance through other means, including, without limitation, issuance of a warning or a conference.*
- L. When a person has not complied with the terms of this Chapter, the Control Officer may initiate an action in the District Court or other court of competent jurisdiction for injunctive relief, as provided for by Section 8.16.110 hereof.*
- M. The Control Officer shall maintain all procedural forms and instructions relating to this Chapter and shall make such forms and instructions available upon request by any interested person. The Control Officer shall be responsible for the creation of the dust control handbook and all rules and schedules associated with assessments, fees, and fines under this chapter. The board of county commissioners shall approve the dust control handbook and any schedule of assessments, fees, and fines, or any amendments thereto, by resolution.*
- N. The Control Officer shall be responsible to provide public awareness as to the abatement, control, prevention, prohibition, and regulation of excessive emissions and air pollution.*
- O. The Control Officer must consult with the Nevada Department of Agriculture as to any alleged nuisance affecting an agricultural operation within Churchill County prior to any enforcement action being taken under this Chapter.*
- P. All information acquired for purposes of an enforcement action under this chapter is deemed confidential and must not be released to any unauthorized person.*

8.16.100 Penalty for Failure to Comply with Order; Misdemeanor.

Failure to comply with an administrative order constitutes a misdemeanor as provided for by Chapter 1.12.470.

8.16.110 Injunctive Relief.

In addition to any remedy of law under this Chapter, the Control Officer may apply to a court of competent jurisdiction for other equitable and injunctive relief to enforce compliance with, or to restrain violations of any provision of this Chapter, or of any rule or resolution made and adopted pursuant thereto.

ARTICLE 2: CONTROL MEASURE REQUIREMENTS

8.16.200 Fugitive Dust.

- A. *Any person engaged in activities that disturb the soil, so causing dust emissions into the atmosphere shall take all reasonable precautions to prevent **excessive** emissions into the atmosphere that may be injurious to health and safety.*
- B. *Agricultural operations involving customarily accepted practices on agricultural lands are not public nuisances as defined in this Chapter*
- C. *Certain activities identified in this section, that customarily produce **excessive** emissions of dust, shall be required to file a dust control plan with the County prior to the commencement of the activity, to ensure control measures are implemented to abate and prevent excessive emissions.*

8.16.210 Construction Activities.

“Construction Activity” means any component of the following including, without limitation: commercial and residential construction, flood control construction, and highway construction, including land clearing; maintenance, and land cleanup using machinery; soil and rock excavation or removal; soil or rock hauling; soil or rock crushing or screening; filling, compacting, stockpiling and grading; explosive blasting; demolition; implosion; handling of building materials capable of entrainment in air (e.g., sand, cement powder); dismantling or demolition of buildings; and mechanized trenching.

- A. *Except when engaged in customarily accepted agricultural operations, no person may initiate a construction activity that results in the emission of fugitive dust unless Best Practical Methods are taken to prevent generation of fugitive dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant, or undeveloped.*
- B. *Any construction activity or operation that requires a Surface Area Disturbance permit from the NDEP shall be required to file a dust control permit with the County. Any material which is tracked onto a paved roadway must be removed as quickly as safely possible. At a minimum all track-out must be cleaned up by the end of the workday or evening shift, as applicable. Exceptions to this provision may be made by the Churchill County Road Department for the construction, maintenance, and/or repair of paved roadways maintained by the County and for the application of traction materials for wintertime driving conditions.*

- C. *Any residential and commercial construction involving the disturbance or clearing of aggregate one (1) acre or more must file a dust control plan with the Churchill County Planning Department prior to commencement of the construction activity. The Dust Control Plan shall specify the use of Best Practical Methods to control the generation of fugitive dust. For control measures involving chemical or organic soil stabilization, records shall indicate the type of product applied, vendor name, label instructions for approved usage, and the methods, frequency, concentration, and quantity of application. The contractor/owner will:*
- i) *Maintain a written record of self-inspection made each day when soil disturbing work is conducted.*
 - ii) *Install a sign on said property prior to commencing construction activity that is visible to the public and conforming to County policy on Dust Control Permit Design and Posting of Signage as described in 8.17.280, posting of Informational Signs on Construction Sites.*
 - iii) *When construction is complete.*
 - iv) *Remove as quickly as safely possible any material which is tracked onto a paved roadway. At a minimum all track-out must be cleaned up by the end of the workday or evening shift, as applicable. Exceptions to this provision may be made by the Churchill County Road Department for the construction, maintenance, and/or repair of paved roadways maintained by the County and for the application of traction materials for wintertime driving conditions.*
- D. *Demolition of any commercial or residential structure by other than manual means.*
- E. *The following construction related activities do not require a Dust Control Plan:*
- 1. *Landscaping by an individual at his/her place of residence;*
 - 2. *Emergency maintenance activities conducted by government agencies on publicly maintained roads, road shoulders, rights-of-way and on public flood control facilities.*

8.16.220 Unpaved Parking and outdoor Storage Areas.

- A. *The owner of any unpaved parking area and outdoor storage area for any commercial or industrial operation shall prevent excessive emissions of dust into the atmosphere that may be injurious to health, safety and property.*

8.16.230 Open Areas and Vacant Lots.

A. *The owner of any open areas, vacant lots, or contiguous parcels with Disturbed Areas in aggregate of more than one (1) acre is required to control the release of fugitive dust from the parcel or contiguous parcels by implementing one or more of the following Best Practical Methods:*

1. *Physical barriers and signs to prohibit access to the disturbed areas by motorized vehicles;*
2. *The use of ground covers (e.g. gravel, decorative stone);*
3. *The use of dust palliative (chemicals that bind soil together and retain moisture);*
5. *The use of windbreaks including snow fencing*
6. *The application of water in an amount and frequency adequate for the soil to develop a crust; or*
7. *Revegetation.*

Or, develop the property by constructing on site improvements such as structures, landscaping, driveways, and parking areas that result in controlling fugitive dust.

In the event that the disturbed areas are primarily the result of recurrent unauthorized use of the property by motorized vehicles, the application of water is not a suitable Control Measure without the erection and maintenance of physical barriers. Parking on Open Areas and Vacant Lots for private purposes by the owner of such Open Areas and Vacant Lots shall not be considered vehicle use under this subsection.

B. *Mechanized Weed Abatement and/or Trash Removal: If machinery is used to clear weeds and/or trash from Open Areas and Vacant Lots larger than one (1) acre, then the following Control Measures shall be applied.*

1. *Pre-wet surface soils before mechanized weed abatement and/or trash removal occurs; and,*
2. *Maintain soil moisture while mechanized weed abatement and/or trash removal is occurring; and,*
3. *Apply water, or apply a suitable dust palliative, in compliance with the stabilization standard set forth in 8.16.260 A, apply gravel in compliance with the*

stabilization standard set forth in 8.16.260 B, or pave after mechanized weed abatement and/or trash removal occurs.

4. In order to conserve water resources within Churchill County to the greatest extent practicable, the use of reclaimed water is highly encouraged.

8.16.250 Burning.

A. Except as otherwise provided for by law or this Chapter, no person shall kindle or maintain any open burning which results in the excessive emission of dense smoke, soot, cinders, fly ash, fumes or air pollution that may cause injury to health, safety and property.

B. Burning of material that may result in excessive emissions of dense smoke must get approval from the Fire Marshal or Control Officer prior to burning.

8.16.260 Discontinued Agricultural Operations.

A. No person shall cause or permit air pollution or fugitive dust as a result of the discontinuance of irrigation, by sale or lease, of appurtenant water rights in anticipation of, or actual transfer to, a non-appurtenant use, inconsistent with continued cultivation of the lands to which the water use is appurtenant.

B. Any person who has caused the discontinuance of irrigation as described in subsection A hereof must apply the following Best Practical Methods:

- 1. Physical barriers and signs to prohibit access to the disturbed areas by motorized vehicles;*
- 2. The use of ground covers (e.g. decorative stone) or leaving adequate stubble from prior years' crop production undisturbed*
- 3. The use of dust palliative (chemicals that bind soil together and retain moisture);*
- 4. The use of windbreaks, including snow fencing*
- 5. The application of water in an amount and frequency adequate for the soil to develop a crust; or*
- 6. Re-vegetation.*

8.16.270 Stabilization Standards. One of the following methods may be used to determine whether a site has a stabilized surface. Details and specifications may be found in the Dust Control Handbook

- A. *Drop Ball Method*
- B. *Rock Test Method*

8.16.280 Posting of Informational Signs on Construction Sites.

A. *The Dust Control Plan sign shall be constructed with weatherproof materials capable of withstanding the harsh environment (e.g., strong winds, intense sunlight) and with black lettering on a white background clearly legible from the street.*

B. *The sign board shall contain the following information:*

- a. *Project name;*
- b. *Project street address*
- c. *Owner/Operator name;*
- d. *Telephone number of person responsible for dust control;*
- e. *Churchill County Planning Department telephone number;*
- f. *Project acreage.*

C. *The signboard must be legible from the road and not obstructed by other signs or materials.*

D. *Where a builder, contractor, or developer has placed a proprietary or informational sign at a construction site, and where such sign is in substantial compliance with this section, no further other sign is necessary under this section.*

E. *Where construction can reasonably be completed in two (2) weeks or less a landowner may request a variance to the requirements of this section from the Control Officer.*

F. *Highway construction activities that are limited to road repairs or in the right-of-way where the activity continually moves forward may use a sign that is mobile or apply for variance to the Control Officer if the project is less than two (2) weeks in duration.*