

1 **BILL NO. 2010-37**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE RELATING TO THE CITY'S ADMINISTRATIVE CODE; AMENDING THE
4 SUPPLEMENTAL DOCUMENT TO THAT CODE TO ADOPT NEW FEE TABLES APPLICABLE
5 TO PERMITS, INSPECTIONS AND OTHER SERVICES PERFORMED IN CONNECTION WITH
THE CITY'S TECHNICAL CODES, AND TO MAKE OTHER PERMIT-RELATED
ADJUSTMENTS; AND PROVIDING FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Gary Reese

Summary: Amends the City's Administrative
Code to adopt new fee tables applicable to
permits, inspections and other services
performed in connection with the City's
technical codes, and to make other
permit-related adjustments.

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10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
11 AS FOLLOWS:

12 SECTION 1: The document entitled "A Supplemental Document Amending the
13 Uniform Administrative Code, 1997 Edition," which was adopted by Ordinance No. 5884, is hereby
14 amended as set forth in Sections 2 to 6, inclusive, of this Ordinance.

15 SECTION 2: Section 6 of the Supplemental Document referred to in Section 1 is
16 hereby repealed and a new Section 6 is adopted in lieu thereof, reading as follows:

17
18 **Section 6: Section 301 is hereby amended by deleting Subsection 301.1 and**
19 **substituting therefor a new Subsection 301.1 and a new Subsection 301.1.1,**
20 **reading as follows:**

21 **301.1 Permits Required. Except as specified in Subsection 301.1.1 of this**
22 **Section or in Section 26 of this Supplemental Document, no building, structure,**
23 **building service equipment or onsite improvement regulated by this Code or any**
24 **of the technical codes shall be erected, constructed, enlarged, altered, repaired,**
25 **moved, improved, removed, converted, or demolished unless a separate,**
26 **appropriate permit for each building, structure, building service equipment or**
27 **onsite improvement has first been obtained from the Building Official. If work**
28 **is commenced before a necessary and appropriate permit for the work has been**

1 obtained, the Building Official is authorized to charge an additional fee in the
2 amount of the building permit fee (i.e., a double fee).

3 301.1.1 Licensing and Contractor Requirements. No building permits
4 shall be issued for building work which is required to be performed by a licensed
5 contractor under NRS Chapter 624 unless the applicant is appropriately licensed
6 by the State of Nevada and is licensed to do business within the City. Whenever
7 two or more trades (building, plumbing, mechanical, or electrical) are to perform
8 work on a project, a general contractor must be retained for the project, unless
9 this requirement is waived by the Building Official. Where the preceding
10 sentence requires that a general contractor be retained, the general contractor
11 shall be responsible for acquiring the permits for all the trades to be involved in
12 the work, and shall be responsible for paying all fees associated with the work in
13 accordance with Table Nos. 3-A, 3-B and 3-C. A general contractor to whom a
14 permit is issued shall be responsible for all work authorized for the project and
15 shall post at the job site a list of all subcontractors doing work on the job with
16 their names, their State subcontractor's license numbers and classifications and
17 their City business license numbers. Mechanical, electrical and plumbing
18 subcontractors shall register with the Department when all permits have been
19 taken out by the general contractor. The general contractor and subcontractors
20 must meet all applicable qualifications and requirements described in the
21 technical codes.

22 NOTE: Additional licensing requirements concerning plumbing work are
23 contained in Sections 23 to 30, inclusive, of this Supplemental Document.
24 Additional licensing requirements concerning mechanical work are contained in
25 Sections 31 to 34, inclusive, of this Supplemental Document.

26 SECTION 3: Sections 12, 13 and 14 of the Supplemental Document referred to in
27 Section 1 are hereby repealed and new Sections 12, 13 and 14 are adopted in lieu thereof, reading as
28 follows:

1 Section 12: Section 304 is hereby amended by deleting Subsection 304.1, 304.2,
2 and 304.3, and substituting therefor new Subsections 304.1, 304.2, and 304.3,
3 including their constituent parts, reading as follows:

4 **304.1 General Provisions.**

5 **304.1.1 Fees—Generally.** Fees shall be assessed in accordance with the
6 provisions of this Section and the fee tables adopted in connection with this
7 Supplemental Document, as amended by the City Council from time to time.
8 Political subdivisions which by law are exempt from the payment of building
9 permit fees are not exempt from:

- 10 1. The plan check fees described in this Section 304;
11 2. Sewer connection fees; or
12 3. Any other development-related fee, except to the extent provided
13 by law.

14 **304.1.2 Fee-Related Definitions.** For purposes of this Section 304:

- 15 1. “New construction” refers to new construction, remodels and
16 additions relating to the occupancies that are listed in Table No. 3-
17 A, as adopted in connection with this Supplemental Document.
18 2. “Included examination time,” with respect to a project and the fees
19 chargeable in relation thereto, means the amount of time
20 (measured in hours) that the Building Official has estimated as
21 necessary to complete the required review of plans by Building and
22 Safety staff for compliance with applicable codes relating to the
23 issuance of a building permit (plan check). The plan check fees
24 that have been set with respect to any particular type of project are
25 deemed to entitle the developer/contractor/owner of that particular
26 project to a level of effort and service from the Building and Safety
27 Department which reflects the “included examination time.” The
28 estimated hours of plan check time are represented in the base

1 plan check fee (calculated as the product of that number of hours
2 and the applicable hourly rate).

3 3. "Extraordinary examination time," with respect to a project and
4 the fees chargeable in relation thereto, means the time necessary to
5 conduct plan check that is in excess of the "included examination
6 time" for that project.

7 4. "Included inspection time," with respect to a project and the fees
8 chargeable in relation thereto, means the amount of time
9 (measured in hours) that the Building Official has estimated as
10 necessary to complete the required inspections of the on-site
11 construction work for completion of the project to a final
12 certificate of occupancy or completion. The fees that have been set
13 with respect to any particular type of permit are deemed to entitle
14 the developer/contractor/owner of that particular project to a level
15 of effort and service from the Building and Safety Department
16 which reflects the "included inspection time." The estimated hours
17 of building inspection time are represented in the base fee
18 (calculated as the product of that number of hours and the
19 applicable hourly rate).

20 5. "Extraordinary inspection time," with respect to a project and the
21 fees chargeable in relation thereto, means the time necessary to
22 inspect a project that is in excess of the "included inspection time"
23 for that project.

24 304.2 Plan Check Fees.

25 304.2.1 New Construction. For new construction, as defined in Subsection
26 304.1, the base plan check fee for each type of permit shall be the applicable base
27 plan check fee as set forth in Table No. 3-A under the heading "Effective July 1,
28 2010," determined with reference to the occupancy and the size basis thresholds

1 listed therein. Such base fees, which are subject to adjustment in accordance with
2 Sections 304.2.2 and 304.9, include plans examination to the extent represented
3 in the “included examination time” that has been established by the Building and
4 Safety Department for that project. Additional examination time (referred to as
5 “extraordinary examination time”) will be charged in accordance with Table No.
6 3-E.

7 **304.2.2 Size-Based Adjustment to Base Plan Check Fee.** For new
8 construction, as defined in Subsection 304.1, the applicable base plan check fee,
9 determined with reference to the occupancy and the size basis thresholds listed
10 therein, shall be increased, in accordance with Table No. 3-B, by the amount that
11 corresponds to the number of square feet by which the construction exceeds the
12 amount of the applicable threshold base plan check fee, taking into account the
13 applicable construction type listed in the various table columns.

14 **304.2.3 Other Construction.** For construction other than new
15 construction, as defined in Subsection 304.1, the plan check fee for each type of
16 permit shall be as set forth in Table No. 3-E under the heading “Effective July 1,
17 2010”. Those fees, which are subject to adjustment in accordance with Section
18 304.9, include plans examination to the extent represented in the “included
19 examination time” that has been established by the Building and Safety
20 Department for that project. Additional examination time (referred to as
21 “extraordinary examination time”) will be charged in accordance with Table No.
22 3-E.

23 **304.3 Permit and Inspection Fees**

24 **304.3.1 New Construction.** For new construction, as defined in Subsection
25 304.1, the base fee for each type of permit and the associated inspections shall be
26 the applicable base fee as set forth in Table No. 3-A under the heading “Effective
27 July 1, 2010,” determined with reference to the occupancy and the size basis
28 thresholds listed therein. Such base fees, which are subject to adjustment in

1 accordance with Sections 304.3.2 and 304.9, include:

- 2 1. The fees for the associated mechanical, plumbing and electrical
3 work;
- 4 2. Associated structural reviews; and
- 5 3. Inspections to the extent represented in the “included inspection
6 time” that has been established by the Building and Safety
7 Department for that project.

8 Additional inspection time (referred to as “extraordinary inspection time”) will
9 be charged in accordance with Table No. 3-E.

10 304.3.2 Size-Based Adjustment to Base Fee. For new construction, as
11 defined in Subsection 304.1, the applicable base fee, determined with reference
12 to the occupancy and the size basis thresholds listed therein, shall be increased,
13 in accordance with Table No. 3-C, by the amount that corresponds to the number
14 of square feet by which the construction exceeds the amount of the applicable
15 threshold base fee, taking into account the applicable construction type listed in
16 the various table columns.

17 304.3.3 Other Construction. For construction other than new
18 construction, as defined in Subsection 304.1, the fee for each type of permit and
19 the associated inspections shall be as set forth in Table No. 3-E. Those fees, which
20 are subject to adjustment in accordance with Section 304.9, do not include
21 necessary structural reviews, which shall be chargeable under Section 304.7, but
22 do include:

- 23 1. The fees for the associated mechanical, plumbing and electrical
24 work; and
- 25 2. Inspections to the extent represented in the “included inspection
26 time” that has been established by the Building and Safety
27 Department for that project.

28 Additional inspection time (referred to as “extraordinary inspection time”) will

1 be charged in accordance with Table No. 3-E.

2 304.3.4 Mechanical/Plumbing/Electrical Work Only. For work that is
3 limited to mechanical, plumbing, or electrical, the fee for each type of permit and
4 the associated inspections shall be as set forth in Table No. 3-D. Those fees,
5 which are subject to adjustment in accordance with Section 304.9, do not include
6 necessary structural reviews, which shall be chargeable under Section 304.7, but
7 do include inspections to the extent represented in the "included inspection time"
8 that has been established by the Building and Safety Department for that project.
9 Additional inspection time (referred to as "extraordinary inspection time") will
10 be charged in accordance with Table No. 3-E.

11
12 Section 13: Section 304 is hereby amended by adding to Subsection 304.6 thereof
13 a new paragraph, reading as follows:

14 304.6 Nonrefundable Fees. Except with respect to fees erroneously
15 collected, the following fees will not be refunded:

- 16 1. Administrative issuance fees.
- 17 2. Zoning requirement review fees collected on behalf of the Planning
18 and Development Department.

19
20 Section 14: Section 304 is hereby amended by adding thereto four new
21 subsections, designated as Subsections 304.7, 304.8, 304.9 and 304.10, reading
22 respectively as follows:

23 304.7 Miscellaneous and Other Fees. The following fees are chargeable
24 to the extent not included elsewhere under applicable fee tables:

- 25 1. Administrative issuance fees, which are chargeable under Table
26 Nos. 3-D and 3-E and apply to every permit, in addition to any
27 other charge.
- 28 2. Hourly fees for extraordinary examination time and extraordinary

1 inspection time as described in this Section 304 and as set forth in
2 Table No. 3-E.

3 3. All other fees set forth in Table Nos. 3-E and 3-F.

4 304.8 Interpretation of Fee Tables. In connection with certain items of
5 work or construction (or combinations of such items), it may be necessary to
6 consult more than one fee table in order to determine the amounts of all
7 applicable fees. The determination of which fee table or fee tables apply in any
8 particular case shall be within the discretion of the Building Official or his
9 designee.

10 304.9 Fee Increases. Unless otherwise determined by future action of the
11 City Council pursuant to Section 304.10:

- 12 1. All fees set forth in Table Nos. 3-A, 3-D and 3-E under the columns
13 "Effective July 1, 2010" shall be increased on July 1, 2012, and on
14 July 1, 2013, respectively, as set forth under the corresponding
15 columns in those Tables; and
16 2. On those dates, there shall be corresponding percentage-based
17 increases in the amounts set forth in Tables 3-B, 3-C and 3-F.

18 304.10 Fee Review. Before July 1, 2012, the Building Official shall review
19 the current fiscal performance of the City of Las Vegas Building and Safety
20 Enterprise Fund to determine the need for the fee increases described in Section
21 304.9. If the Building Official determines that the fee increases are not needed,
22 an appropriate agenda item to remove the increases shall be presented to the City
23 Council for action to do so.

24 SECTION 4: Section 22 of the Supplemental Document referred to in Section 1 is
25 hereby repealed and a new Section 22 is adopted in lieu thereof, reading as follows:

26 Section 22: Table Nos. 3-A, 3-B, 3-C, and 3-D, previously adopted by Ordinance
27 No. 5884, are hereby deleted in their entirety, and new Table Nos. 3-A to 3-F,
28 inclusive, which are attached hereto and incorporated by this reference, are

1 **adopted in lieu thereof.**

2 SECTION 5: Section 30 of the Supplemental Document referred to in Section 1 is
3 hereby repealed and a new Section 30 is adopted in lieu thereof, reading as follows:

4 **Section 30: Fees. Fees related to plumbing permits and plumbing work shall be**
5 **as set forth in Table Nos. 3-A to 3-F, inclusive.**

6 SECTION 6: Section 34 of the Supplemental Document referred to in Section 1 is
7 hereby repealed and a new Section 34 is adopted in lieu thereof, reading as follows:

8 **Section 34: Fees. Fees related to mechanical permits and mechanical work shall**
9 **be as set forth in Table Nos. 3-A to 3-F, inclusive.**

10 SECTION 7: The Department of Building and Safety is authorized to republish the
11 attached fee tables to remove any reference to the word “draft” and to file the final tables with the City
12 Clerk.

13 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
14 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
15 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
16 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
17 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
18 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
19 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
20 invalid or ineffective.

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1 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____, 2010.

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BEVERLY K. BRIDGES, MMC
12 City Clerk

13 APPROVED AS TO FORM:

14 Val Heed 7-21-10
15 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2010, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17

BEVERLY K. BRIDGES, MMC
City Clerk

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