

ORDINANCE NO. 780

AN ORDINANCE TO ADOPT NBFU NO. 58 STANDARDS FOR THE STORAGE AND HANDLING OF LIQUEFIED PETROLEUM GAS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE ENFORCEMENT THEREOF; PROVIDING FOR FEES, PERMITS, AND INSPECTIONS IN CONNECTION THEREWITH; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT THEREWITH.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

SECTION 1 - TITLE.

This ordinance shall be known as the Liquefied Petroleum Gas Code, or LPG Code, and may be cited as such, and will be referred to herein for convenience as "this code".

SECTION 2 - PURPOSE.

The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use, location and maintenance of all LPG installations within the City of Las Vegas.

SECTION 3 - DEFINITIONS.

(a) The term "liquefied petroleum gas" or "LPG" as used in this Ordinance shall be taken as referring to and including any petroleum gases composed predominately of the following hydrocarbons, or any of them: Propane, propylene, normal butane, iso-butane, and butylene.

(b) The term "LPG installation" shall be construed to mean tank, piping, or gas equipment, or combinations thereof, placed or assembled for the storage and/or dispensing and/or use of liquefied petroleum gas except gas burning appliances.

(c) The term "appliances" as used herein shall be construed to embrace all gas burning equipment used by the public for heat, cooking, hot water, and similar beneficial purposes.

SECTION 4 - SCOPE AND APPLICATION TO EXISTING CONDITIONS.

The provisions of this Code and the Standards established hereby shall apply to the construction, installation, conversion, location, repair, maintenance and use of all LPG installations within the City of Las Vegas; provided that such Standards shall not apply to existing LPG installations in existence on the effective date of this Code, unless such installations are found to be dangerous to life, limb or property because of non compliance with this Code and the Standards imposed.

SECTION 5 - STANDARDS ADOPTED FOR THE STORAGE, USE AND HANDLING OF LPG.
ADOPTION OF STANDARD CODE BY REFERENCE.

All LPG installations and all practices involving the use and transportation and storage of LPG within the City of Las Vegas shall comply with the rules and regulations of the Nevada Liquefied Petroleum Gas Board and the provisions of this Code, as amended from time to time. In addition to such rules and regulations that 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 "NBFU No. 58, Standards of the National Board of Fire Underwriters for the storage and handling of Liquefied Petroleum Gases, as recommended by the National Fire Protection Association", dated June, 1958, together with all tables, appendixes, and indices, is hereby referred to, and adopted as if fully set out in this Ordinance, and all LPG installations within the City of Las Vegas shall comply with the requirements set forth therein.

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SECTION 6. DEPARTMENTS HAVING JURISDICTION

(a) All construction and installation permits required by the provisions of this Code shall be obtained from the Department of Buildings and Safety of the City of Las Vegas. Inspections of all work covered by such permits shall be made by the Department of Buildings and Safety.

(b) The application and enforcement of this Code shall be under the jurisdiction of Chief of the Fire Department and such other agents as he may authorize.

SECTION 7. LPG INSTALLATION NOT IN CONFORMITY DEEMED UNSAFE

All LPG installations which are not in conformity with the standards set forth in NBFU Pamphlet 58 referred to above, by reason of location, construction, materials, manner of use, or other circumstances, shall be considered unsafe installations which constitute a hazard to the public health and safety and shall be abated upon the order of the Chief of the Fire Department or his authorized agent. Such order may provide for the removal or repair or alteration of such installation so as to bring it into conformity with the standards established herein and described above. The Chief of the Fire Prevention Bureau shall make inspections from time to time to determine that LPG installations within the City of Las Vegas are in conformity with such standards. No such order shall be made as to an installation in existence at the time of passage of this Ordinance unless such installation shall be found by the enforcing body to be so hazardous by virtue of non compliance with the Standards set forth in this Code, as to be dangerous to life, limb and property.

SECTION 8. PERMITS FOR CONSTRUCTION OR MODIFICATION OF INSTALLATIONS

(a) No person, firm or corporation shall construct, erect, or establish any LPG installation within the City of Las Vegas, or cause the same to be done, without first obtaining a separate permit for such installation from the Department of Buildings and Safety; provided that no permit shall be required for the removal or replacement of appliances, replacement equipment, changing of meters, changes within three feet of installations, or bottles or cylinders having a capacity of less than fifty (50) gallons, from or in existing gas systems where such installation is not extended or enlarged.

(b) An application for such permit shall be filed with the Department of Buildings and Safety in or on a form acceptable or designated by such body, and shall state the nature of the proposed installation or modification, its location, the nature and location of surrounding structures, equipments, etc., and any other information which the Department of Buildings and Safety may reasonably require as relevant and proper.

(c) If the Department of Buildings and Safety determines that the proposed installation shall be in conformity with the Standards adopted hereby, a permit shall be issued to the applying party upon the payment of the applicable fee as provided in Section 9.

SECTION 9. PERMIT FEES.

SCHEDULE OF FEES

For each	Fee
LPG piping system - 1 thru 5 outlets	\$ 1.00
More than 5 outlets - per outlet	.20
Tank, less than 125 gal. water capacity.	.50
Tank, 125 gal. to 500 gal. " "	1.00
Tank, 501 gal. to 2000 gal. " "	2.00
Tank, over 2000 gal. " "	5.00
LPG Appliance	.50
Minimum fee for any permit	2.50

The minimum permit fee shall not be deemed to be in addition to the fees provided herein, but only to establish the least charge for any installation that requires a permit.

SECTION 10 - INSPECTION AND APPROVAL OF INSTALLATIONS

Following the construction or modification of an LPG installation within the City of Las Vegas, the party making, or causing to be made, such installation or modification, shall notify the Department of Buildings and Safety and obtain approval for the initial or further use of such LPG installation after inspection thereof.

Upon the determination by the inspecting party that the LPG installation meets the standards promulgated and established hereby, approval for the use of such installation shall be issued to the party requesting it.

SECTION 11 - PERMITS ISSUED ONLY TO AUTHORIZED PERSONS

A permit required by Section 8 of this Ordinance shall be issued only to an individual, firm, or corporation authorized and certified by the State of Nevada and franchised by the city to operate a public utility or to an individual, firm, or corporation duly licensed by the City of Las Vegas to engage in the business of 1) LPG Sales or Service, 2) Gas Fittings, 3) Warm Air Heating or 4) a Plumbing Contractor.

SECTION 12 - PROHIBITIONS

(a) It shall be unlawful for any firm, person or corporation engaged in the business of LPG sales and/or service to sell, give, deliver or in any way convey to any person who is not authorized by Section 8 of this code to obtain a permit, any tank or container of LPG for said unauthorized person to install, place or use within the city limits of Las Vegas, Nevada. Nothing herein shall be construed to prohibit any person, firm or corporation from refilling for an individual any tank or container which such tank or container will be used in an existing, approved installation, or any vehicle or trailer.

(b) It shall be unlawful for any person, firm, or corporation to install any tank containing LPG within any building below grade or in an unventilated location (except as specified in Pamphlet 58), or in any manner or location whatsoever that will create a hazard to life, limb or property.

(c) It shall be unlawful for any person, firm or corporation to cause or allow to be caused any LPG to enter any piping system which has been devoid of LPG for any period of time without the occupant of the premises being present and without the occupant's consent.

(d) The Bureau of Fire Prevention shall establish for the City of Las Vegas standards for the storage and transportation of any LPG containers for those persons who use such containers in their business. Such standards are deemed necessary for public safety and shall be reasonably adopted for such purpose.

SECTION 13 - VIOLATIONS AND PENALTIES

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, equip, use or maintain any LPG installation within the City of Las Vegas or cause the same to be done, contrary to or in violation of any of the provisions of this Code. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$500, or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

In addition to the penalties above named, any person, firm or corporation convicted of wilfully violating any of the provisions of this code shall be subject to having his or its license to do business with the City of Las Vegas revoked by the Board of Commissioners of the City of Las Vegas.

SECTION 14 - CONFLICTING ORDINANCES REPEALED.

All Ordinances or parts thereof in conflict herewith are hereby repealed without prejudice to the prosecution of violations of Ordinances heretofore passed which violations were committed prior to the adoption of this Ordinance.

Section 15 - SEVERABILITY OF PROVISIONS.

If any section or portion thereof of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 16 - EFFECTIVE DATE.

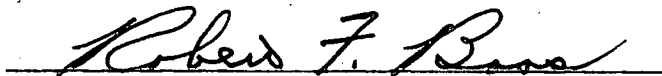
This Ordinance shall be effective from and after its passage as provided in Chapter II, Section 30 of the Charter of the City of Las Vegas.

APPROVED:



C. D. BAKER, MAYOR

ATTEST:


ROBERT F. BOOS, ACTING CITY CLERK

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of September, 1958, and referred to the following committee composed of Commissioners Fountain and Sharp for recommendation; thereafter the said committee reported favorably on said ordinance on the 17th day of September, 1958, which was the regular meeting held on said day; thereafter a notice that said proposed ordinance would be considered for adoption was published for seven (7) consecutive days, September 1, 1958, through September 28, 1958, and at the regular meeting of the Board of Commissioners held January 7, 1959, the proposed ordinance was adopted by the following vote:

Voting "Aye" - Commissioners Bunker, Fountain, Sharp, Whipple and His Honor, Mayor Baker.

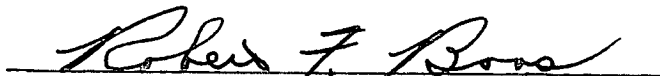
Voting "Nay" - None Absent - None

APPROVED:



C. D. BAKER, MAYOR

ATTEST:


ROBERT F. BOOS, ACTING CITY CLERK

Ord. # 780

File 4 Ordinance
when adopted
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NOTICE OF FILING
OF

PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN THAT at the regular meeting of the Board of Commissioners of the City of Las Vegas, Nevada, held on September 17, 1958, there was introduced and read by title the proposed ordinance entitled as follows:

AN ORDINANCE TO ADOPT NBEU NO. 58. STANDARDS FOR THE STORAGE AND HANDLING OF LIQUIFIED PETROLEUM GASES WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE ENFORCEMENT THEREOF; PROVIDING FOR FEES, PERMITS AND INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOTICE IS HEREBY FURTHER GIVEN that three copies of the said proposed ordinance are now on file in the Office of the City Clerk for public examination.

NOTICE IS FURTHER GIVEN that the Board of Commissioners will consider for adoption the said ordinance at its regular meeting to be held October 1, 1958.

NOTICE IS FURTHER GIVEN that the proposed ordinance will be adopted as a specialized code in accordance with the Charter of the City of Las Vegas, Chapter II, Section 30.

BY ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, this 17th day of September, 1958.

ROBERT E. ROOS
Acting City Clerk
Sept. 21, 22, 23, 24, 25, 26, 28

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

A. F. Schellack, being first duly sworn, deposes and says, That he is Foreman of the LAS VEGAS REVIEW-JOURNAL, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously

published in said newspaper for a period of Seven (7) insertions from September 21, 1958 to September 28, 1958

inclusive, being the issues of said newspaper for the following dates, to-wit:

September 21, 22, 23, 24, 25, 26, 28, 1958

That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED

A. F. Schellack

Subscribed and sworn to before me this 29th day of September, 1958.

Notary Public
NOTARY PUBLIC IN AND FOR CLARK COUNTY, NEVADA

My Commission Expires April 14, 1962.