

ORDINANCE NO. 384

"AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LAS VEGAS, NEVADA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCES NUMBERS 303, 347, AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH."

The Board of Commissioners of the City of Las Vegas Do Ordain as Follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Las Vegas, being marked and designated as "Uniform Building Code, 1949 Edition, published January 1, 1949, by Pacific Coast Building Officials Conference," be and the same is hereby adopted as the building code of the City of Las Vegas for the regulation of the erection, construction, enlargement, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the City of Las Vegas; providing penalties for the violation of such Building Code; declaring and establishing fire districts; and each and all of the regulations, provisions, penalties, conditions and terms of such "Uniform Building Code, 1949 Edition, published January 1, 1949, by Pacific Coast Building Officials Conference," on file in the office of the City Clerk and hereby referred to, adopted, amended and made a part hereof as is fully set out in this Ordinance."

Section 2. Certain sections of the Uniform Building Code, 1949 Edition, as adopted by this Ordinance, are hereby amended, repealed, or added to as follows, namely, to-wit:

PART IV - REQUIREMENTS BASED ON LOCATIONS IN FIRE ZONES.

A. Chapter 16 - Restrictions in Fire Zones

General

Section 1601 (a) Fire Zones Defined is hereby amended to read as follows:

For the purpose of this code, the entire city is hereby declared to be and is hereby established a Fire District and said Fire District shall be known and designated as Fire Zone One, Two and Two Special, and Three, and shall include such territory or portions of said city as outlined in an ordinance of said city entitled: "An Ordinance creating and establishing fire zones." Whenever in such ordinance creating and establishing fire zones, reference is made to any fire zone, it shall be construed to mean one of the four fire zones designated and referred to in this chapter.

Restrictions - Fire Zone #1

Section 1602 (a) - GENERAL - is hereby amended by adding thereto the following additional paragraph, to-wit:

No building of Type V construction shall be erected, constructed, or moved within Fire Zone #1.

An additional sub-section is hereby added, as follows:

Section 1602 (f), Chapter 16, of the Building Code of the City of Las Vegas as adopted by the above-entitled ordinance is hereby amended, revised and re-enacted to read as follows:

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Section 1602 (f) - Non-Conforming Occupancies. Any occupancy not permitted in Fire Zone #1 as covered by sub-section (e) of this section (1602), but existing at the time this ordinance is enacted, shall be deemed, for the purpose and intent of this ordinance, a non-conforming occupancy.

Such non-conforming occupancy shall be permitted to remain and be operated in Fire Zone #1 for a period up to August 22, 1950 only, provided that the maintenance and operation of such occupancy is conducted in a manner minimizing hazard to life or property and satisfactory to the Fire Chief of the City of Las Vegas.

After said period, and upon written notice of the Building Inspector, countersigned by the Fire Chief, such non-conforming occupancy shall be made to comply with the requirements of Section 1008, Chapter 10 of this Code and the regulations and ordinances of the City of Las Vegas, otherwise, the continued maintenance and operation thereof shall be forthwith discontinued.

At any time after such non-conforming occupancy is made to comply with the requirements of Section 1008, Chapter 10 of this Code and the regulations and ordinances of the City of Las Vegas, such non-conforming occupancy may be expanded or enlarged by any structural addition or alteration, or by the erection of independent structures upon the same unit of land ownership as such non-conforming occupancy is situate, provided, however, that such new construction shall comply with the requirements of Section 1008, Chapter 10 of this Code and the regulations and ordinances of the City of Las Vegas. In the event such non-conforming occupancy does not comply with the requirements, aforesaid, at the time of an application for a building permit for the new construction, said permit shall, thereupon, only be issued upon the condition that such non-conforming occupancy shall be made to comply with said requirements simultaneously with the progress of work for such new construction.

Upon the failure to perform said condition, the Building Inspector shall not issue a Certificate of Occupancy for such new construction, and said construction shall be forthwith removed.

Restrictions Fire Zone #2 and #2s

Section 1603 (a) - GENERAL - is hereby amended to read as follows: Buildings or structures hereafter erected, constructed, moved within or into Fire Zone #2 or Fire Zone #2s, shall be only of Type I, II, III, IV construction and shall meet the requirements of this section.

No building of Type V construction shall be erected, constructed or moved within Fire Zone #2 or Fire Zone #2s.

Section 1603 (b) - Limitation of Types of Construction, is hereby amended to read as follows:

Paragraph 1 - Type IV. Buildings or structures of Type IV construction having an area greater than seventy-five hundred square feet (7,500 sq. ft.) shall not be erected, constructed, moved within or into Fire Zone #2 or Fire Zone #2s, and such buildings over one thousand square feet (1,000 sq. ft.) in area erected, constructed, moved within, or into Fire Zone #2 or Fire Zone #2s, shall have all exterior walls of not less than four-hour fire resistive construction.

Section 1603 (b) Limitations of Types of Construction, Paragraph 2, Type V is hereby deleted and repealed.

Section 1603 (c) - Alterations - is hereby amended to read as follows:

No building of Type IV construction in excess of one thousand square feet (1,000 sq. ft.) in floor area, nor any building of Type V construction already erected in Fire Zone #2 or Fire Zone #2s, shall hereafter be altered, raised, enlarged, added to or removed, except as follows:

1. Such building may be made to conform to the provisions of subsection (b) of this section.
2. Changes, alterations, and repairs to the interior of such building or to the front thereof facing a public street may be made, provided that such changes do not, in the opinion of the Building Inspector, increase the fire hazard of such building;
3. Roofs of such buildings may be covered only with a "fire retardant" roofing as specified in Section 4305. See Section 104 (c) for repairs.
4. Such building may be moved entirely outside the limits of Fire Zone #2.
5. Such building may be demolished.
6. Combustible finish on the outside of walls may be replaced by, or covered with, exterior plaster as specified in Chapter 47.

Section 1603 (d) - Occupancies Prohibited - is hereby amended to read as follows:

1. No Group "E" occupancies, except the following, shall be permitted in Fire Zone No. 2:

Public garages, dry cleaning plants using inflammable liquids, paint shops and spray painting rooms and shops, provided such uses and occupancies conform with the requirements of Section 1008, Chapter 10 of this Code.

The following occupancies may be permitted in Fire Zone No. 2 provided that a special permit or certificate of approval is first obtained from the First Chief of the City of Las Vegas:

Planing mills, box factories, woodworking and mattress factories.

Such occupancies and use shall not be permitted nor a certificate of approval issued unless the same comply with the "Suggested Fire Prevention Ordinance, Edition of 1947, Recommended by the National Board of Fire Underwriters."

2. The following occupancies may be permitted in Fire Zone No. 2s, provided that a special permit or certificate of approval is first obtained from the Fire Chief of the City of Las Vegas.

Paint or petroleum storage and storage of hazardous and highly inflammable or explosive materials and liquids.

Such occupancies and use shall not be permitted nor a certificate of approval issued unless the same comply with "The Suggested Fire Prevention Ordinance, Edition of 1947, Recommended by the National Board of Fire Underwriters."

3. The provisions of this ordinance shall be severable, and if any of said provisions, or the application thereof to any person, body or circumstances, shall be held to be invalid or unconstitutional, the remainder of this ordinance, or the application of such provision to persons, bodies, or circumstances other than those as to which it shall have been held invalid or unconstitutional, shall not be affected thereby. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such invalid or unconstitutional provision, or the application thereof to persons, bodies, or circumstances as to which it shall have been held invalid and unconstitutional, not been included therein.

4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

5. This ordinance shall be in full force and effect upon its publication, as in the next section provided, and final passage.

6. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption, in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas.

Mayor

ATTEST:

City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of City Commissioners on the _____ day of _____, 1949, and referred to the following committee composed of Commissioners _____ and _____ for recommendation; thereafter the said committee reported favorably on the said ordinance on the _____ day of _____, 1949; which was the next regular meeting of said Board of City Commissioners; that at said regular meeting held on the _____ day of _____, 1949, the proposed ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners _____

Voting "Nay": _____

Absent: _____

APPROVED:

ATTEST:

Mayor

City Clerk