



Las Vegas

Agenda Item No.: 4.

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013**

DEPARTMENT: CITY ATTORNEY  
DIRECTOR: BRADFORD R. JERBIC

Consent  Discussion

**SUBJECT:**

Bill No. 2013-24 - For Possible Action - Amends the City's version of the Southern Nevada Amendment to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply. Sponsored by: Councilman Bob Beers

**Fiscal Impact**

No Impact

Augmentation Required

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will amend the City's version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt buildings constructed before 2009 from having to comply with energy conservation standards in the 2009 Code if the original construction of the building and subsequent modifications complied with corresponding standards that were in effect at the time of the construction or modification.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2013-24
2. Business Impact Statement
3. Submitted at Meeting - Photos and a Copy of NRS 701.220 by Councilman Bob Beers

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0  
BOB COFFIN, STAVROS S. ANTHONY; (Against-RICKI Y. BARLOW); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

Minutes:

DEPUTY CITY ATTORNEY VAL STEED explained the purpose of the bill.

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DIANNA ORROCK, JOYCE HAZARD, GEORGE HARRIS and SUZETTE LAGRANGE discussed the reasons prompting them to support the proposed bill.

JENNIFER CHURCH, RANDY LEVINE, KENNETH BAKER, TRACEY FOGLESONG, MICHAEL CROW, LES LAZARECK, MISTY CONWAY, MARY VENABLE, PAUL MORADKHAN, JENNY PAGE, ROB GURDISON and TERRY MAYFIELD discussed concerns that led them to oppose the proposed bill.

RANDY LAVIGNE, Executive Director of the AIA Nevada, voiced her opposition to the proposed bill and confirmed for COUNCILMAN COFFIN that older buildings require the most updating.

MR. HARRIS discussed his personal experience with the building code when converting an old garage into a restaurant.

KENNETH BAKER, Energy Efficiency Consultant from Boise, Idaho, lauded the City's process of incorporating expert opinions when developing building and safety codes, but pointed out that the proposed bill would create inconsistencies among Southern Nevada jurisdictions.

COUNCILMAN COFFIN received confirmation from MS. CROWLEY that there were no forecast models completed during the drafting of the existing code.

STACEY CROWLEY, Nevada State Office Energy Director, stated that, from the standpoint of the State, there is a Nevada Revised Statute that expects all Nevada jurisdictions to adopt the 2009 International Energy Conservation Code (IECC). She discussed state initiatives to improve training, discussed the importance of Las Vegas as a trendsetter and confirmed that waivers could be requested.

COUNCILMAN ANTHONY questioned whether this ordinance violates state law and was told by MS. CROWLEY that this ordinance would violate state law. However, DEPUTY CITY ATTORNEY STEED stated that there are degrees of discretionary authority for the City.

COUNCILMAN BEERS, appearing as a member of the public and sponsor of the bill, made rebuttals to some of the oppositions comments. He then reviewed photos, as submitted for the record, and voiced concern that the current code was never vetted by industry professionals.

CHRIS KNIGHT, Director of Building and Safety, confirmed for COUNCILMAN BARLOW that he worked on this proposal for some time, but his understanding of state statutes leads him to conclude that the proposed bill would make the City non-compliant with the Nevada Revised Statutes and Nevada Administrative Code.

COUNCILMAN BARLOW received clarification from MR. KNIGHT that the IECC has an international outreach, although the board may be primarily American, with a wide range of interests represented by concerned businesses and industry professionals. MR. KNIGHT further confirmed that only those portions of a building that are being changed must conform to all



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applicable codes.

COUNCILMAN ANTHONY stated that he appreciates the conversations held this morning. In contrast to safety codes, energy codes are philosophical in nature which leads him to question whether the adaptation of these codes could lead to future regulations that could go so far as to dictate what people are allowed to purchase or use. He voiced his support for the bill.

COUNCILMAN BARLOW voiced his opposition to the bill.

COUNCILMAN BARLOW announced that the bills on this agenda will be eligible for adoption on June 5, 2013.

