

1 **BILL NO. 2023-18**

2 **ORDINANCE NO. 6844**

3 AN ORDINANCE TO AMEND THE UNIFORM HOUSING CODE, AS ADOPTED BY THE CITY, TO
4 REQUIRE AIR CONDITIONING IN DWELLING UNITS, GUEST ROOMS AND CONGREGATE
FACILITIES, AND PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilwoman Nancy Brune

Summary: Amends the Uniform Housing Code,
as adopted by the City, to require air conditioning
in dwelling units, guest rooms and congregate
facilities.

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8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
9 FOLLOWS:

10 SECTION 1: Title 16, Chapter 20, of the Municipal Code of the City of Las Vegas,
11 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 15, reading
12 as follows:

13 **16.20.015:** (A) The Uniform Housing Code and its supplemental document, as adopted by LVMC
14 16.20.010, are hereby amended so that the heading to Section 701, which currently pertains to heating and
15 ventilation, reads as follows:

16 **SECTION 701 -- Heating, Air Conditioning, Cooking Equipment and Ventilation**

17 (B) The Uniform Housing Code and its supplemental document, as adopted by LVMC
18 16.20.010, are hereby amended so that Subsections 701.1 and 701.1.1, which currently pertain to heating and
19 cooling facilities and cooking equipment, read as follows:

20 **701.1 Heating and Air Conditioning. All dwelling units, as defined in the International**
21 **Building Code (IBC) and International Residential Code (IRC) shall be equipped with active**
22 **or passive heating/cooling systems.**

23 **A. One and two-family dwellings that are designed in accordance with the IRC**
24 **shall also comply with the International Energy Conservation Guide and Air Conditioning**
25 **Contractors of America, Manual J – Residential Load Calculation, including Appendix 2.**

26 **The drawings submitted for permit in accordance with the provisions of this paragraph A**

1 must include a statement of compliance with this requirement by either the design
2 professional or mechanical contractor.

3 B. Dwelling units, except one and two-family dwellings, shall be designed in a
4 manner such that an interior temperature can be maintained between 68° F and 85° F, by
5 the use of active or passive heating or cooling systems. A Certificate of Compliance
6 certifying that the design meets the requirements of the Section and applicable building
7 codes must be sealed and signed by a Nevada Registered Design professional and submitted
8 to the Department of Community Development as a part of the permit submittal package.

9 C. As used in this Section:

10 1. An active heating/cooling system refers to any heating or cooling system
11 that requires a non-naturally occurring heating or cooling source in order to adjust the
12 temperature in a space.

13 2. A passive heating/cooling system refers to any heating or cooling system
14 that does not introduce a non-naturally occurring heating or cooling source in order to
15 adjust the temperature in a space.

16 **701.1.1 Cooking Equipment.** Cooking equipment, if provided, shall be maintained or
17 replaced so as to be in a functional and safe working condition.

18 (C) In Subsection (B) of this Section 16.20.015, the portion of Section 701.1 of the
19 Housing Code that requires air conditioning facilities shall apply as follows:

20 (1) As of October 1, 2023, with respect to new construction of dwelling units,
21 guest rooms and congregate facilities whose permits are issued on or after that date.

22 (2) With respect to dwelling units, guest rooms and congregate facilities
23 existing on October 1, 2023, or whose permits were issued before October 1, 2023, as of the date of either of
24 the following, as defined in the International Existing Building Code, as adopted by the City pursuant to
25 LVMC 16.06.010:

26 (a) A change of occupancy; or

1 (b) Any Level 3 alteration, where the work area exceeds 50 percent of
2 the building area.

3 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
4 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
5 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
6 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
7 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
8 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
9 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

10 SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
16 of this ordinance shall constitute a separate offense.

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1 SECTION 4: 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, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 26th day of September, 2023.


5 APPROVED:

6 By 
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12  8-1-23
13 Val Steed, Date
14 Deputy City Attorney
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of August, 2023, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 20th day of September, 2023, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers, Knudsen, Crear, Seaman, Diaz, Allen-Palenske and Brune
VOTING "NAY": None
EXCUSED: None
ABSTAINED: None

APPROVED:


CAROLYN G. GOODMAN, Mayor

ATTEST:


LUANN D. HOLMES, MMC City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2023-18

(Amends the Uniform Housing Code, as adopted by the City, to require air conditioning in dwelling units, guest rooms and congregate facilities)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of the contents of a proposed ordinance, Bill No. 2023-18, that will amend the Uniform Housing Code, as adopted by the City, to require air conditioning in dwelling units, guest rooms and congregate facilities.

1. The following constitutes a description of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Notification of the proposal was provided by email or US mail to approximately 2233 businesses within specified license categories deemed likely to be impacted or interested in the proposal, and to approximately 15 other individuals or organizations representative of business or identified as community partners. The draft language of the proposal was made available on the City's website and at the office of the City's Business Licensing Division. Recipients of the notification were invited to respond in writing and to submit comments, data or arguments regarding whether the proposal would impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business.

The City received 1 written response, providing input on behalf of an apartment owner. The response indicated disagreement with the focus and content of the proposal and a suggestion that compliance would result in higher rents that could be beyond affordability for some prospective tenants. The respondent did indicate that his apartments are already in compliance, so that the proposal doesn't impact him directly. The preceding sentences of this paragraph are the means by which the summary is made available to interested persons.

2. The estimated economic effect of the rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

For those who might not be providing air conditioning in their units already, the proposal could result in higher costs of construction or of equipping affected dwelling units.

Beneficial effects:

Helps ensure that units are habitable and that tenants and residents do not suffer from the adverse impacts of heat during summer months.

Direct effects:

See adverse and beneficial effects above.

Indirect effects:

None identified.

3. The following constitutes a description of the methods the local government considered to reduce the impact of the rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

No changes to the rule have been proposed, other than to adjust the date the new requirement is triggered.

4. The estimate of the annual cost to the local government for enforcement of the rule is:

It is anticipated that there will not be any additional costs to enforce this rule as most units will already be in compliance with this requirement.

5. If the rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable.

6. If the rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable.

7. If the rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains why such duplicative or more stringent provisions are necessary:

To the extent that other applicable standards do not require air conditioning, this proposal is deemed necessary to help ensure that affected residential units are habitable during summer months.

8. The reasons for the conclusions regarding the impact of the rule on businesses:

Any impact of the proposal on affected businesses is determined to be minimal in relation to the benefits provided.

CERTIFICATION

I certify that, to the best of my knowledge or belief, the information contained in this business impact statement was prepared properly and is accurate.

By: 
City Manager

Date: July 26, 2023

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED

2023 SEP 18 PM 12:07

OFFICE OF THE CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001248377

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/07/2023 to 09/07/2023, on the following days:

09 / 07 / 23

BILL NO. 2023-18

AN ORDINANCE TO AMEND THE UNIFORM HOUSING CODE, AS ADOPTED BY THE CITY, TO REQUIRE AIR CONDITIONING IN DWELLING UNITS, GUEST ROOMS AND CONGREGATE FACILITIES, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilwoman Nancy Brune

Summary: Amends the Uniform Housing Code, as adopted by the City, to require air conditioning in dwelling units, guest rooms and congregate facilities.

At the City Council meeting of
August 16, 2023

BILL NO. 2023-18 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

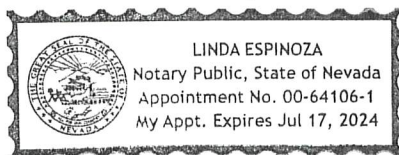
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: Sept. 7, 2023
LV Review-Journal

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of September, 2023

Notary 



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED

2023 SEP 28 AM 11:49

OFFICE OF THE CITY CLERK

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001250722

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/23/2023 to 09/23/2023, on the following days:

09 / 23 / 23

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ORDINANCE NO. 6844**

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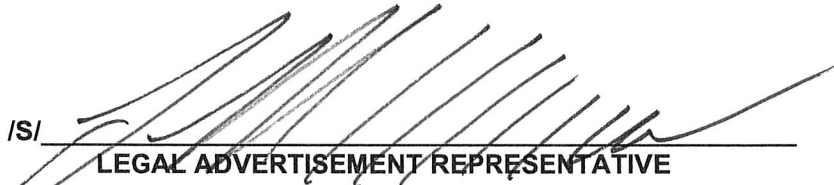
VOTING "AYE": Mayor Goodman and Councilmembers Knudsen, Crear, Seaman, Diaz, Allen-Palenske and Brune

VOTING "NAY": NONE

EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA

PUB: Sept. 23, 2023
LV Review-Journal

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of September, 2023

Notary 

