City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: http://www.lasvegasnevada.gov
MONDAY, NOVEMBER 3, 2003
4:00 P.M.

RECOMMENDING COMMITTEE· COUNCILMAN WEEKLY AND COUNCILWOMAN MONCRIEF

CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 11/19/2003 CITY COUNCIL MEETING.

1. ABEYANCE ITEM - Bill No 2003-77 – Amends child care facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board. Proposed by· Mark Vincent, Director of Finance and Business Services

2. Bill No. 2003-83 – Adopts the 2003 Editions of the International Building Code and the International Residential Code, together with amendments thereto Proposed by. Paul K. Wilkins, Director of Building and Safety

3 Bill No 2003-84 – Amends the City's version of the Uniform Administrative Code to adapt it to the City's adoption of the International Building Code and International Residential Code as the City's Building Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

4. Bill No. 2003-85 – Adjusts the building height, lot coverage, and on-site parking requirements and limitations applicable to senior citizen apartments, and adjusts the lot coverage limitations applicable to certain mixed-use developments that include a residential component. Proposed by Robert S Genzer, Director of Planning and Development

5. Bill No 2003-86 – Makes minor corrections to the maps that depict the boundaries of the downtown area as described in the Downtown Las Vegas Centennial Plan, the Las Vegas 2020 Master Plan, and the Downtown Overlay District Proposed by. Robert S. Genzer, Director of Planning and Development

6 Bill No. 2003-87 – Requires all massage therapists and independent massage therapists to have their business licenses on their persons while performing massages, and changes the qualifying criteria for such licensing. Proposed by Mark Vincent, Director of Finance and Business Services

7. Bill No. 2003-88 - Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement District No 1502 (Grand Montecito Parkway) not to exceed $6,000,000 - Ward 6 (Mack)

8. Bill No 2003-90 – Amends Ordinance No 5616, pertaining to drought conservation measures, to adjust the exemption provisions relating to the prohibition of fountains and water features. Proposed by Douglas Selby, City Manager

9 Bill No 2003-91 – Increases sewer connection and user service fees by forty percent over two years and institutes a new five percent assessment on sewer users for the City's use, improvement and maintenance of its rights-of-way utilized to provide sewer services Proposed by Mark Vincent, Director of Finance and Business Services

CITIZENS PARTICIPATION ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A M. to 5.00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
City Hall Plaza, Special Outside Posting Bulletin Board, Court Clerk's Office Bulletin Board, City Hall Plaza; Las Vegas Library, 833 Las Vegas Boulevard North; Senior Citizens Center, 450 E Bonanza, Clark County Government Center, 500 S. Grand Central Parkway

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **27th** day of **October, 2003**, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting,** to be held on the **3rd** day of **November, 2003** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

28th day of October, 2003

NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton and Jo Ann Williams, employees of the City of Las Vegas, Nevada being first duly sworn, depose and say that on the **27th** day of **October, 2003** at the hour of **4:00 P.M.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **Recommending Committee Meeting** to be held on the **3rd** day of **November, 2003,** Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

1. In the Las Vegas Library, 833 Las Vegas Blvd.
2. In the Senior Citizens Center, 450 E. Bonanza Road
3. Clark County Government Center, 500 S. Grand Central Parkway
4. Court Clerk's Office Bulletin Board, City Hall Plaza, 400 Stewart Avenue (near the entrance to the Court Clerk's Office);
5. City Hall Plaza, Special Outside Posting Bulletin Board, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court).

SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

28th day of October, 2003

NOTARY PUBLIC in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

City of Las Vegas

RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN MONCRIEF

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board
Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy

(4:07)

City of Las Vegas

Agenda Item No. 1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

ABEYANCE ITEM - Bill No. 2003-77 – Amends childcare facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This bill provides that the Child Care Licensing Board (Board) shall have the same number of members as the City Council, with each member of the City Council to appoint one member to the Board subject to Council approval Final approval authority of child care facility licensees and directors will vest with the Board, with the right of appeal to the City Council being granted to current and prospective licensees. Emergency authority to suspend the licenses of child care facility licensees and approvals of directors will be vested with the Department of Finance and Business Services. Increases in the licensing fees for child care facilities are also being proposed.

RECOMMENDATION:
ABEYANCE to 11/3/2003 Recommending Committee meeting pursuant to the 10/13/2003 Recommending Committee.

First Reading – 9/17/2003; First Publication – N/A

BACKUP DOCUMENTATION:
Bill No. 2003-77

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-77 be forwarded to the Full Council as a First Amendment with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 1 – Bill No. 2003-77

MINUTES – Continued:

JIM DiFIORE, Manager, Business Services, stated that he met with CLAY STRINGHAM, Director of Development, Challenge Schools, and they have resolved some of their issues. The primary concern was regarding the definition of a pre-school, which in his school operation it goes beyond what the City proposed. An amendment was made to indicate that a pre-school operation be limited to four hours but could have longer hours, as long as recess and breaks are given, and the children are not in a classroom structure.

The other concern was the components of the board. The expansion had limited the board members to two from the childcare industry, but it did not guarantee that at least one member would be part of the childcare industry. The language has been changed to indicate that one member must but not more than two may be members of the childcare industry on the Childcare Licensing Board.

COUNCILMAN WEEKLY asked how the members to the childcare licensing board are selected. MR. DiFIORE answered that the bill expands the membership to include representation from Wards 5 and 6. There is currently a member on the board representing the childcare industry. COUNCILMAN WEEKLY then asked how staff insures that the members do not have a conflict of interest. MR. DiFIORE replied that the Council can interview the candidates and discuss with them their commitment to the board.

MR. STRINGHAM expressed his appreciation to MR. DiFIORE and his staff for all the time they devoted to make sure his concerns were addressed and clarified. He believes that amendments will be very beneficial to the City, the students, and the industry.

COUNCILMAN WEEKLY confirmed with MR. DiFIORE that childcare providers will be made aware of the amendments. A copy of the amended bill will be sent to all the childcare licensees.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:07 – 4:12)

BILL NO. 2003-77

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE PROVISIONS GOVERNING THE OPERATIONS AND MANAGEMENT OF CHILD CARE FACILITIES, TO INCREASE THE MEMBERSHIP OF THE CITY CHILD CARE LICENSING BOARD, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent,
Director of Finance and Business Services

Summary: Amends child care facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board.

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

SECTION 1: Title 6, Chapter 24, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.010: As used in this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

[(A)] "Accommodation facility" means a commercial business establishment, not directly related to child care, that provides limited facilities for the custody of customers' children, with or without compensation, for not more than three and one-half hours in any twenty-four-hour period.

[(B)] "Board" means the Child Care Licensing Board of the City of Las Vegas.

[(C)] "Board of health" means the Clark County District Board of Health.

"Child care center" means any facility which provides day or night care, or both day and night care, for compensation, for more than twelve children.

[(D)(1) "Child care facility" means an establishment operated for the purpose of furnishing care on a temporary or permanent basis, during the day or overnight, for compensation, to five or more children less than eighteen years of age. "Child care facility" does not include:

(a) The home of a natural parent or guardian, foster home as defined in Chapter 424 of NRS or maternity home; or

(b) A home in which the only children received, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the

person operating the facility.

(2) For purposes of this Chapter, a "child care facility" or "facility" mean an establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis, during the day or overnight, with or without compensation, to one or more children less than eighteen years of age. However, this term shall not apply to:

(a) The occasional care of a neighbor's or a friend's child for a period not to exceed four weeks, with or without compensation, when the person providing such care does not regularly engage in such activity; or

(b) Care given by parents who, on a mutually cooperative basis, exchange care of one another's children; or

(c) Care given to children on church premises while their parents are attending religious services; or

(d) Care given by a contract labor service licensed by the City which provides among others babysitting services; or

(e) An accommodation facility as defined in this Chapter.]

"Child care facility" or "facility" means an establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis, during the day or overnight, for compensation, to one or more children less than eighteen years of age. For the purpose of this definition, "furnishing care" does not include:

(A) The occasional care of a neighbor's or a friend's child for a period not to exceed four weeks.

(B) Care provided in the home of a natural parent or guardian, foster home as defined in Chapter 424 of NRS or maternity home.

(C) Care provided in a family dwelling in which the only children received, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the person providing the care.

The term includes without limitation an accommodation facility, outdoor youth program, and summer camp program.

"Child care institution" means a facility in which the licensee provides care during the day and night and provides developmental guidance to sixteen or more children who do not routinely return to the homes of their parents or guardians.

"Child with special needs" means a child who does not function according to expectations appropriate to his or her age and who regularly requires special assistance or accommodations.

[(E)] "Department" means the Department of [Business Activity] Finance and Business Services.

[(F)] "Director" means either the licensee of a child care facility or a person appointed by the licensee who is responsible for managing the operation of a child care facility.

"Family child care home" means a facility within a family dwelling in which care is provided for compensation, without the presence of parents, for at least one, but not more than six children.

"Group home for child care" means a facility within a family dwelling in which care is provided for compensation without the presence of parents, for at least seven, but not more than twelve children.

"On-site child care facility" means a facility that:

(A) Is located on the premises of a business for the purpose of providing child care services to the employees of the business;

(B) Provides care on a temporary or permanent basis, during the day or night, for compensation, to one or more children under the age of eighteen years old who are not related within the third degree of consanguinity or affinity to an owner or manager of the business; and

(C) Is owned, operated, subsidized, managed, contracted for or staffed by the business

"Outdoor youth program" means a program for the provision of services, while living outdoors, to persons under eighteen years of age who have behavioral problems with mental health or problems with abuse of alcohol or drugs. "Outdoor youth program" does not include any facility, activity or program operated by or on behalf of a governmental entity, or licensed by the State.

"Preschool" means a facility in which the licensee has established specific goals to enhance each child's cognitive, social, emotional, physical and creative development. A preschool may be part

of another type of child care facility. A preschool may allow the number of children stated on its license to participate in the program for four or fewer hours per day.

[H] "Regulations" means the City of Las Vegas Regulations and Standards For Child Care Facilities adopted by the City Council in addition to the provisions of this Chapter.

"Special needs facility" means a child care facility with forty percent or more of its authorized enrollment consisting of children with special need.

[(G)] ["Staff" means the personnel and employees of the Department of Business Activity.]

"Summer camp program" means a program offered during the summer for the care of children under eighteen years of age. "Summer camp program" does not include recreational programs affiliated with or conducted by the City, another governmental entity or a year-round recreational program offered and conducted by a non-profit organization

SECTION 2: Title 6, Chapter 24, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.020: [There is hereby established a board designated as the Child Care Licensing Board of the City of Las Vegas.

(A) The Board shall:

(1) Be appointed by the City Council, each member of which may make one appointment. In making such appointments, the City Council shall give special consideration to the background of each prospective member including such qualifications as ability, education, experience, training, profession or occupation and availability and willingness to serve on the Board. The City Council may also consider such other qualifications of a prospective member as it deems appropriate;

(2) Consist of five members except as provided in Subsection B of this Section, all of whom must be residents of the City. One member must and not more than one member may be either a current licensed operator of a facility within the City.

(B) Except as provided in Subsection C of this Section, each member of the Board shall be appointed for a term of four years, which term shall run concurrently with the term of the member of the City Council who made the appointment.

(C) Any vacancy on the board shall be filled by the City Council but only for the unexpired term of the member whose service on the Board has ended.

(D) On the effective date of the ordinance that is codified in this Section, the Board consists of six members.

(1) The members of the existing Board shall be eligible to remain on the Board for the unexpired terms of their current appointments and shall all be eligible for reappointment to the Board at the discretion of the City Council.

(2) The number of members shall be reduced to five when a member of the existing Board, other than the member who is a licensed operator of a facility within the City, is removed from the Board pursuant to the provisions of Chapter 2.52 of this Code, resigns or is not re-appointed by the City Council to an additional term.]

(A) There is hereby established a board designated as the Child Care Licensing Board of the City of Las Vegas

(B) The Board membership shall be equal in number to those serving on the City Council, and all Board members must be residents of the City.

(C) Not more than two members may be persons who are current licensed operators of facilities within the City, former licensed operators of facilities within the City, or a combination thereof.

(D) Each member of the City Council shall appoint one member of the Board, subject to the approval of the City Council.

(E) The term of each member of the Board shall run concurrently with the term of the appointing City Council member.

(F) Appointments to fill vacancies on the Board shall be made by the appointing City Council member, subject to City Council approval, for the unexpired term of office of the departing Board member.

SECTION 3. Title 6, Chapter 24, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows.

6.24.040: (A) In addition to any other authority granted to the Board pursuant to this Chapter,

the Board shall have the authority:

(1) To grant full or conditional approval of or deny director applications;

(2) To [recommend] grant full or conditional approval of, or deny applications for new child care facility licenses;

(3) As a prerequisite to any action with respect to a new license or director application, to require the applicant to appear in person at a meeting and attend a general orientation meeting conducted by the Department;

(4) To adopt amendments to the regulations and standards and to recommend to the City Council the adoption of amendments to this Chapter;

(5) At the request of an applicant, to waive a regulation that is more stringent than a State regulation if it determines that good cause exists;

(6) To specify the length of time that a waiver is in effect; [and]

(7) To revoke a waiver if, after a public hearing, it determines that the public health or safety is threatened or the basis upon which the waiver was granted no longer exists[.]; and

(8) To send written notice requiring a licensee or director to appear before the Board whenever there is reasonable cause to deny, suspend, revoke, or take other appropriate action against a licensee or director approval issued pursuant to this Chapter.

(B) For purposes of the waiver provisions of this Section, "good cause" exists when an applicant is unduly burdened by a facility regulation and as a result thereby suffers a severe hardship because of circumstances or conditions which are unique to him.

(C) The Board may not:

(1) Grant a waiver which will threaten public health or safety; or

(2) Grant a waiver of any regulation that would result in any facility not complying with regulations as adopted by the State Board for Child Care. [Waiver of a state regulation may be granted by the Sate Board for Child Care pursuant to the procedures set forth in the State Regulations and Standards for Child Care Facilities.]

(D) The Board's authority under Subsection (A) to require the appearance of

applicants, licensees and directors may be exercised by the Department.

SECTION 4: Title 6, Chapter 24, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.050: It is found and declared by the City Council that:

(A) The public health, safety, morals and welfare of the inhabitants of the City require the regulation and control of businesses engaged in the operation of child care facilities[;].

(B) All establishments where care of children is given, except as otherwise provided in LVMC 6.24.010, shall be licensed, operated and controlled so as to protect the public health, safety, morals and welfare[;].

(C) The right to obtain such a license is a privilege and that the operation of a child care facility, when authorized by such license, is a privileged business subject to regulation[; and].

(D) No person shall operate a child care facility without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code; provided, however, [tht] that the Department may issue a [temorary] temporary business license to an applicant in accordance with LVMC 6.02.070 if:

(1) The applicant at the time he or she files an application is [property] properly licensed, or held a valid license within sixty days of the application date in a similar business within Clark County or the City of Las Vegas for which all of the provisions applicable to the operations of a child care facility have been previously met;

(2) The applicant has complied with all other applicable requirements of this Chapter and this Code; and

(3) The business location or business premises have been tentatively approved by the appropriate departments of the City and [agnecies] agencies of the County or State, if so required.

(E) No person shall operate a family child care home without a designated alternate care giver, approved by the Department, that can assist or fill in for the licensee in the case of an emergency.

SECTION 5: Title 6, Chapter 24, Section 60, of the Municipal Code of the City of

Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.060: Every person required to be licensed or approved as a director under this Chapter shall:

(A) Make application [in person] to the Department on a form or forms supplied or approved by the Department[;].

(B) Complete all application forms fully, specifying in particular the type of facility for which a license or approval is sought, the proposed hours of operation of the facility and the ages and number of children for whom care will be provided[;].

(C) File the application at least [thirty] sixty calendar days prior to a regularly scheduled Board meeting so that any agency to which the Department is required to refer the application for additional approval may complete its review and report to the Board[; and].

(D) Be referred by the Department to [the Las Vegas Metropolitan Police Department] Metro for investigation[; and], and:

(1) Submit at the time of application a nonrefundable investigation deposit [fee of fifty dollars,] as specified by Metro;

(2) Pay the actual cost of the investigation as provided under LVMC 6.06.105[,];

(3) Submit the required fees for processing fingerprint cards through the Federal Bureau of Investigation[, and]; and

(4) Follow the work card application procedures outlined in LVMC Chapter 6.86.

(E) Pay all license application fees required by Title 6.

SECTION 6: Title 6, Chapter 24, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.070: [An application for a license or renewal thereof may be denied and a license may be suspended or revoked according to the provisions of this Chapter, upon any of the grounds set forth in LVMC 6.02.330 and NRS 432A.190.]

(A) An application for a child care facility license or renewal thereof may be denied, upon any of the grounds set forth in LVMC 6.02.330 and NRS 432A.190, or upon any of the

following grounds:

(1) An applicant does not possess or have the reputation of possessing a good moral character.

(2) An applicant is less than eighteen years of age.

(3) An applicant has a history of criminal offenses which would, in the judgment of the Board or the City Council, jeopardize the physical, mental or emotional well-being of a child under the care of the applicant. The determination of an applicant's fitness in this regard shall take into account the nature, severity, frequency an recency of any such offenses

(4) An applicant for a child care facility license who will provide child care in a family child care home or group home for child care is found to have a home environment which is not conductive to the health, safety, morals or welfare of children Such a home environment shall include, without limitation, the following conduct by an applicant, prospective employee, volunteer or person living in or frequently visiting the site of the family child care home or group home:

(a) Excessive use of alcohol;

(b) The use of controlled substances;

(c) Serious or prolonged illness;

(d) Physical or mental impairment; or

(e) Violent behavior.

(5) An applicant who after due consideration for the protection of the public health, safety, morals or welfare is found by the Board or City Council to be unsuitable to receive a license.

(B) A child care facility license may be suspended or revoked according to the provisions of this Chapter upon any of the same grounds set forth in this Section for denial of an application for such license.

SECTION 7: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.072, to read as follows:

6.24.072: A child care facility licensee shall either act as the facility director or have another

person approved by the Board act as the facility director.

SECTION 8: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.075, to read as follows:

6.24.075: (A) Before acting as a child care facility director on behalf of a child care facility licensee, a person shall first apply with the Department for approval as a director pursuant to the provisions of LVMC 6.24.060.

(B) An application for approval as a director filed pursuant to Subsection (A) of this Section may be denied, or suspended or revoked after issuance, upon the same grounds for denial, suspension or revocation of a child care facility license as set forth in LVMC 6.24.070.

SECTION 9: Title 6, Chapter 24, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.100: [Each new license application shall either be recommended for approval or denied by the Board within sixty calendar days after the application is filed. However, in the event that any agency to which the Department is required to refer the application for additional approval is unable to complete its review thereof in time for the Board to comply with the sixty-calendar-day requirement, that period may be extended for not more than sixty calendar days. If a license application is recommended for approval, the Department shall submit the application to the City Council for consideration at its first available regular meeting thereafter.]

(A) The Department shall refer a completed application for a child care facility license or a child care facility director's position to Metro for background investigation and report on any areas of concern. Upon completion of the background investigation, the Department shall submit the application and background investigation report to the Board.

(B) The Board shall either grant or deny each new application for a child care facility license or application for a child care facility director's position within forty-five calendar days after the application is referred to the Board from the Department.

SECTION 10. Title 6, Chapter 24, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.110: (A) If [an] a new application for a child care facility license or a new application for a child care facility director's position is [disapproved] denied by the Board, the Department shall notify the applicant in writing of [such disapproval] the denial.

(B) [The] An applicant for a child care facility license may, not later than ten calendar days after the [date of such notice] notice of denial, appeal the decision of the Board to the City Council by filing a written [request for review, whereupon the Council shall either grant or deny the application] notice of appeal with the Department, identifying with specificity the errors of law and fact allegedly committed by the Board.

(C) A decision of the Board denying an application for a director's position is final and is not subject to appeal to the City Council.

(D) A written notice of appeal filed pursuant to Subsection (B) of this Section shall be referred by the Department to the City Council within thirty days, at which time the City Council, after reviewing the concerns of the Board, shall either affirm the Board's decision or direct that the Board grant the applicant's license, subject to any conditions that the City Council deems appropriate.

SECTION 11: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.112, to read as follows:

6.24.112: The Department may issue an emergency order which suspends or conditions a child care facility license or director approval, or both, if the Department believes that:

(A) There has been a violation of the provisions of this Code;

(B) Such order is necessary for the immediate preservation of the public peace, health, safety, morals, good order or general welfare within the city; or

(C) Such order is deemed necessary to provide protection of children from child abuse, neglect, or any other condition that could impact the health, safety, or well being of children.

SECTION 12. Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.114, to read as follows:

6.24.114: Any emergency order issued pursuant to LVMC 6.24.112 shall set forth the grounds

upon which it is issued, including a statement of facts constituting the emergency which necessitates such order and shall be effective immediately upon the issuance and personal service thereof on the licensee or director of the facility or upon the posting thereof upon the facility premises.

SECTION 13: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.116, to read as follows:

6.24.116: A licensee or director may appeal an emergency order of the Department to the Board by filing a written notice of appeal with the Department, and the Board shall conduct a hearing within twenty days after the filing of the notice of appeal. An appeal must be filed not later than ten days after the effective date of such emergency order or the right to appeal is deemed waived.

SECTION 14: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.118, to read as follows:

6.24.118: Before a child care facility licensee may exceed the enrollment level authorized by the Board at the time of licensing, the licensee must first have the written approval of the Department. In no event may such increase in enrollment exceed the permitted occupancy level.

SECTION 15: Title 6, Chapter 24, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.120: The following annual license fees shall be required and shall be paid prior to issuance of a <u>child care facility</u> license:

[(A) For a family home, twenty dollars;

(B) For a group home, eighty dollars;

(C) For a child care center or child care institution, one hundred twenty dollars;

(D) For a preschool or nursery for infants and toddlers, with up to and including twelve children enrolled, sixty dollars;

(E) For a preschool or nursery for infants and toddlers, with more than twelve children enrolled, one hundred twenty dollars.]

<u>(A) Family child care home</u> <u>$40.00</u>

(B)	Group home for child care		$80.00
(C)	Summer camp program		$100.00
(D)	Child care institution		$120.00
(E)	For a child care center, preschool center, special needs facility, on-site child care facility, and any other facility not specifically enumerated in this Section, the license fees shall be based upon the number of children the facility is licensed to have on the premises as follows:		
	(1)	1 to 12 children	$80.00
	(2)	13 to 35 children	$120.00
	(3)	36 to 65 children	$150.00
	(4)	66 to 100 children	$175.00
	(5)	101 to 150 children	$200.00
	(6)	151 to 200 children	$225.00
	(7)	201 or more children	$250.00
(F)	Accommodation Facility		$120.00

SECTION 16: Title 6, Chapter 24, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.150: [Any license issued under the provisions of this Chapter shall not be transferable by the licensee to any other person and shall be valid only for the particular premises described therein and the type of facility and number of children for which it is issued.]

A license issued pursuant to this Chapter is not transferable to any other person and, subject to the provisions of LVMC 6 24 192 is valid only for the premises described on the license.

SECTION 17: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.190, to read as follows:

6.24.190: A child care facility licensee may change his or her location of operation by filing a form furnished or approved by the Department The Department shall approve the change of location if the location meets all of the requirements of this Code and the Clark County Health District, and

upon payment of all appropriate license fees.

SECTION 18: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.192, to read as follows:

6.24.192: All persons licensed to do business under this Chapter shall report to the Department on a form furnished or approved by the Department any change in business name. The Department shall approve the change of business name upon acceptance of the application and payment of all appropriate license fees.

SECTION 19: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.194, to read as follows:

6.24.194: Prior to moving from one child care facility to another child care facility, a director shall first secure the written approval of the Department.

SECTION 20: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 6.24.196, to read as follows:

6.24.196: Licensees and directors have a continuing duty and obligation to notify the Department of additions, deletions, changes or modifications in the information furnished to the Department, and this duty continues as long as they continue to provide child care.

SECTION 21: Title 6, Chapter 24, Section 200, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.200: The Department shall verify that the licensee, for continued licensure, meets all requirements set forth in this Chapter and in the regulations. In the event that any <u>license</u> renewal [application] is [disapproved] <u>denied</u> by the Department or the Department determines that the [application] <u>license renewal</u> should be considered by the Board because of infractions associated with the facility during the previous year, notice thereof shall be given to the [applicant] <u>licensee</u> in writing <u>and served by registered or certified mail, return receipt requested, or by personal service</u> along with a notice that a hearing on the matter shall be set before the Board on a date prior to the expiration of

the [applicant's] licensee's license. The decision of the Board shall be final, except that the denial of a license renewal [application] may be appealed to the City Council in accordance with LVMC 6.24.110.

SECTION 22: Title 6, Chapter 24, Section 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.210: At the time of its original license application, a facility shall be inspected and approved by the [Fire Services Department] Department of Fire and Rescue Thereafter, at least annually, the [Fire Services Department] Department of Fire and Rescue shall inspect the facility to ensure that fire standards are being met and maintained

SECTION 23: Title 6, Chapter 24, Section 230, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.230: The health officer or his designated representative shall, for purposes of inspection or investigation, have authority to enter any building in which a facility is located and to inspect all food products, water supplies, sewage disposal facilities, utensils and equipment located upon the premises. Copies of sanitation inspection reports must be kept on file in the facility [and sent to the Department] for two years.

SECTION 24: Title 6, Chapter 24, Section 240, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.240: The Department shall ensure that all facilities are inspected at least [once every six months] twice a year; provided, however, the time between inspections shall not exceed six months. More frequent inspections may be made [if the Department has reason to believe that the licensee of a facility is not meeting the requirements of this Chapter] in the discretion of the Department.

SECTION 25: Title 6, Chapter 24, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.250: Department [Staff or their] designated representatives shall have the authority to enter [upon] the premises of any facility at any time [during normal business hours] the facility is open to the public for business for the purpose of inspection or investigation.

SECTION 26: Title 6, Chapter 24, Section 260, of the Municipal Code of the City of

Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.260: Whenever the Department has reason to believe that a facility is operating without a license, or that a licensed facility is not conforming to the conditions of its license or the provisions of this Chapter or the regulations, the Department shall investigate to determine the facts. The Department shall have authority to inspect the premises where the violation is alleged to have occurred and to conduct other such investigations as [may be] it deems appropriate.

SECTION 27: Title 6, Chapter 24, Section 300, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.300: [(A) Any administrative or judicial proceeding against a facility or a licensee or a director in his capacity as licensee or director shall be reported by the licensee to the Department not later than ten calendar days after notice of the proceeding is served on the facility, licensee or director.

(B) Any arrest of a licensee or a director or employee for an act that constitutes a crime which involves moral turpitude or for conduct that bears upon the operation of a facility shall be reported by the licensee or director to the Department not later than ten calendar days after the arrest occurs.]

Licensees and directors have a continuing duty to notify the Department of:

(A) Any civil, administrative or judicial proceeding against a facility, licensee or director not later than ten calendar days after notice of the proceeding is served.

(B) Any criminal charge, arrest or conviction involving a licensee or director within forty-eight hours after a licensee or director has notice of the criminal charge, arrest or conviction.

SECTION 28: Title 6, Chapter 24, Section 340, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.340: [(A) Any person whether a full-time or part-time employee or trainee, and whether or not paid, in the employ of a facility, shall possess a valid child care work card issued by the Las Vegas Metropolitan Police Department and a valid health card issued by the board of health prior to the commencement of services with children.]

(A) Any person who works with or has occasion to be in direct contact with children at a facility, whether or not full-time, whether or not related to any of the children or whether

or not compensated for their services, must first obtain and thereafter maintain a valid child care work card issued by Metro and a valid health card issued by the Clark County Health District as a condition of such contact; provided, however, that the provisions of this Subsection do not apply to persons who are not agents, employees or contractors of the facility and who are only delivering and picking up children from a facility

(B) Every person who is eighteen years of age or older who resides in a facility shall be required to obtain a child care work card.

(C) In addition to the provisions outlined in LVMC Chapter 6.86, the procedures for obtaining a child care work card shall include submission of required fees for processing fingerprint cards through the Federal Bureau of Investigation.

(D) Parents who participate with their children in a federally funded program are exempt from the work card provisions of Subsection (A) of this Section provided they are in the presence of an employee of the facility at all times.

SECTION 29: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 350, to read as follows:

6.24.350: For the purposes of this Chapter, if a child care facility provides child care on a regular basis, there is a rebuttable presumption that the child care facility accepts compensation for the services.

SECTION 30 Title 6, Chapter 24, Sections 80, 190 and Sections 350 through 410, inclusive, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

SECTION 31: All Sections of this Ordinance, except Sections 17 and 29 shall become effective as of 12:01 A.M. the day after publication of this Ordinance by title.

SECTION 32: Sections 17 and 29 of this Ordinance shall become effective as of 12:02 A.M. the day after publication of this Ordinance by title.

SECTION 33: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 34: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 35: All ordinances or parts of ordinances or sections, subsections, phrases sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Larry G. Bellis 9-4-03
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 2

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2003-83 – Adopts the 2003 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
For many years the City has used the Uniform Building Code, together with local amendments, as the City's Building Code. The Uniform Building Code has been replaced by the International Building Code and International Residential Code, now in their 2003 editions. This bill will adopt those Codes, together with amendments, as the City's Building Code.

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

BACKUP DOCUMENTATION:
Bill No. 2003-83

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-83 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

PAUL WILKINS, Director, Building & Safety, advised that he and his staff have been working with the industry for more than three years on this bill, which includes the latest in technology codes. He requested approval.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 2 – Bill No. 2003-83

MINUTES – Continued:

JIM STROW, American Institute of Architects (AIA) of Las Vegas, which represents about 90% of the architectural firms in the Valley, indicated that AIA endorses the adoption of this bill, as well as the process MR. WILKINS underwent to obtain a local consensus.

BARRY DUNCAN, Southern Nevada Homebuilders Association, fully supported the amendments. However, there is an issue that came up late in the process that he would like MR. WILKINS to address with the industry and possibly draft another amendment. MR. DUNCAN submitted a copy of a page from the 1997 Uniform Building Code with a highlighted paragraph containing the issue he would like addressed in a separate forum with MR. WILKINS. He mentioned that MR. WILKINS and his staff have done an excellent job throughout this process. MR. WILKINS indicated that he has not seen the document MR. DUNCAN submitted.

COUNCILWOMAN MONCRIEF directed MR. WILKINS to meet with MR. DUNCAN regarding his request for an amendment.

MATT HUDSON, representing Pulte Homes, and RICK LOLLY, KB Homes, fully supported this bill.

COUNCILMAN WEEKLY expressed his appreciation to MR. WILKINS and the members of the industry for taking the time to attend the meeting and express their support.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:12 – 4:17)

BILL NO. 2003-83

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT AS THE CITY'S BUILDING CODE THE 2003 EDITIONS OF THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE, TOGETHER WITH AMENDMENTS THERETO, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Paul K. Wilkins, Director of Building and Safety

Summary: Adopts the 2003 Editions of the International Building Code and the International Residential Code, together with amendments thereto.

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

SECTION 1: Title 16, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.04.010: A building code is established and adopted [as and for the City's Building Code, and consists of the following documents, which are adopted by reference as if set forth herein and three copies of each which are on file in the Office of the City Clerk:] for the City. The building code adopted by this Section, to be known as the City's Building Code, shall consist of the following documents, which are adopted by this reference and a copy of which shall be maintained on file in the Office of the City Clerk:

(A) The publication entitled ["The Uniform Building Code, 1997 Edition,"] "International Building Code, 2003 Edition," as modified herein, including all [chapters contained in the Appendix, with the exception of Chapter 3, Division III; Chapters 4, 10, 16, 19, 21 and 23; and Chapter 31, Division I.] Appendices other than Appendices A, B, D and G, which are not adopted. This publication, as modified, is designated as Part 1 of this Chapter.

(B) The document entitled ["1997 Southern Nevada Building Code Amendments" as modified herein,] "City of Las Vegas Amendments to the 2003 International Building Code," which amends, by adding to and deleting from, certain sections of the [Uniform Building Code, 1997 Edition, which] International Building Code, 2003 Edition. If adopted by other local jurisdictions, the document may also be known as the Southern Nevada Amendments to the 2003 International Building Code. This document is adopted as Part 2 of this Chapter.

(C) The publication entitled the "International Residential Code for One- and Two-Family Dwellings, 2003 Edition" (also known as the "International Residential Code, 2003 Edition"), as modified herein, including all chapters contained therein, with the exception of Chapters 12-42, which are not adopted, and including all Appendices other than Appendices A-G, Appendices I-J, and Appendix L, which are not adopted. This publication, as modified, is designated as Part 3 of this Chapter.

(D) The document entitled "City of Las Vegas Amendments to the 2003 International Residential Code," which amends, by adding to and deleting from, certain sections of the International Residential Code, 2003 Edition. If adopted by other local jurisdictions, the document may also be known as the Southern Nevada Amendments to the 2003 International Residential Code. This document is adopted as Part 4 of this Chapter.

SECTION 2: Title 16, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.04.020: The Director of the Department of Building and Safety of the City, or his authorized representative, is designated as the Building Official referred to in the [Uniform] City's Building Code.

SECTION 3: The document entitled "1997 Southern Nevada Building Code Amendments," as previously adopted and modified by the City, is hereby repealed.

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

SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is

required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 10-1-03
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

CITY OF LAS VEGAS

AMENDMENTS TO
2003 INTERNATIONAL BUILDING CODE

PREFACE

This document comprises the Amendments to the 2003 International Building Code as published by the International Code Council. The Amendments were developed by the City of Las Vegas to be adopted by reference. These Amendments are not to be considered part of a local government's building code unless they have been adopted by that local government. These Amendments are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided any alternate has been approved and its use authorized by the building official. This document is available to be adopted by any jurisdiction without permission or approval from the City of Las Vegas.

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NOTE: This Table of Contents is included for the sake of convenience, but is not officially part of the adopted Amendments. Efforts have been made to ensure completeness and accuracy of the Table of Contents, but its completeness and accuracy cannot be guaranteed.

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City of Las Vegas Amendments to the 2003 International Building Code

CHAPTER 1 ADMINISTRATION

Chapter 1 is deleted in its entirety and replaced with a new Chapter 1 to read as follows:

CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title and Scope. These regulations shall be a part of, and may be referred to as the Building Code, as adopted by the City of Las Vegas (hereinafter referred to as "this code"). The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Dwellings that are subject to the 2003 International Residential Code, as adopted by the City.

Unless any such code has been specifically adopted by the City, any reference to an I-Code (international code), including without limitation the following, shall be deemed to refer to the equivalent code, if any, that has been adopted by the City:

ICC Electrical Code
International Energy Conservation Code
International Existing Building Code
International Fire Code
International Fuel Gas Code
International Mechanical Code
ICC Performance Code
International Plumbing Code
International Private Sewer Disposal Code
International Administrative Code
International Urban-Wildland Interface Code
International Zoning Code

Equivalent adopted versions include the:

2002 National Electrical Code
1992 Model Energy Code
2003 NFPA 1 Fire Code
2000 Uniform Mechanical Code
2000 Uniform Plumbing Code
1997 Uniform Administrative Code

(end of New Chapter 1)

302.1.1 Incidental Use Areas

Table 302.1.1 is amended to delete Footnote (a) without replacement.

303.1 Assembly Group A

Subsection 303.1 is amended to add to Assembly Group A-2 the following occupancy, together with its accompanying note:

Casinos

Note: A casino is a gaming establishment where the primary use is gaming and is not classified as a Group B or Group M Occupancy.

304.1 Business Group B

Subsection 304.1 is amended to add to Business Group B the following occupancy, together with its accompanying note:

Outpatient clinic and medical offices

Note: Includes locations where five or fewer patients in a tenant space are not capable of self-preservation.

308.3 Group I-2

Subsection 308.3 is deleted in its entirety and replaced with a new Subsection 308.3 to read as follows:

308.3 Group I-2. This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care of more than five persons who are not capable of self-preservation. This group shall include, but not be limited to the following: Hospitals, nursing homes (both intermediate care facilities and skilled nursing facilities), mental hospitals, and detoxification facilities. A residential facility such as the above with five or fewer persons shall be classified as Group R-3. A medical treatment or health care facility such as the above with five or fewer persons shall be classified as Group B.

311.2 Moderate-hazard storage, Group S-1

Subsection 311.2 is amended to add one item to read as follows:

Mini-storage facilities

403.1 Applicability

Subsection 403.1 is amended so that the first sentence thereof reads as follows:

403.1 Applicability. The provisions of this section shall apply to all buildings having occupied floors located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access.

403.13 Smokeproof exit enclosures

Subsection 403.13 is amended to read as follows:

403.13 Smokeproof exit enclosures. Every required stairway in buildings having a floor level more than 55 feet (16764 mm) above the lowest level of fire department vehicle access shall comply with Subsections 909.20 and 1019.1.8.

403.15 Smoke control

A new Subsection 403.15 is added to read as follows:

403.15 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided.

404.3 Automatic sprinkler protection

Subsection 403.3 is amended to delete Exceptions 1 and 2, and to add a new exception to read as follows:

Exception: Where the ceiling of the atrium is more than 55 feet (16764 mm) above the floor, the installation of sprinkler protection at the ceiling of the atrium is not required if the elimination of that requirement is specifically approved by the building official.

406.4.2 Ventilation

Subsection 406.4.2 is amended to read as follows:

406.4.2 Ventilation. A mechanical ventilation system shall be provided that is capable of exhausting a minimum of 1.5 cubic feet per minute (cfm) per square foot (0.71 L/s/m^2) of gross floor area. The building official may approve an alternate ventilation system designed to exhaust a minimum of 14,000 cfm (6608 L/s) for each operating vehicle. Such system shall be based on the anticipated instantaneous movement rate of vehicles, but not less than 2.5 percent of the garage capacity (or one vehicle). Automatic carbon monoxide sensing devices may be employed to modulate the ventilation system to maintain a maximum average concentration of carbon monoxide of 50 parts per million during any 8-hour period, with a maximum concentration not greater than 200 parts per million for a period not exceeding one hour. Connecting offices, waiting rooms, ticket booths and similar uses shall be supplied with conditioned air under positive pressure.

406.6.3 Ventilation

Subsection 406.6.3 is amended to read as follows:

406.6.3 Ventilation. A mechanical ventilation system shall be provided that is capable of exhausting a minimum of 1 cubic foot per minute (cfm) per square foot (0.044 L/s/m^2) of floor area. Each engine repair stall shall be equipped with an exhaust pipe extension duct, extending to the outside of the building, which, if over 10 feet (3048 mm) in length, shall mechanically exhaust 300 cubic feet per minute (141.6 L/s). Connecting offices, waiting rooms, ticket booths and similar uses shall be supplied with conditioned air under positive pressure.

Exception: In repair garages where there is no open flame and welding being performed within the building, the mechanical ventilation system required may be omitted when, in the opinion of the building official, the building is equipped with unobstructed openings to the outer air that are sufficient to provide the necessary ventilation.

420 Professional office conversions

A new Section 420 and a new Subsection 420.1 are added to read as follows:

SECTION 420 PROFESSIONAL OFFICE CONVERSIONS

420.1 Professional office conversion. A professional office building with an area of 1500 square feet or less which is converted from a residential occupancy pursuant to a valid zoning approval and whose conversion involves only minor interior remodeling as allowed by the building official without expansion of the existing building is exempt from the requirements for commercial buildings (other than those contained in Chapter 34 of this Code). All conversions larger than 1500 square feet shall conform to the new construction requirements for a B Occupancy.

501.2 Premises identification

Subsection 501.2 is deleted and replaced with a new Subsection 501.2 to read as follows:

501.2 Premises identification. Approved numbers or addresses shall be provided for new buildings in accordance with City Ordinance No. 3744, Chapter 13.28 of the Las Vegas Municipal Code, and the regulations adopted thereunder.

502.1 Definitions

Subsection 502.1 is amended to delete the definition for "Height, Building" and replace it with a new definition to read as follows:

HEIGHT, BUILDING. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by whichever of the following yields the greater height:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot (1245 mm) horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet (3048 mm) above lowest grade; or

2. An elevation 10 feet (3048 mm) higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3048 mm) above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

507.10 Non-combustible carports

A new Subsection 507.10 is added to read as follows:

507.10 Non-combustible carports. Non-combustible carports, open on all sides, not over 12 feet (3658 mm) in height, and located a minimum of ten feet (3048 mm) from any building or property line, may be of unlimited area.

602.6 Small structures

A new Subsection 602.6 is added to read as follows:

602.6 Small structures. Small insignificant structures used for parking lot offices, used car lot offices, shoe shine stands and similar uses can be of Type V-B construction provided that the structures do not exceed 500 square feet (46.5 m^2) in area, and are not of a temporary nature, and are separated from other structures a distance to be determined by the building official. The provision for area increases under Section 506 shall not apply to such structures. Vehicles or truck trailers shall not be considered as meeting the requirements of this subsection and shall not be permitted under its terms.

602.7 Combustible decorative materials and architectural features

602.7 Combustible decorative materials and architectural features. Architectural features of buildings, building components, and decorative structures shall comply with the provisions of this code. Combustible decorative materials and architectural furnishings used in Group A and public areas of Group R, Division 1 occupancies, shall comply with the Fire Code, as adopted by the City.

704.2.1 Type I and II construction

Subsection 704.2.1 is deleted in its entirety and replaced with a new Subsection 704.2.1 to read as follows:

704.2.1 Type I and II construction. Projections from walls of Type I or II construction shall be of noncombustible materials.

707.14.1 Elevator lobby

Subsection 707.14.1 is amended to delete Exceptions 3 and 4 in their entirety and replace them with Exceptions 3 and 4 to read as follows:

3. In buildings not classified as high-rise by Section 403, where additional doors are provided in accordance with Subsection 3002.6. Such doors shall be tested in accordance with UL 1784 without an artificial bottom seal.

4. In other than Group I occupancies, and in buildings not classified as high-rise by Section 403, lobby separation is not required where the building, including the lobby and corridors leading to the lobby, is protected by an automatic sprinkler system installed throughout in accordance with Subsection 903.3.1.1 or 903.3.1.2.

716.5.2 Fire barriers

Subsection 716.5.2 is amended to delete Exception 2 in its entirety without replacement.

903.1 General

A new Subsection 903.1.2 is added to read as follows:

903.1.2 Residential systems. Unless specifically allowed by this code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions permitted by other provisions of this code.

A new Subsection 903.1.3 is added to read as follows:

903.1.3 Extent of protection. If any fire area in a building or structure is provided with fire sprinklers, whether required or not, all fire areas in the building or structure shall be provided with fire sprinklers.

Exceptions:

1. If a fire area is separated from other fire areas by a listed four-hour rated firewall with no openings.
2. Special hazard areas may be fire sprinklered without requiring additional fire sprinklers, when approved by the building official and fire marshal.

903.2 Where required

Subsection 903.2 is amended to delete the Exception in its entirety without replacement.

903.2.1.2 Group A-2

Subsection 903.2.1.2 is amended to delete Item 2 and replace it with a new Item 2 and its exception to read as follows:

2. The fire area has an occupant load of 100 or more.

   Exception: For existing buildings or portions thereof where no work is being done to the Group A occupancy.

903.2.5 Group I

Subsection 903.2.5 is amended to delete the Exception without replacement.

903.2.8 Group S-1

A new Subsection 903.2.8.3 is added to read as follows:

903.2.8.3 Mini Storage Facilities. An automatic sprinkler system shall be provided throughout all buildings used as a mini storage where the fire area exceeds 2,500 square feet (279 m^2) and is not separated by firewalls constructed in accordance with Section 705.

903.3.5.2 Secondary water supply

Subsection 903.3.5.2 is deleted in its entirety and replaced with a new Subsection 903.3.5.2 to read as follows:

903.3.5.2 Secondary water supply. For high-rise buildings, a secondary on-site water supply shall be provided. The secondary on-site water supply shall, at a minimum, be the greater of 15,000 gallons storage or in an amount equal to the hydraulically most demanding sprinkler system plus 100 gallons per minute (378.5 L/m) additional of the total standpipe-system. The secondary water supply shall have a duration not less than 30 minutes.

907.2.12 High-rise buildings

Subsection 907.2.12 is amended, along with all its exceptions, and replaced with a new Subsection 907.2.12 to read as follows:

907.2.12 High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communications system in accordance with Subsection 907.2.12.2.

Exceptions:
1. Airport traffic control towers in accordance with Section 412.
2. Open parking garages in accordance with Subsection 406.3.
3. Unenclosed occupancies within Group A-5.
4. Low-hazard special occupancies in accordance with Subsection 503.1.2.

909.4.4 HVAC systems

Subsection 909.4.4 is amended to read as follows:

909.4.4 Air-handling systems. The design shall consider the effects of all airhandling components including, but not limited to: kitchen exhaust systems and the heating, ventilating and air-conditioning (HVAC) systems on both smoke and fire transport. The analysis shall include all permutations of systems status. The design shall consider the effects of the fire on the air-handling system.

909.12 Detection and control systems

Subsection 909.12 is amended to delete in their entirety both paragraphs that appear before Subsection 909.12.1 and replace them with the following two paragraphs:

909.12 Detection and control systems. Fire detection systems providing control input or output signals to mechanical smoke control systems or elements thereof shall comply with the requirements of Chapter 9, the Fire Code and NFPA 72. Such systems shall be equipped with a control unit complying with UL 864 and listed as smoke control equipment.

Control systems for mechanical smoke control systems shall include provisions for verification. Verification shall include positive confirmation of actuation, testing, manual override, and the presence

of power downstream of all disconnects. Smoke control systems shall be periodically tested as required by the Fire Code.

909.20.4 Mechanical ventilation alternative

Subsections 909.20.4 through 909.20.4.4 are deleted without replacement.

909.20.5 Stair pressurization alternative

Subsection 909.20.5 is deleted in its entirety and replaced with a new Subsection 909.20.5 and additional Subsections 909.20.5.1 through 909.20.5.3 to read as follows:

909.20.5 Stair pressurization alternative. The provisions of Subsections 909.20.5.1 through 909.20.5.3 shall apply to the smoke proof enclosures using stair pressurization.

909.20.5.1 Pressure difference. The stair enclosure shall be pressurized to a minimum of 0.05 inch of water gage relative to the vestibule with all stairway doors closed under the maximum anticipated stack pressures. The vestibule with doors closed shall have a minimum of 0.05 inch of water gage (12.44 Pa) positive pressure relative to the fire floor. The pressure difference across doors shall not exceed 30 lbs (133-N) maximum force to begin opening the door.

909.20.5.2 Vestibule doors. The door assembly from the building into the vestibule shall be a fire door complying with Subsection 714.2 and provided with gaskets or other provisions to minimize air leakage. The door assembly from the vestibule to the stairway shall have not less than a 20-minute fire protection rating complying with Subsection 714.2.

909.20.5.3 Dampered relief opening. A controlled relief opening capable of discharge a minimum of 2,500 cfm (1180 L/s) of air at the design pressure difference shall be located at the top of pressurized exit enclosures.

909.21 Underground buildings

Subsection 909.21, together with Subsections 909.21.1 through 909.21.3, are deleted and replaced with a new Subsection 909.21 to read as follows:

909.21 Underground building smoke exhaust system. Where required in accordance with Subsection 405.5 for underground buildings, an approved smoke control or smoke exhaust system shall be provided. The design analysis shall comply with Subsection 909.4.

910.3.1.2 Sprinklered buildings

Subsection 910.3.1.2 is amended to read as follows:

910.3.1.2 Sprinklered buildings. Where installed in buildings protected with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at a minimum of 350° F (177° C). Smoke and heat vents shall also be designed for manual operation.

Table 910.3 Requirements for draft curtains and smoke and heat vents

Table 910.3 is amended to read as follows, with no changes to the footnotes.

TABLE 910.3
REQUIREMENTS FOR DRAFT CURTAINS AND SMOKE AND HEAT VENTS[a]

Occupancy Group and Commodity Classification	Designated Storage Height (feet)	NON-SPRINKLERED					SPRINKLERED			
		Minimum Curtain Board Depth (feet)	Maximum Area Formed by Curtain Boards (feet)	Vent Area to Floor Area Ratio	Maximum Spacing of Vent Centers (feet)	Maximum Distance to Vents from Wall or Curtain Boards[b] (feet)	Draft Curtains	Vent Area to Floor Area Ratio	Maximum Spacing of Vent Centers (feet)	Maximum Distance to Vents from Wall (feet)
Group F-1	-	0 2 xH but ≥ 4	50,000	1.100	120	60	Not Permitted	1 100	100	50
Group S-1 I-IV (Option 1)	≤ 20	6	10,000	1.100	100	60				
	> 20 ≤ 40	6	8,000	1 75	100	55				
Group S-1 I-IV (Option 2)	' ≤ 20	4	3,000	1 75	100	55				
	>20 ≤ 40	4	3,000	1:50	100	50				
Group S-1 High Hazard (Option 1)	≤ 20	6	6,000	1 50	100	50				
	> 20 ≤ 30	6	6,000	1.40	90	45				
Group S-1 High Hazard (Option 1)	≤ 20	4	4,000	1·50	100	50				
	> 20 ≤ 30	4	2,000	1 30	75	40				

TABLE 1004.1.2 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

Table 1004.1.2 is amended to add a new occupancy type as follows:

OCCUPANCY	FLOOR AREA IN SQ. FT. PER OCCUPANT
Showroom	
Food provided	12 net
Beverage only provided	10 net

TABLE 1005.1 EGRESS WIDTH PER OCCUPANT SERVED

Table 1005.1 and its footnote are deleted and replaced with a new Table 1005.1 to read as follows:

OCCUPANCY	Stairways (inches per occupant)	Other egress components (inches per occupant)
Occupancies other than listed below	0.3	0.2
Hazardous: H-1, H-2, H-3 and H-4	0.7	0.4
Institutional: I-2	N/A	N/A

For SI: 1 inch = 25.4 mm. N/A = Not applicable.

1008.1.8.6 Delayed egress locks

Subsection 1008.1.8.6 is amended to add an exception after the first paragraph, but before Items 1 through 6, to read as follows:

Exception: Daycare facilities, as permitted by approval of the building official.

1011.6 Floor-level exit signs

A new Subsection 1011.6 is added to read as follows:

1011.6 Floor-level exit signs. Where exit signs are required by Subsection 1011.1, additional approved low-level exit signs that are internally or externally illuminated shall be provided in all corridors serving guest rooms in Group R, Division 1 Occupancies. The bottom of each such sign shall not be less than 6 inches (152 mm) nor more than 8 inches (203 mm) above the floor level and shall indicate the path of exit travel. For exit and exit-access doors, the sign shall be on the door or adjacent to the door, with the closest edge of the sign within 4 inches (102 mm) of the doorframe.

1019.1.8 Smokeproof enclosures

Subsection 1019.1.8 is amended to read as follows:

1019.1.8 Smokeproof enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where the floor surface is located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or a pressurized stairway in accordance with Subsection 909.20.

1024.6.2.1 Smoke control

Subsection 1024.6.2.1 is amended to read as follows:

1024.6.2.1 Smoke control. Means of egress serving a smoke-protected assembly seating area shall be provided with a smoke control system complying with Section 909 or natural ventilation designed to maintain the smoke level at least 10 feet (3048 mm) above the floor of the means of egress.

1025.1 General

Subsection 1025.1 is amended to delete all exceptions and replace them with new exceptions to read as follows:

Exceptions:

1. The emergency escape and rescue opening is permitted to open onto a balcony within an atrium in accordance with the requirements of Section 404, provided the balcony provides access to an exit and the dwelling unit or sleeping room has a means of egress that is not open to the atrium.
2. High-rise buildings in accordance with Section 403.
3. Emergency escape and rescue openings are not required from basements or sleeping rooms which have an exit door that opens directly into a public street, public alley, yard or egress court.

4. Basements without habitable spaces and having no more than 200 square feet (18.6 m^2) in floor area shall not be required to have emergency escape windows.
5. Media rooms located in Group R-3.

1203.1 General

Subsection 1203.1 is deleted and replaced with a new Subsection 1203.1, along with additional Subsections 1203.1.2 and 1203.1.2.1 through 1203.1.4.2, to read as follows:

1203.1 General. Buildings shall be provided with natural ventilation or mechanical ventilation and shall comply with the requirements of Subsections 1203.1.2 through 1203.1.4 below.

1203.1.2 Ventilation for R occupancies. Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than 1/20th of the floor area of such rooms with a minimum of 5 square feet (0.46 m^2).

1203.1.2.1 Bathrooms, etc. Bathrooms, water closet compartments, laundry rooms and similar rooms in R-1, R-2 occupancies, when provided with natural ventilation by means of operable exterior openings, shall have a minimum of 1-1/2 square feet (0.14 m^2).

1203.1.2.2 Toilet rooms. Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet (0.27 m^2) in area; a vertical duct not less than 100 square inches (0.064516 m^2) in area for the first toilet facility, with 50 additional square inches (0.032 m^2) for each additional facility; or a mechanically operated exhaust system capable of exhausting 50 cubic feet of air per minute (23.6L/x) for each water closet or urinal installed in the toilet room. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet (914 mm) from any openable window.

1203.1.3 Mechanical ventilation. Mechanically operated ventilation systems shall be in accordance Subsections 1203.1.3.1 through 1203.1.3.4 that follow.

1203.1.3.1 General. All enclosed portions of Groups A, B, E, F, H, I, M, and S occupancies customarily occupied by human beings shall be provided with natural ventilation by means of openable exterior openings with an area not less than 1/20th of the total floor area or shall be provided with a mechanically operated ventilation system. Such exterior openings shall open directly onto a public way or a yard or court as set forth in Subsection 1203.4. Such mechanically operated ventilation system shall be capable of supplying a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second (3 m/s), the register shall be placed more than 8 feet (2438 mm) above the floor directly beneath.

Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet (0.27 m^2) in area; a vertical duct not less than 100 square inches (0.064 m^2) in area for the first toilet facility, with 50 additional square inches (0.032 m^2) for each additional facility; or a mechanically operated exhaust system capable of exhausting 50 cubic feet of air per minute (23.6L/x) for each water closet or urinal installed in the toilet room. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet (914 mm) from

any openable window.

1203.1.3.2 Groups B, F, M, and S occupancies. In all buildings classified as Groups B, F, M, and S Occupancies or portions thereof where Class I, II or II-A liquids are used, a mechanically operated exhaust ventilation system shall be provided sufficient to produce six air changes per hour. Such exhaust ventilation shall be taken from a point at or near the floor level.

1203.1.3.3 Group H occupancies. Rooms, areas or spaces of Group H Occupancies in which explosive, corrosive, combustible, flammable or highly toxic dusts, mist, fumes, vapors or gases are or may be emitted due to the processing, use, handling or storage of materials shall be mechanically ventilated as required by the Fire Code and the Mechanical Code, and Subsection 414.3 of this code.

1203.1.3.4 Group R occupancies. In Group R occupancies, in lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant during such time as the building is occupied.

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub, shower or combination thereof, laundry rooms, and similar room, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be provided. Such systems shall be connected directly outside, and the point of discharge shall be at least 3 feet (914 mm) from any opening that allows air entry into occupied portions of the building. Bathrooms that contain only a water closet, lavatory or combination thereof and similar rooms may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

1203.1.4.1 Repair garage. Ventilation in the repair garage shall be in accordance with Subsection 406.6.3, as amended and adopted by the City.

1203.1.4.2 Enclosed parking garages. Ventilation in the enclosed parking garage shall be in accordance with Subsection 406.4.2, as amended and adopted by the City.

1203.4 Natural ventilation

Subsection 1203.4 and its subparts (Subsections 1203.4.1 through 1203.4.3) are deleted in their entirety.

1203.5 Other ventilation and exhaust systems

Subsection 1203.5 is deleted in its entirety.

1205.2.1 Adjoining spaces

A new Subsection 1205.2.1.1 is added, following the exception to Subsection 1205.2.1, to read as follows:

1205.2.1.1 Common wall openings. The common wall opening may be glazed with a transparent or translucent fenestration product.

1301.1.1 Criteria

Subsection 1301.1.1 is amended to read as follows:

1301.1.1 Criteria. Buildings shall be designed and constructed in accordance with the CABO 1992 Model Energy Code, and the Supplemental Document with amendments thereto, as adopted by Chapter 16.52 of the Las Vegas Municipal Code.

1503.4 Roof drainage

Two new Subsections 1503.4.2 and 1503.4.3 are added to read as follows:

1503.4.2 Roof drainage. Roof drainage water from a building shall not be allowed to drain to adjacent properties and shall not be allowed to accumulate adjacent to any building.

1503.4.3 Overflow drains and scuppers. Overflow scuppers having three times the size of the roof drains and having a minimum opening height of 4 inches (102 mm) may be installed in the adjacent parapet walls with the inlet flow line located 2 inches (51 mm) above the low point of the adjacent roof. If a scupper is used as a combination primary and overflow roof drain, it shall be four times the size of the primary roof drain.

Table 1607.1 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS AND MINIMUM CONCENTRATED LIVE LOADS

Table 1607.1, Item 27 is amended to add another occupancy or use below "Residential, one- and-two-family dwellings" to read as follows:

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
Habitable attics and sleeping areas	40	----

1607.2 Loads not specified

Subsection 1607.2 is amended to add a second paragraph to read as follows:

Where it can be determined in designing floors that the actual live load will be greater than the value shown in Table 1607.1, the actual live load shall be used in the design of such buildings or portions thereof. Special provisions shall be made for machine and apparatus loads.

1607.9.2 Alternate floor live load reduction

Subsection 1607.9.2 is amended to change the definition of A (area) for purposes of Equation 16-22 to read as follows:

A = Area of floor supported by the member, square feet (m^2).

1612.3 Establishment of flood hazard areas

Subsection 1612.3 is amended to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Clark County, Nevada, and Incorporated Areas," dated August 16, 1995, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

1614.1 Scope

Subsection 1614.1 is amended to add a new paragraph to Exception 1 to read as follows:

Subsection 1617.4 shall be used for equivalent lateral force procedure, and Subsection 1617.5 shall be used for simplified analysis procedure for seismic design of buildings.

1617.6.1.1 ASCE 7, Table 9.5.2.2

Subsection 1617.6.1.1 is amended to add an Item 5 to read as follows:

5. The Table 1617.6.2 entry for cantilevered column systems (Item 7A) shall apply.

1704.4 Concrete construction

Subsection 1704.4 and its Exception are amended to read as follows:

1704.4 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1704.4.

Exception: Special Inspections shall not be required for:

1. Isolated spread or continuous concrete footings supporting walls of buildings three stories or less in height that are fully supported on earth or rock where:
   1.1. The footings are designed in accordance with Table 1805.4.2; or
   1.2. The structural design is based on a f'c no greater than 2500 pounds per square inch (17.2 Mpa).
2. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade where the effective prestress in the concrete is less than 150 pounds per square inch (1.03 Mpa).
3. Concrete patios, driveways and sidewalks on grade.

1704.5 Masonry construction

Subsection 1704.5 is amended so that Item 2 of the Exception reads as follows:

2. Masonry fence or retaining walls less than 8'-0" in height or combined masonry fence and retaining walls less than 16'-0" in height, with the retaining wall portion less than 8'-0" in height. Wall height shall be measured from top of footing to top of wall. Walls shall be designed in accordance with Chapter 2 of ACI 530/ASCE 5/TMS 402 with allowable stresses for masonry reduced by one half.

1704.7 Soils

Subsection 1704.7 is amended so that its first paragraph (before the Exception) reads as follows:

The special inspections for existing site soil conditions, fill placement and load-bearing requirements shall follow Subsections 1704.7.1 through 1704.7.4.

A new Subsection 1704.7.4 is added to read as follows:

1704.7.4 Excavation. When required by the registered design professional or the building official, the special inspector shall verify that the exposed soils at the completion of the foundation excavation are in compliance with the recommendations of the approved soils report.

A new Subsection 1704.15 is added to read as follows:

1704.15 Amusement and transportation rides. Special inspection and testing are required during installation, construction, modification, repair, operational testing, and when required by the building official and manufacturer.

1802.1 General

Subsection 1802.1 is amended to add a new paragraph at the end to read as follows:

All projects that are exempted from the requirement for a geotechnical report under Subsection 1802.2 shall comply with Tables 1804.2 and 1904.3. Design values based on a Class 5 material and a severe sulfate exposure level shall be selected as default values.

1802.2 Where required

Subsection 1802.2 and its Exception are amended to read as follows:

1802.2 Where required. The owner or applicant shall submit a foundation and soils investigation (geotechnical report) to the building official where required in Subsections 1802.2.1 through 1802.2.7. Geotechnical reports shall be prepared by a registered design professional. Recommendations included in the report and approved by the building official shall be incorporated in the construction documents. Geotechnical reports shall be required for all projects that require new foundations.

Exception. At the option of the building official, the following projects may be exempted from submitting a geotechnical report:

1. Habitable remodels or additions to a dwelling unit with a footprint less than 600 square feet.
2. Storage, garage, agricultural, and similar use buildings, such as gazebos and playhouses, associated with a dwelling unit with a footprint less than 600 square feet.
3. Single story commercial structures less than 600 square feet.

4. Fences.
5. Manufactured homes, trailers, modular buildings, and pre-engineered carports.
6. Signs less than 50 feet in height.

1802.2.3 Ground-water table

Subsection 1802.2.3 is amended to delete its Exception without replacement.

1802.3.2 Expansive soils

Subsection 1802.3.2 is amended to add a new paragraph after Item 4 to read as follows:

Soils may be determined to be expansive or non-expansive by the preceding methods or the standard 60 pounds per square foot swell test. When the standard 60 pounds per square foot swell test is performed on any soil with a swell greater than 4 percent, it shall be considered expansive. When soils are determined to be expansive, special design consideration is required. In the event that expansive soil properties vary with depth, the variation shall be included in the engineering analysis of the expansive soil effect on the structure. The foundation design and special inspection for grading/foundations shall be based upon results obtained from the standard 60 pounds per square foot swell test. Refer to Subsection 1805.8 and Table 1805.8 for additional requirements.

1802.3 Soil classification

Subsection 1802.3 is amended to add a new Subsection 1802.3.3 to read as follows:

1802.3.3 Standard 60 pounds per square foot swell test. The swell test samples may be remolded to the in-place density required for the particular soil type as called for in the geotechnical report, or it may be an in situ undisturbed sample. The test samples shall be one inch thick and laterally confined by placing them in a retaining ring constructed in accordance with ASTM D-235. The swell test sample shall be oven dried at 60° C, and the sample shall be dried a minimum of eight (8) hours. The test sample shall be inundated with water and kept in a standard moisture condition until measurable swelling or vertical movement ceases. The swell test shall use a 60 pounds per square foot surcharge load. The balance of the swell test will be per ASTM D-2435. Swell test results shall be interpreted using Table 1805.8 or as permitted in Subsection 1805.8.

1802.4 Investigation

Subsection 1802.4 is amended to add a new Subsection 1802.4.2 to read as follows:

1802.4.2 Minimum exploration requirements. The minimum exploration requirements are as follows:

1. For areas less than or equal to one acre, a minimum of two explorations.
2. For areas greater than one acre, but less than five acres, a minimum of one exploration for the first acre and one for each additional two acres, or portion thereof.
3. For areas greater than or equal to five acres, but less than twenty acres, a minimum of three explorations plus one additional exploration for each three acres above five.
4. For areas greater than or equal to twenty acres, a minimum of eight explorations plus one additional exploration for each five acres or fraction thereof above twenty.

5. Building additions of less than 2,000 square feet shall require a minimum of one exploration.
6. For signs, towers, and monopoles whose locations are known and only that area of the site is to be developed, a minimum of one exploration at the location is required.
7. The minimum depth of the exploration shall be ten feet. Exploration depth shall be increased as necessary to evaluate the suitability of the material within the foundation's depth of influence as determined by the registered design professional. Should refusal be encountered the exploration can be terminated. However, at least three-fourths of the required explorations shall be to the minimum depth. The geotechnical report shall clearly state the criteria used to determine that refusal was met. When information regarding the final grades is made available, the registered design professional shall determine if the explorations originally documented in the geotechnical report meet the depth requirements.

1802.6 Reports

Subsection 1802.6 is deleted in its entirety and replaced with a new Subsection 1802.6 to read as follows:

1802.6 Reports. The soil classification and design load-bearing capacity shall be shown on the construction document. Where required by the building official, a written report of the investigation shall be submitted that shall include, but need not be limited to, the following information:

1. A plot showing the location of test borings and excavations. The plot shall be dimensioned and shall show the approximate location of all existing structures.
2. A complete record of the soil samples.
3. A record of the soil profile.
4. Depth of the water table, if encountered.
5. Recommendations for foundation type and design criteria, including but not limited to: bearing capacity of natural or compacted soil; provisions to mitigate the effects of expansive soils; mitigation of the effects of liquefaction, differential settlement, and varying soil strength; and the effects of adjacent loads. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils.
6. Expected total and differential settlement.
7. Pile and pier foundation information in accordance with Subsection 1808.2.2.
8. Special design and construction provisions for footings or foundations founded on expansive soils, as necessary.
9. Compacted fill material properties and testing in accordance with Subsection 1803.5. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils.
10. Soil classification by the Unified Soil Classification System. Backup data on tests performed in the soil classification shall be included.
11. Address, if applicable the possible impacts on adjoining properties and mitigating measures to be undertaken.
12. Suitability of onsite soils for use as fill material.
13. Provide grading requirements for onsite and import soils (where applicable) including, but not limited to, swell, solubility, and sulfates.
14. Geotechnical design considerations for drainage structures, as applicable.
15. Trenching or other special procedures for determining fault and fissure(s) locations. The potential for differential movement across a fault and fissuring should be evaluated.
16. Procedures for mitigation for geological hazards.
17. Erosion control requirements, as applicable.

18. Anticipated structural loads and type of proposed structure.
19. Site class per Table 1615.1.1.

1803.5 Compacted fill material

Subsection 1803.5 is amended to add Item 8, before the Exception, to read as follows:

8. A placement procedure for oversized material. The procedure shall include the following elements at a minimum:

   8.1 No rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills within five feet, measured vertically, from the bottom of the footing or lowest finished floor elevation, whichever is lower, within the building pad.

   8.2 Oversized fill material shall be placed so as to assure the filling of all voids with well-graded soil. Specific placement and inspection criteria shall be stated in the soils report.

   8.3 Continuous special inspections will be required during the placement of any oversized fill material.

1805.1 General

Subsection 1805.1 is amended to add a new Subsection 1805.1.1 to read as follows:

1805.1.1 Minimum distances to ground faulting.

1. The minimum set back for an occupied structure from a Holocene active fault shall be fifty (50) feet. The minimum setback for an essential facility or an R3 occupancy shall not be less than five (5) feet to any Quaternary active fault. A Holocene active fault is a fault with recognized activity within Holocene time (within the past 11,000 years). A Quaternary active fault is a fault with a recognized activity within Quaternary time (within the past 1.6 million years).
2. When the geotechnical report establishes that neither a fault nor a fault zone exists on the project, no fault-zone setback requirements will be imposed.
3. If through exploration, the fault location is defined, the fault, the no-build zone, or both, shall be clearly shown to scale on the grading, plot plan(s), and final map.
4. When the fault location is not fully defined by explorations but a no-build zone of potential fault impact is established by the soils report, no portion of the foundation system shall be constructed within that zone. The no-build zone shall be clearly shown to scale on the grading, plot plan(s), and final map.
5. For single lot, single-family residences, the fault location may be approximated by historical research as indicated in the soils report. A no-build zone of at least fifty (50) feet each side of the historically approximated fault edge shall be established. A no-build zone shall be clearly shown to scale on the grading, plot plan(s), and final map.

1805.5.2 Foundation wall materials

Subsection 1805.5.2 is amended to add Item 6 to read as follows:

6. Horizontal reinforcement shall be evenly distributed throughout the height of the wall, and be not less than one-third for concrete and one-sixth for masonry of that required for the vertical reinforcement. In masonry walls, masonry joint reinforcement may be used to meet this requirement.

1805.5.5.2 Seismic requirements for masonry foundation walls

Subsection 1805.5.5.2 is amended so that Items 1 and 2 read as follows:

1. For Seismic Design Category A, no additional seismic requirements shall apply.
2. For Seismic Design Categories B and C, a design based upon Tables 1805.2(2) through 1805.5(4) shall be used, subject to the seismic requirements of Section 2106.

1805.8 Design for expansive soils

Subsection 1805.8 is amended to add a new Table 1805.8 to read as follows:

TABLE 1805.8
POST-TENSIONED SLAB CRITERIA

Expansion	Percent Swell Under 60 psf surcharge	Minimum Design Values Ym (inches) for PT slabs		Minimum thickened edge or footing depth (inches)
		Edge Lift	Center Lift	
Low	0 to < 4	1/8 to ¼	-----	12
Moderate	≥ 4 to < 8	¼ to ½	1/8 to 3/8	12
High	≥ 8 to < 12	½ to 1	3/8 to 1	18
Critical 12	≥ 12 to < 16	See Note No. 12		24
Critical 16	≥ 16 to < 20	See Note No. 12		30
Critical 20+	20 or greater	See Note No. 12		36

Notes:
1. This Table is intended to address expansive soil. The presence of collapsible soil or other geologic conditions may require different design criteria.
2. Foundations shall be designed to meet design criteria of the Post-Tensioning Institute manual "Design and Construction of Post-Tensioned Slabs-On-Ground, Second Edition." Both edge lift and center lift conditions need to be evaluated.
3. Edge moisture variation distance (Em) shall be a minimum of 2.5 feet for edge lift and 4.75 feet for center left.
4. C_Δ for prefabricated roof truss clear spans shall be 360 for center lift and 800 for edge lift.
5. Typical systems using stiffener beams may be equated to a flat slab of equivalent stiffness. Stiffening beams in post-tension designs shall be spaced no more than 15 feet apart or closer than 6 feet. Stiffener beam width shall not be less than 9 inches. Conventionally reinforced designs may also be used.
6. Modulus of elasticity of the soil (Es) shall be taken at 1000 psi unless tests indicate otherwise.
7. All concrete in the foundation system must be a minimum of 2500 psi and shall comply with Table

1904.3. Lean concrete shall not be permitted in slabs or beams.

8. The calculated differential deflection of the foundation slab shall not exceed the limitations of "Design and Construction of Post-Tensioned Slabs-on-Ground, Second Edition" nor ½ inch for edge lift.
9. Perimeter loading of slab (P) shall be limited to dead load.
10. Expansion (swell) test shall be performed in accordance with Subsection 1802.3.3.
11. Thickened edge embedment depth shall be measured from the top of the lowest adjacent final compacted subgrade to the bottom of the footing.
12. Specific recommendations from a geotechnical engineer are required. Design value (Ym) shall be a minimum of 1 inch if there is no specific recommendation from the geotechnical engineer.
13. Post-tensioned foundations constructed over stable soils, consisting primarily of sands and gravels, need not comply with Subsection 1805.8.

1805.8.2 Slab-on-ground foundations.

Subsection 1805.8.2 is amended to add a new paragraph before the exception, to read as follows:

The criteria for determining the expansive nature of soils are given in Subsection 1802.3.2. The minimum design criteria for post-tensioned slabs are defined in Table 1805.8.2. Where conventional slabs and foundations are used on expansive soils, the footing depth shall be equal to or greater than the thickened edge depth listed in Table 1805.8.2.

1910.4.3.1 Walls

Subsection 1910.4.3.1 is amended to delete the Exception in its entirety without replacement.

1911.2 Post-tension slab-on-ground provisions

A new Subsection 1911.2 is added to read as follows:

1911.2 Post-tension slab-on-ground provisions. Where post-tension slabs-on-ground are utilized, design shall be in accordance with PTI Design and Construction of Post-Tensioned Slabs-On-Ground. The design for expansive soils is specified in Subsection 1805.8.

2107.2 Modifications to ACI 530/ASCE 5/TMS 402

Subsection 2107.2 is amended to add three new Subsections 2107.2.7, 2107.2.8, and 2107.2.9 to read as follows:

2107.2.7 ACI 530/ASCE 5/TMS 402, Section 1.4, standards cited in this code. Modify ASCE 7-98 to ASCE 7-02.

2107.2.8 ACI 530/ASCE 5/TMS 402, Section 2.3.3.2.3. The design of walls with an h/t ratio larger than 30 shall be based on forces and moments determined from an analysis of the structure. Such analysis shall consider the influence of axial loads and variable moment of inertia on member stiffness and fixed-end moments, effect of deflections on moments and forces and the effects of duration of loads.

2107.2.9 ACI 530/ASCE 5/TMS 402, Section 2.3.6, Design assumptions. The working stress design procedure is based on working stresses and linear stress-strain distribution assumptions with all stresses

in the elastic range as follows:

1. Plane sections before bending remain plane after bending.
2. Stress is proportional to strain.
3. Masonry elements combine to form a homogenous member.
4. Masonry carries no tensile stress.
5. Reinforcement is completely surrounded by and bonded to masonry material so that they work together as a homogenous material within the range of allowable working stresses.

2111.15 Fireplaces within a dwelling unit

A new Subsection 2111.15 is added to read as follows:

2111.15 Fireplace within a dwelling unit. A gas or wood-burning fireplace within a dwelling unit shall comply with the 2003 International Residential Code.

2512.1.2 Weep screeds

A new Subsection 2512.1.2.1 is added to read as follows:

2512.1.2.1 Weep screed with stem walls. Where requirements of this code may impose a potential non-compliant weep screed clearance from earth or paved areas, a concrete or masonry stem wall designed for compliance with the required clearances shall be provided for these areas.

2702.2 Where required

A new Subsection 2702.2.20 is added to read as follows:

2702.2.20 Electric fire pumps. An emergency power supply shall be provided for electrical fire pumps that are not backed-up by a diesel driven fire pump. All wiring and transfer/switching equipment shall be in accordance with NFPA 20 and NFPA 70.

2902.1 Minimum number of fixtures

Table 2902.1 is amended to add a superscript letter (f) following the column heading for Water Closets to refer to a new footnote (f) below the table.

Table 2902.1 is further amended to add a new footnote (f) below the table to read:

f. Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.

3002.4 Elevator car to accommodate ambulance stretcher

Subsection 3002.4 is amended to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. In buildings four stories in height or more, at least one elevator in each bank of elevators shall be provided for fire department emergency access to all floors. Each such elevator car shall be of such a size and arrangement to accommodate a 24-inch by 81-inch (610 mm by 2057 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoist way doorframe.

Note: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators that respond to a single call button constitute a bank of elevators.

3003.1.3 Two or more elevators

Subsection 3003.1.3 is amended to read as follows:

3003.1.3 Two or more elevators. Where two or more elevators are controlled by a common operating system, all elevators shall automatically transfer to standby power within 60 seconds after failure of normal power where the standby power source is of sufficient capacity to operate all elevators at the same time. Where the standby power source is not of sufficient capacity to operate all elevators at the same time, all elevators shall transfer to standby power in sequence, return to the designated landing and disconnect from the standby power source. After all elevators have been returned to the designated level, at least one elevator in each bank shall remain operable from the standby power source.

Note: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators that respond to a single call button constitute a bank of elevators.

SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

Section 3109 is deleted in its entirety and replaced with a new Section 3109 to read as follows:

SECTION 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES.

See the 2003 Southern Nevada Pool Code.

3404.1 Where permitted

Subsection 3404.1, together with Subsections 3404.1.1 through 3404.1.4, are deleted and replaced with a new Subsection 3404.1, including an exception, and Subsection 3404.1.1 to read as follows:

3404.1 Number of exits. Every floor above the first story used for human occupancy shall have at least two separate exits. An exterior fire escape may not be used as one of the required exits unless specifically approved by the building official and fire chief.

Exception: In any occupied second story with an occupant load that does not require two (2) exits in accordance with Section 1014 and Table 1014.1, one exit is permitted.

3404.1.1 Existing fire escapes. Existing fire escapes shall be replaced with complying stairways during remodeling operations. Where such replacement is not feasible, the building official may consider alternative requirements.

3410.2 Applicability

Subsection 3410.2 is amended to read as follows:

3410.2 Applicability. Structures existing prior to the adoption of this code, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Subsections 3410.2.1 through 3410.2.5 shall apply to the existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

CHAPTER 35 REFERENCED STANDARDS

Chapter 35 is amended to add the following standards:

STANDARD REFERENCE NUMBER	REFERENCED IN CODE SECTION NUMBER
ASTM D-235	1802.3.3
ASTM D-2435	1802.3.3
ASTM 1586-99	Appendix J, Subsection J102.1
NFPA 20	2702.2.20
NFPA 70	2702.2.20

I102.1 General

Subsection I102.1 is amended by adding an Exception following the definition of "Patio Covers," to read as follows:

Exception: In the case of an attached patio cover that shares a common wall with the main structure, the existing common wall and the openings of the main structure shall not be removed or modified except in order to comply with structural requirements.

J101.3 Relationship to other provisions

A new Subsection J101.3 is added to read as follows:

J101.3 Relationship to other provisions. The provisions of this Chapter shall not be deemed to supersede or waive the requirements or other provisions of Title 20 of the Las Vegas Municipal Code. All such provisions should be applied to the extent possible. Any conflict shall be resolved in favor of applying the more restrictive requirement or provision, unless otherwise determined by the building official in consultation with officials charged with the administration of Title 20.

J102.1 Definitions

Subsection J102.1 is amended by amending the initial paragraph to read as follows:

For the purposes of this Appendix J and Chapters 18 and 19 of this code, as adopted by the City, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

Subsection J102.1 is further amended by adding the following definitions:

BUILDING PAD. The soil, cut or fill site, outlined by the area of the footprint of the building plus a minimum of 5 additional feet (1524 mm) to the exterior. This includes any type of foundation system for this structure.

CHEMICAL ANALYSIS. The use of chemical methods in soils analysis to determine the specific content of soluble salt.

FINAL GRADING REPORT. A grading report stamped and signed by a registered design professional certifying that the building pad was constructed in conformance with the recommendations set forth in the Geotechnical report. This report contains explicit information and data that verifies compliance with the Geotechnical report of record including any approved supplements or addenda.

GEOTECHNICAL REPORT (SOILS REPORT). Data and engineering recommendations resulting from site exploration which evaluates the soil conditions and general site characteristics and suitability of the site for the proposed construction. A registered design professional shall prepare the report.

PAD CERTIFICATION (OR RECERTIFICATION) REPORT. A report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the Geotechnical report of records. This report contains explicit information and data that verifies compliance to the Geotechnical report of record including any approved supplements or addendums.

REFUSAL. Refusal while advancing an exploration is recognized as a Standard Penetration blow count, as defined by ASTM 1586-99, exceeding 100 blows per full lineal foot.

SPECIAL GEOTECHNICAL CONSIDERATION AREA. A portion of Clark County where additional Geotechnical investigation requirements may apply. These areas are identified on the most recent edition of the "Clark County Soil Guidelines Reference Map(s)" as published by Clark County.

J103.3 Hazards

Subsection J103 is amended by adding a new Subsection J103.3 to read as follows:

J103.3 Hazards. Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this

code.

J104.2 Site plan requirements

Subsection J104.2 is amended by adding a new sentence at the end to read as follows:

All grading plans shall be prepared, stamped and signed by a registered design professional.

J105.2 Special inspections

Subsection J105.2 is amended by adding a new Subsection J105.2.1, together with Subsections J105.2.1.1 through J105.2.1.4, to read as follows:

J105.2.1 Completion of work and final reports. Report submittal shall be in compliance with Subsection 1704.1.2.

J105.2.1.1 Final grading report. Upon completion of pad grading (or foundation construction) and prior to a footing or foundation inspection, a final grading report shall be provided by an approved agency. Grading (or foundation construction) shall be observed and tested by an approved agency. At the option of the building official, a pad certification report submitted in accordance with Subsection J105.2.1.2 may be accepted as an interim report prior to a footing or foundation inspection. A final grading report will then be required prior to receiving a final inspection. The final grading report itself will contain all applicable test data and analysis of the data. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading.

The report shall also include all the following information:

1. Compaction test results, requirements, locations, and depth of backfill at test locations.
2. Moisture density values and curves that include classifications for all soils used in the grading operation.
3. Description of structure or pad including the proposed use.
4. Grading plan showing approximate locations of tests, dates, and depths of over-excavation observations, original contours and finish pad elevations.
5. Swell and solubility test requirements and results. This information shall be provided if required by the geotechnical report of record, elsewhere in the code, or if imported soils were utilized.
6. Type of foundation system applicable to work being certified (i.e. spread footings, strip footings, combination footings, drilled shafts, etc.).
7. Import material used, source of import, and tests indicating compliance with the geotechnical report of record recommendations, and classification in relation to Table 1904.3.
8. A statement describing the process of pad grading. Where applicable, this shall include, but not be limited to, the minimum depth of over-excavation, blending operations, the use of import soils, nested aggregate, organics encountered, and removal of unsuitable soils.
9. The preceding requirements shall be presented for each pad or structure being certified.

The final grading report remains valid for a maximum of six months after the completion of grading. The six-month period begins at the first test date of the final test of the final lift of the structural pad. Once expired, a pad recertification report is required.

J105.2.1.2 Pad certification report. This letter/report is used as an interim document until a final grading report is completed (i.e., a final grading report for the entire project or a particular phase(s) of a project). The approved agency shall prepare this report signed by a registered design professional and certifying that the grading and earthwork are complete and substantially comply with the requirements of the geotechnical report of records including any approved supplements or addenda. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading.

J105.2.1.3 Finished floor elevation certificate. A Nevada Professional Land Surveyor shall certify the lowest habitable finished floor elevation to the elevation on the approved plans upon completion of the slab inspection and placement or the placement of the final construction form for the finished floor. All certifications required by this section shall be provided to and accepted by the building official prior to performance of any additional inspections. The minimum finished floor elevation shall comply with the approved plans and the allowable tolerance shall be minus (-) 0.0 feet to plus (+) 0.3 feet of the finished floor elevation detailed on the approved plans.

J105.2.1.4 Drainage compliance report. Upon completion of final grading, and prior to the final building inspection, a statement of compliance for drainage shall be provided by the registered design professional of record or the developer when approved by the building official. This report shall state that site conditions at the time of final construction provide positive drainage in compliance with approved drainage plan or the plot and grading plan. When engineered drainage features, facilities, or structures are required by the approved plans, the registered design professional of record shall verify that installed and constructed elements are in compliance with the approved plans. This includes site detention, lot-to-lot drainage, and drainage conveyance devices.

J105.2.1.5 Notification of noncompliance. If in the course of fulfilling their respective duties under this appendix, the registered design professional or approved agency finds that the work is not being done in conformance with this appendix or the approved plans, the discrepancies shall be immediately reported in writing to the contractor, the permittee, and to the building official.

J106.2 Excess excavations

Section J106 is amended by adding a new Subsection J106.2 to read as follows:

J106.2 Excess excavation. A disposal area must be designated prior to the issuance of a grading permit if off-site disposal of waste or excess excavation is anticipated. A grading permit and fill control may be required for the disposal area. Written permission from the owner of the designated disposal area shall be required.

J111 REFERENCED STANDARDS

Section J111 is amended to read as follows:

ASTM D 1557-00	Test Method for Laboratory Compaction Characteristics of Soil Using Modified Effort (56,000 ft-lb/ft).	J107.5

J112 ADDITIONAL STANDARDS

Appendix J is amended by adding a new Section J112 to read as follows:

J112 ADDITIONAL STANDARDS

The following additional standards are adopted:

ASTM D1556 – In place Density of Soils by the Sand-Cone Method.
ASTM D2922 and D3017 – Density of Soils by Nuclear Methods and In-Place Moisture Content.

APPENDIX K FENCES, WALLS AND RETAINING WALLS

A new Appendix K is added to this code to read as follows:

APPENDIX K FENCES, WALLS AND RETAINING WALLS

SECTION K101 GENERAL

K101.1 Prohibition. It shall be unlawful for any person, contractor, firm or corporation to erect, install, construct or replace any fence, wall or retaining wall contrary to the provisions of this code.

K101.2 Applicable regulations. All regulations and requirements of the Building Code and any amendments, deletions and additions thereto shall apply to the erection, installation or construction of any fence, wall or retaining wall except that which may be inconsistent with this chapter.

SECTION K102 DEFINITIONS

K102.1 General. For purposes of this appendix, certain terms are defined as follows:

CUT. See "Excavation."

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FENCE. A structure of temporary or semi-permanent material such as wrought iron, wire, wood, screen, vinyl, plastic, etc., that is erected for purposes of enclosure, division of property or decoration.

FILL. The deposition of earth materials by artificial means.

RETAINING WALL. Any wall that is used to resist the lateral displacement of earth or any other material with a difference in elevation of the material from one side to the other exceeding 24 inches (610 mm) in height.

WALL. A structure of stone, brick, masonry, concrete or other similar permanent material, raised to some height and erected for purposes of enclosure, division of property or decoration.

SECTION K103 PERMITS

K103.1 Permits required. No fence, wall or retaining wall regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, converted or demolished unless a separate permit for each fence, wall or retaining wall is obtained from the building official.

K103.2 Separate permits required. A separate permit is required for each parcel of land upon which the fence, wall or retaining wall is to be located.

> **Exception:** Only one permit is required for multiple fence(s), wall(s) or retaining wall(s) constructed along property lines in connection with the development of a subdivision, provided that a legal description of the property is submitted together with a dimensioned plot plan showing the exact location of the fence, wall or retaining wall and all other recorded lot and easement lines.

K103.3 Application for a fence, wall or retaining wall permit. To obtain a permit, the applicant shall first file an application on a form furnished by the jurisdiction for that purpose. The application shall include the following:

1. The name and address of the owner of the real property upon which the fence, wall or retaining wall is to be located.
2. The type of material to be used for construction of the fence, wall, or retaining wall.
3. The total length, height and square footage of each fence, wall or retaining wall.
4. The authorized agent to perform construction.
5. A dimensioned drawing that identifies the location of each fence, wall or retaining wall with respect to the property or lot lines, easements, streets, and other rights-of-way. Existing construction and drainage features shall be clearly identified on the drawings.
6. The location of all light standards, gas and water meters, and fire hydrants.
7. Other information deemed pertinent by the building official.

K103.4 Drawings and specifications. Drawings and specifications required for retaining walls shall be prepared by a registered design professional. The design shall be in accordance with the applicable chapters of this code. Drawings or specifications for fences and walls need not be submitted unless required by the building official. Drawings and specifications shall be submitted for retaining walls showing that the retaining wall is designed in accordance with this code.

SECTION K104 GENERAL REQUIREMENTS AND LIMITATIONS

K104.1 General. General requirements and limitations shall be as follows:

1. No fence, wall or retaining wall shall be placed within a right-of-way unless granted permission by the authority having jurisdiction.
2. The height and location of a fence, wall and or retaining wall shall comply with all zoning ordinances and regulations of the authority having jurisdiction.
3. Fences, walls or retaining walls shall not be constructed closer than 18 inches (457.2 mm) from any light standard, gas meter or water meter, and shall be in accordance with published standards of the department or agency having authority of utility easements, when located within a utility easement. Fences, walls or retaining walls shall not be constructed closer than 30 inches (762 mm) from the back or 36 inches (914.4 mm) from either side of a fire hydrant.

4. Special inspections, if required, shall be in accordance with Chapter 17.

K104.2 Required inspections. The following shall apply to special inspections under this appendix:

1. All footings shall be inspected to verify location to property line, structures, and compliance with the approved plans and permit.
2. Concrete foundations shall not be poured until footings have been inspected and approved by the building official.
3. No wall or retaining wall shall be grouted until the reinforcing required has been inspected and approved by the building official.
4. No retaining wall shall be backfilled until verification of the required damp-proofing and drainage has been inspected and approved by the building official.

K104.3 Natural drainage. No permits shall be issued for fences, walls or retaining walls, which would block any natural drainage channel.

K104.4 Prohibited materials. Walls, fences and retaining walls shall not be constructed of materials which impose a direct safety hazard, such as pointed posts, stakes or pickets, components intended for electrocution, embedded glass, nails, barbed or razor type wire, or other sharp cutting objects.

Exception: Manufactured barbed or razor wire may be used when its detailed use, location, and construction requirements are approved by the Planning Commission.

SECTION K105 IMPLEMENTATION

K105.1 Implementation. The building official is authorized to formulate procedural guidelines to be used in implementing this appendix.

CITY OF LAS VEGAS

AMENDMENTS TO
2003 INTERNATIONAL RESIDENTIAL CODE

PREFACE

This document comprises the Amendments to the 2003 International Residential Code as published by the International Code Council. The Amendments were developed by the City of Las Vegas to be adopted by reference. These Amendments are not to be considered part of a local government's building code unless they have been adopted by that local government. These Amendments are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided any alternate has been approved and its use authorized by the building official. This document is available to be adopted by any jurisdiction without permission or approval from the City of Las Vegas.

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NOTE: This Table of Contents is included for the sake of convenience, but is not officially part of the adopted Amendments. Efforts have been made to ensure completeness and accuracy of the Table of Contents, but its completeness and accuracy cannot be guaranteed.

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City of Las Vegas Amendments to the 2003 International Residential Code

CHAPTER 1 ADMINISTRATION

Chapter 1 is deleted in its entirety and replaced with a new Chapter 1 to read as follows:

CHAPTER 1 ADMINISTRATION

SECTION R101 GENERAL

R101.1 Title and Scope. These regulations shall be a part of, and may be referred to as the Building Code, as adopted by the City of Las Vegas (hereinafter referred to as "this code"). The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

Unless any such code has been specifically adopted by the City, any reference to an I-Code (international code), including without limitation the following, shall be deemed to refer to the equivalent code, if any, that has been adopted by the City:

ICC Electrical Code
International Energy Conservation Code
International Existing Building Code
International Fire Code
International Fuel Gas Code
International Mechanical Code
ICC Performance Code
International Plumbing Code
International Private Sewer Disposal Code
International Administrative Code
International Urban-Wildland Interface Code
International Zoning Code

Equivalent adopted versions include the:

2002 National Electrical Code
1992 Model Energy Code
2003 NFPA 1 Fire Code
2000 Uniform Mechanical Code
2000 Uniform Plumbing Code
1997 Uniform Administrative Code

(end of New Chapter 1)

SECTION R202 DEFINITIONS

Section R202 is amended by adding two new definitions to read as follows:

SLEEPING AREA. Any area that includes one or more sleeping rooms that are located on the same floor and are not separated by another habitable room, such as a living room, dining room, or kitchen (but not a bathroom, hallway or closet).

SLEEPING ROOM. Any bedroom or other room that is ordinarily used or intended to be used for sleeping purposes. The term is deemed to include any room that contains a closet and that provides for occupant privacy.

R301.1.2 Construction systems

Subsection R301.1.2 is amended by adding a new paragraph to read as follows:

All plain (unreinforced) concrete, plain (unreinforced) masonry, and rubble stone masonry construction is prohibited. All tables, figures and references for these unreinforced systems are deleted.

R301.1.3 Engineered design

Subsection R301.1.3 is amended to read as follows:

R301.1.3 Engineered design. When a building of otherwise conventional construction contains structural elements exceeding the limits of Section R301, or otherwise not conforming to this code, including applicability limits, the entire structure shall be designed in accordance with the provisions of the 2003 International Building Code. Engineered design in accordance with the 2003 International Building Code is permitted for all buildings and structures.

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Table R301.2(1) is amended to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND SPEED[e] (mph)	SEISMIC DESIGN CATEGORY[g]	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP[f]	ICE SHIELD UNDER-LAYMENT REQUIRED[i]	FLOOD HAZARDS[h]	AIR FREEZING INDEX[j]	MEAN ANNUAL TEMP[k]
			Weathering[a]	Frost line depth[b]	Termite[c]	Decay[d]					
0	90	D_1	Negligible	12"	Moderate to Heavy	None to Slight	28°	No	*	35 (F°-days)	66 3F°

For SI: 1 pound per square foot = 0.0479 kN/m^2, 1 mile per hour = 1.609 km/h.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weather column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301,2(3)]. The grade of masonry units shall be determined from ASTM

C34, C55, C62, C73, C90, C128, C145, C216 or C652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table with "very heavy," "moderate to heavy," "slight to moderate," or "none to slight" in accordance with Figure R301.2(6) depending on whether there has been a history of local damage.

d. The jurisdiction shall fill in this part of the table with "moderate to severe," "slight to moderate," or "none to slight" in accordance with Figure R301.2(7) depending on whether there has been a history of local damage.

e. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Subsection R301.2.1.4.

f. The outdoor design dry-bulb temperature shall be selected from the columns of 97-1/2 percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

g. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Subsection R301.2.2.1.

h. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adoption by the community, as may be amended.

i. In accordance with Subsections R905.2.7.1, R905.4.3, R905.5.3, R905.6.3, R905.7.3 and R905.8.3 for areas where the average daily temperature in January is 25° F (-4° C) or less, or where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".

j. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.htm.

k. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.htm.

* h. August 16, 1995. "The Flood Insurance Study for Clark County, Nevada and Incorporated Areas", as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto.

R301.2.2.1 Determination of seismic design category

Subsection R301.2.2.1 is amended to read as follows:

R301.2.2.1 Determination of seismic design category. Buildings shall be assigned a Seismic Design Category of D_1.

R301.2.2.1.1 Alternate determination of seismic design category

Subsection R301.2.2.1.1 is amended to add an exception to read as follows:

Exception: Seismic design categories A and B shall not be permitted for wood or light gage steel construction. Seismic design categories A, B, and C shall not be permitted for any concrete or masonry construction.

R301.2.2.2.2 Irregular buildings

Subsection R301.2.2.2.2 is amended so that the first paragraph, before Items 1 through 7, reads as follows:

R301.2.2.2.2 Irregular buildings. Concrete construction complying with Section R611 or R612 and conventional light-frame construction shall not be used in irregular structures in Seismic Design Categories C, D_1, and D_2. Such irregular structures shall be designed in accordance with the provisions of the International Building Code. A building shall be considered to be irregular when one or more of the following conditions occur:

R301.3 Story height

Subsection R301.3 is amended so that Items 1, 2, and 3 thereof read as follows:

1. For wood wall framing, the laterally unsupported bearing wall stud height permitted by Table R602.3(5) plus a height of floor framing not to exceed 16 inches, except that the height of floor framing may exceed 16 inches, up to a maximum of 24 inches, if the braced wall length required by Table R602.10.1 is multiplied by 1.05.

   Exception: For wood framed wall buildings with bracing in accordance with Table R602.10.1, the wall stud clear height used to determine the maximum permitted story height may be increased to 12 feet without requiring an engineered design for the building wind and seismic force resisting systems provided that the length of bracing required by Table R602.10.1 is increased by multiplying by a factor of 1.20. Wall studs are still subject to the requirements of this section.

2. For steel wall framing, a stud height of 10 feet, plus a height of floor framing not to exceed 16 inches. Where floor height is between 16 inches and 24 inches, the minimum percentage of full height structural sheathing shall be multiplied by 1.05.

3. For masonry walls, a maximum bearing wall clear height of 12 feet plus a height of floor framing not to exceed 24 inches.

Table R301.5 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS

Table R301.5 is amended by amending the live load figure for sleeping rooms, so that the row pertaining to that use reads as follows:

USE	LIVE LOAD
Sleeping rooms	40

Table R301.5 is further amended by adding a new Note "g" to read as follows:

g. Where it can be determined in designing floor that the actual live load will be greater than the value

shown in Table R301.5, the actual live load shall be used in the design of such buildings or portions thereof. Special provisions shall be made for machine and apparatus loads.

R301.6 Roof load

Subsection R301.6 is amended to read as follows:

R301.6 Roof load. Roof shall be designed for the live load indicated in Table R301.6 or the snow load indicated in Table R301.2(1), whichever is greater. Roof live loads in accordance with Subsection 1607.11 of the 2003 International Building Code may be used in place of the loads in Table R301.6.

R303.6.1 Light activation

Subsection R303.6.1, including its Exception, is deleted and replaced with the following Subsection R303.6.1 and exceptions to read as follows:

R303.6.1 Light activation. The control for the activation of the required interior and exterior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from outside the dwelling unit and adjacent to the exterior stairway. Additional control may be located inside the dwelling unit.

Exceptions:
1. Lights that are continuously illuminated or automatically controlled.
2. Interior stairways with five risers or less.

Figure R307.2 MINIMUM FIXTURE CLEARANCES

Figure R307.2 is deleted in its entirety without replacement.

R311.5.3 Stair treads and risers

Subsection R311.5.3.1 is amended to read as follows:

R311.5.3.1 Riser height. The maximum riser height shall be 8 inches (203 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Subsection R311.5.3.2 is amended to read as follows:

R311.5.3.2 Tread depth. The minimum tread depth shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5mm). Winder treads shall have a minimum tread depth of 9 inches (229 mm) measured as above at a point 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the greatest winder tread depth at the 12 inch (305 mm) walk line shall not exceed the smallest by more than 3/ 8 inch (9.5 mm).

R323.2.3 Foundation design and construction

Subsection R323.2.3 is amended to read as follows:

R323.2.3 Foundation design and construction. Foundation walls for all buildings and structures erected in flood hazard areas shall meet the requirements of Chapter 4.

> **Exception:** Unless designed in accordance with Section 404, the unsupported height of 8 inches (203 mm) reinforced masonry walls shall be no greater than 8 feet (2438 mm). For purposes of this exception, unsupported height is the distance from the finished grade of the under-floor space and the top of the wall.

R401.4 Soil tests

Subsection R401.4 is amended to read as follows:

R401.4 Soils tests. A soils test (geotechnical report) shall be required for all projects that require new foundations. The geotechnical report shall be prepared by a registered design professional. Recommendations included in the report and approved by the building official shall be incorporated in the construction documents. Minimum explorations shall conform to Subsection 1802.4.2 of the 2003 International Building Code (IBC), as adopted by the City. Information contained in the geotechnical report shall conform to Subsection 1802.6 of the 2003 IBC, as adopted by the City.

> **Exception:** At the option of the building official, habitable remodels or additions to a dwelling unit with a footprint less than 600 square feet may be exempted from submitting a geotechnical report.

R402.2 Concrete

Subsection R402.2 is deleted in its entirety and replaced with a new Subsection R402.2 to read as follows:

R402.2 Concrete. Concrete shall have a minimum specified compressive strength of 4500 psi with Type V cement and a maximum water-cementitious materials ratio, by weight, normal-weight aggregate concrete of 0.45.

> **Exception:** The concrete strength shall be 2500 psi minimum with Type V cement if the geotechnical report classifies the sulfate exposure as negligible and is accepted by the building official.

Figure R403.1(1) CONCRETE AND MASONRY FOUNDATION DETAILS

Figure R403.1(1) is amended to delete each reference to 3.5 inches as the minimum slab thickness and replace it with a 4.0 inch minimum slab thickness.

R403.1.1 Minimum size

Subsection R403.1.1 is amended to read as follows:

R403.1.1 Minimum size. Minimum sizes for concrete and masonry footings shall be as set forth in Table R403.1 and Figure R403.1(1). The footing width, W, shall be based on the load-bearing value of the soil

in accordance with Table R401.4.1. Spread footings shall be at least 12 inches (305 mm) in thickness, or as required for development of reinforcement in tension or compression. Footing projections, P, shall be at least 2 inches (51 mm) and shall not exceed the thickness of the footing. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1. Footings for wood foundations shall be in accordance with the details set forth in Subsection R403.2, and Figures R403.1(2) and R403.1(3).

R403.1.3 Seismic reinforcing

Subsection 403.1.3 is amended to delete the entire Exception with no replacement.

R403.1.3.2 Slabs-on-ground with turned-down footings

Subsection 403.1.3.2 is amended to delete the entire Exception with no replacement.

R403.1.6 Foundation anchorage

Subsection 403.1.6 is amended to delete the second paragraph (but not the Exception) and replace it with a paragraph to read as follows:

The wood sole plate at the exterior walls on monolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 4 feet (1219 mm) on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. In Seismic Design Categories C, D_1 and D_2, anchor bolts shall also be spaced at 4 feet (1219 mm) on center and located within 12 inches (305 mm) from the ends of each plate section at interior braced wall lines when required by Subsection R602.10.9 to be supported on a continuous foundation. Bolts shall be at least ½ inch (12.7 mm) in diameter and shall extend a minimum of 7 inches (178 mm) into masonry or concrete. Interior bearing wall sole plates on monolithic slab foundations shall be positively anchored with approved fasteners. A nut and washer shall be tightened on each bolt to the plate. Sills and sole plates shall be protected against decay and termites where required by Section R318 and R319. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Subsections R505.3.1 or R603.1.1.

R404.1.1 Masonry foundation walls

Subsection R404.1.1 is amended to read as follows:

R404.1.1 Masonry foundation walls. Concrete masonry and clay masonry foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4) and shall also comply with the provisions of this section and the applicable provisions of Sections R606, R607, and R608. In Seismic Design Categories D_1 and D_2, concrete masonry and clay masonry foundation walls shall comply with Subsection R404.1.4. Rubble stone masonry foundation walls shall be constructed in accordance with Subsections R404.1.8 and R606.2.2. Rubble stone masonry walls shall not be used in Seismic Design Categories D_1 and D_2.

R404.1.2 Concrete foundation walls

Subsection R404.1.2 is amended to read as follows:

R404.1.2 Concrete foundation walls. Concrete foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4), and shall also comply with the provisions of this section and the applicable provisions of Subsection R402.2. Seismic Design Categories D_1 and D_2, concrete foundation walls shall comply with Subsection R404.1.4.

R404.1.4 Seismic Design Categories D_1 and D_2

Subsection R404.1.4 is amended to delete in its entirety the second paragraph (following Items 1 through 5) and to replace it with a new paragraph to read as follows:

Vertical reinforcement for masonry stem walls shall be tied to the horizontal reinforcement in the footings. Masonry stem walls located in Seismic Design Categories D_1 and D_2 shall have a minimum vertical reinforcement of one No. 4 bar to match wall reinforcing, located a maximum of 4 feet (1220 mm) on center in grouted cells.

R404.1.5.1 Pier and curtain wall foundations

Subsection R404.1.5.1 is amended so that Item 2 thereof reads as follows:

2. The minimum actual thickness of a load-bearing masonry wall shall not be less than 8 inches (203 mm) nominal or 7-5/8 inches (194 mm) actual thickness, and shall be bonded integrally with piers spaced in accordance with Subsection R606.8.

SECTION R502 WOOD FLOOR FRAMING

Section R502 is amended by adding at the beginning, before Subsection R502.1, a new paragraph to read as follows:

Applicability limits. The provisions of this Section R502 shall control the construction of wood roof framing for buildings not greater than 60 feet (18288 mm) in length perpendicular to the joist, rafter or truss span, and not greater than 36 feet (10973 mm) in width parallel to the joist span or truss.

R502.3 Allowable joist spans

Subsections R502.3.1 and R502.3.2 are deleted in their entirety and replaced with new Subsections R502.3.1 and R502.3.2 to read as follows:

R502.3.1 Attic joists. Table R502.3.1(1) shall be utilized to determine the maximum allowable span of floor joists that support attics that are accessed by means of a fixed stairway provided that the design live load does not exceed 30 psf (1.44 kN/m^2) and the design dead load does not exceed 10 psf (0.48 kN/m^2). The allowable span of ceiling joists that support attics utilized for limited storage or not storage shall be determined in accordance with Subsection R802.4.

R502.3.2 Other floor joists. Table R502.3.1(2) shall be utilized to determine the maximum allowable span of floor joists that support all areas of the building, other than attics, provided that the design live load does not exceed 40 psf (1.92 kN/m^2) and the design dead load does not exceed 10 psf (0.48 kN/m^2).

R502.6.2 Joist framing

Subsection R502.6.2 is amended to read as follows:

R502.6.2 Joist framing. Joists framing into the side of a wood girder shall be supported by approved framing anchors.

R502.10 Framing of openings

Subsection R502.10 is amended to read as follows:

R502.10 Framing of openings. Openings in floor framing shall be framed with a header and trimmer joists. When the header joist span does not exceed 4 feet (1219 mm), the header joist may be a single member the same size as the floor joist. Single trimmer joists may be used to carry a single header joist that is located within 3 feet (914 mm) of the trimmer joist bearing. When the header joist span exceeds 4 feet (1219 mm), the trimmer joists and the header joist shall be doubled and of sufficient cross section to support the floor joists framing into the header. Approved hangers shall be used for the header joist to trimmer joist connections when the header joist span exceeds 6 feet (1829 mm). Tail joists over 12 feet (3658 mm) long shall be supported at the header by framing anchors.

R502.11.4 Truss design drawings

Subsection R502.11.4 is amended so that the first paragraph (before Items 1-12) reads as follows:

R502.11.4 Truss design drawings. Truss design drawings, prepared in compliance with Subsection R502.11.1, shall be provided to the building official and approved prior to fabrication. Truss design drawing shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

(Items 1-12 remain unchanged)

R503.3.2 Floor underlayment

Subsection R503.3.2 is amended to read as follows:

R503.3.2 Floor underlayment. Particleboard floor underlayment shall conform to Type PBU and shall not be less than 5/16 inch (7.94 mm) in thickness.

SECTION R602 WOOD WALL FRAMING

Section R602 is amended by adding at the beginning, before Subsection R602.1, a new paragraph to read as follows:

Applicability limits. The provisions of this Section R602 shall control the construction of exterior wood wall framing and interior bearing wood wall framing for buildings not greater than 60 feet (18288 mm) in length perpendicular to the joist, rafter or truss span, and not greater than 36 feet (10973 mm) in width parallel to the joist span or truss.

Table R602.3(5) SIZE, HEIGHT AND SPACING OF WOOD STUDS

Table R602.3(5) is amended by deleting in its entirety, and substituting therefore a new Table R602.3(5) to read as follows:

TABLE R602.3(5)
SIZE, HEIGHT AND SPACING OF WOOD STUDS[a]
FOR BUILDINGS 36 FEET WIDE OR LESS

STUD SIZE (inches)	INTERIOR BEARING WALLS					INTERIOR NON-BEARING WALLS		EXTERIOR NON-BEARING WALLS[d]	
	Laterally unsupported stud height (feet)[a],	Maximum spacing when supporting roof and ceiling only (inches)[b]	Maximum spacing when supporting one floor, roof, and ceiling (inches)[b]	Maximum spacing when supporting two floors, roof, and ceiling (inches)[b]	Maximum spacing when supporting one floor only (inches)[b]	Laterally unsupported stud height (feet)[a]	Maximum spacing (inches)	Laterally unsupported stud height (feet)[a]	Maximum spacing (inches)
2 x 4	10	12	8	8	16	14	12	14	12[c]
2 x 6	10	24	24	24	24	20	16	20	16[c]

a. Listed heights are distances between points of lateral support placed perpendicular to the plane of the wall. Increases in unsupported height are permitted where justified by analysis.
b. Roof tributary = 18 ft, floor tributary = 10 ft.
c. The on-center spacing for studs located within 3 ft. of building exterior corners shall be reduced to the next smaller spacing.
d. 1 ft of floor tributary and 3 ft of roof tributary included.

TABLE R602.3.1 MAXIMUM ALLOWABLE LENGTH OF WOOD WALL STUDS . . .

Table R602.3.1 is deleted in its entirety, and replaced with a new Table R602.3.1 to read as follows:

TABLE R602.3.1
MAXIMUM ALLOWABLE LENGTH OF WOOD WALL STUDS EXPOSED TO WIND SPEED OF 90 MPH OR LESS IN SEISMIC DESIGN CATEGORIES A, B, C and D[b, c]

HEIGHT (feet)	ON-CENTER SPACING (inches)			
	24	16	12	8
Supporting a roof only; roof tributary = 18 ft., plus up to 2' eave				
8	2x6	2x4	2x4	2x4
9	2x6	2x4	2x4	2x4
10	2x6	2x6	2x4	2x4
12	2x6	2x6	2x4	2x4
14	2x6	2x6	2x6	2x4
16	NA[a]	2x6	2x6	2x6
18	NA[a]	2x6	2x6	2x6
20	NA[a]	NA[a]	2x6	2x6
22	NA[a]	NA[a]	2x6[c]	2x6
24	NA[a]	NA[a]	NA[a]	NA[a]
Supporting one floor and a roof; roof tributary = 18 ft., plus up to 2' eave, and floor tributary = 10 ft.				
8	2x6	2x6	2x4	2x4
9	2x6	2x6	2x4[c]	2x4
10	2x6	2x6	2x6	2x4
12	2x6	2x6	2x6	2x4
14	NA[a]	2x6	2x6	2x6
16	NA[a]	2x6[c]	2x6	2x6
18	NA[a]	NA[a]	2x6	2x6
20	NA[a]	NA[a]	NA[a]	2x6
22	NA[a]	NA[a]	NA[a]	2x6
24	NA[a]	NA[a]	NA[a]	NA[a]
Supporting two floors and a roof; roof tributary = 18 ft., plus up to 2' eave, and floor tributary = 10 ft.				
8	2x6	2x6	2x4	2x4
9	2x6	2x6	2x6	2x4
10	2x6	2x6	2x6	2x4[c]
12	NA[a]	2x6	2x6	2x6
14	NA[a]	2x6	2x6	2x6
16	NA[a]	NA[a]	2x6	2x6
18	NA[a]	NA[a]	NA[a]	2x6
20	NA[a]	NA[a]	NA[a]	2x6
22	NA[a]	NA[a]	NA[a]	NA[a]
24	NA[a]	NA[a]	NA[a]	NA[a]

For SI : 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0479 KN/m^2 , 1 pound square inch = 6.895 kpa, 1 mile per hour =1.609 km/h

a. Design required.
b. Eaves are not greater than 2', live load not exceeding 20 psf, snow load not exceeding 20 psf, 2x4 studs 10' or less shall be Douglas Fir stud grade or better, 2x4 studs greater than 10' shall be Douglas Fir No.2 or better, 2x6 studs shall be Douglas Fir No.2 or better. Where the conditions are not within these parameters, design is required.
c. The on-center spacing for studs located within 3' of building exterior corners shall be reduced to next smaller spacing.

R602.3.2 Top plate

Subsection R602.3.2 is amended so that the Exception reads as follows:

> **Exception:** A single top plate may be installed in an interior non-bearing, non-braced (shear) stud wall, provided the plate is adequately tied at joints, corners and intersecting walls by a minimum 3-inch-by-6-inch by a 0.036-inch-thick (77 mm by 152 mm by 0.914 mm) galvanized steel plate that is nailed to each wall or segment of wall by six 8d nails on each side, provided the rafters or joists are centered over the studs with a tolerance of no more than 1 inch (25.4 mm). The top plate may be omitted over lintels that are adequately tied to adjacent wall sections with steel plates or equivalent as previously described.

R602.10.3 Braced wall panel construction methods

Subsection R602.10.3 is amended to delete bracing methods # 1, #2, #6, and #8 without replacement, and to add, following the Exception, a new paragraph to read as follows:

Regardless of which bracing method is used in this Subsection R602.10.3, a minimum of two anchor bolts shall be installed in each panel. Anchor bolts shall be placed within 12 inches of the ends of braced wall panels and evenly spaced at 24" o.c. maximum between ends of the braced walls for one-story structures and 16" o.c. maximum between ends of braced wall for all two-story and three-story structures. All braced walls shall have a minimum of two (2) studs at each end.

A new Subsection R602.10.3.1 is added to read as follows:

R602.10.3.1 Braced wall anchorage. Braced wall anchorage shall be in accordance with Table R602.10.3 and Figure R602.10.3.1. Braced walls that are not stacked shall be strapped or tied down with devices having a minimum capacity as shown in the table for the story at which the wall occurs.

The required braced wall panel tie-down device capacity shall be 1600 pounds for each story having a braced wall panel and shall be additive for stacked braced wall panels.

Subsection R602.10.3 is amended further to add a new Table R602.10.3 and a new Figure R602.10.3.1, to read as follows:

TABLE R602.10.3
CAPACITY OF TIE-DOWN DEVICES AT BRACED WALL PANEL ENDS OF SINGLE-STORY AND STACKED BRACED WALLS[a,b]

BUILDING HEIGHT →	ONE-STORY	TWO-STORY	THREE-STORY
Third Story	—	—	1600 lbs
Second Story	—	1600 lbs	3200 lbs
First Story	1600 lbs	3200 lbs	4800 lbs

a. Braced walls that are not stacked shall be strapped or tied down with devices having a minimum capacity, as shown in the Table, for the story at which the wall occurs.
b. The required braced wall panel tie-down device capacity shall be 1600 pounds for each story having a braced wall panel and shall be additive for stacked braced wall panels.

Figure R602.10.3.1: See page 13a.

R602.10.6 Alternate braced wall panels

Subsection R602.10.6 is amended to read as follows:

R602.10.6 Alternate braced wall panels in one- and two-story buildings. Alternate braced wall lines constructed in accordance with one of the following provisions shall be permitted to replace each 4 feet (1219 mm) of braced wall panel as required by Subsection R602.10.4:

1. In one-story buildings, each panel shall have a length of not less than 4 feet (1216 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with 3/8-inch-minimum-thickness (9.5 mm) wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table R602.3(1) and blocked at all wood structural panel sheathing edges. Two anchor bolts installed in accordance with Figure R403.1(1) shall be provided in each panel. Anchor bolts shall be placed at panel quarter points. Each panel end stud shall have a tie-down device fastened to the foundation, capable of providing an uplift capacity of at least 2,800 pounds (1270 kg). The tie-down device shall be installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation or on floor framing supported directly on a foundation which is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. When the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch-by-12-inch (305 mm by 305 mm) continuous footing or turned down slab edge is permitted at door openings in the braced wall line. This continuous footing or turned down slab edge shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 15 inches (381 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

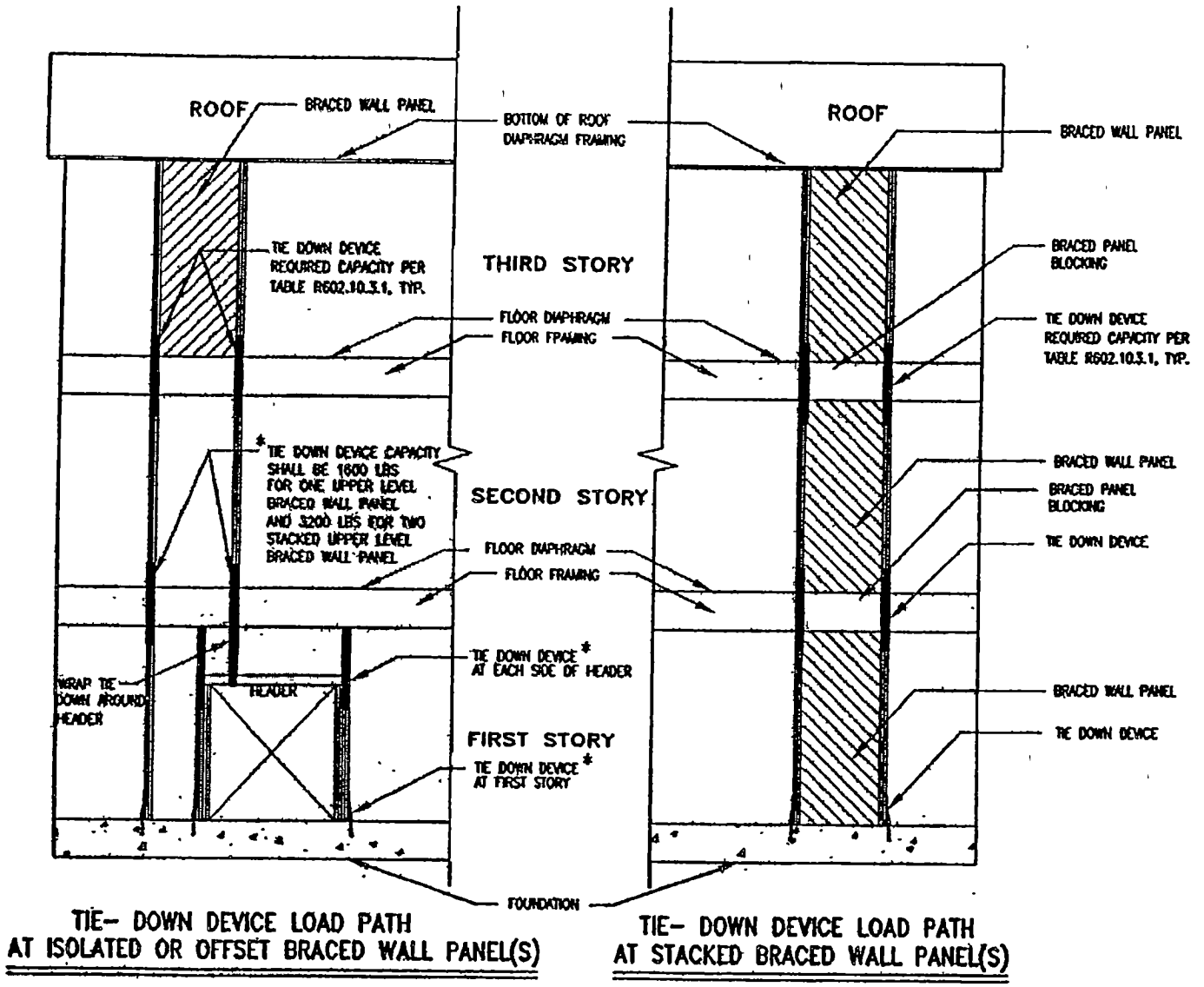


FIGURE R602.10.3.1

2. In the first story of two-story buildings, each braced wall panel shall be in accordance with Item 1 above, except that the wood structural panel sheathing shall be provided on both faces, sheathing edge nailing spacing shall not exceed four inches on center for the first-story and the roof, at least three anchor bolts shall be placed at one-fifth points, and tie-down device uplift capacity shall not be less than 5,000 pounds (2268 kg).

R602.10.11 Bracing in Seismic Design Categories D_1 and D_2

Subsection R602.10.11 is amended so that the first Exception reads as follows:

Exception: In one- and two-story buildings, spacing between braced wall lines shall not exceed 35 feet (10363 mm) on center in order to accommodate one single room not exceeding 900 square feet (83.61 m^2) in each dwelling unit. The length of wall bracing in braced wall lines spaced greater or less than 25 feet (7620 mm) apart shall be the length required by Table R602.10.1 multiplied by the appropriate adjustment factor from Table R602.10.11.

Exterior braced wall lines shall have a braced wall panel located at each end of the braced wall line.

R602.10.11.2 Sheathing attachment

Subsection R602.10.11.2 is amended to read as follows:

R602.10.11.2 Sheathing attachment. Adhesive attachment of wall sheathing without the use of fasteners, screws or nails, shall not be permitted in Seismic Design Categories C, D_1 and D_2.

Figure R603.3.1(2) WALL TO WOOD SILL CONNECTION

Figure R603.3.1(2) is amended to add a note to read as follows:

Note: Steel track may be attached without wood sill plate provided that a vapor barrier is installed between the concrete and the track.

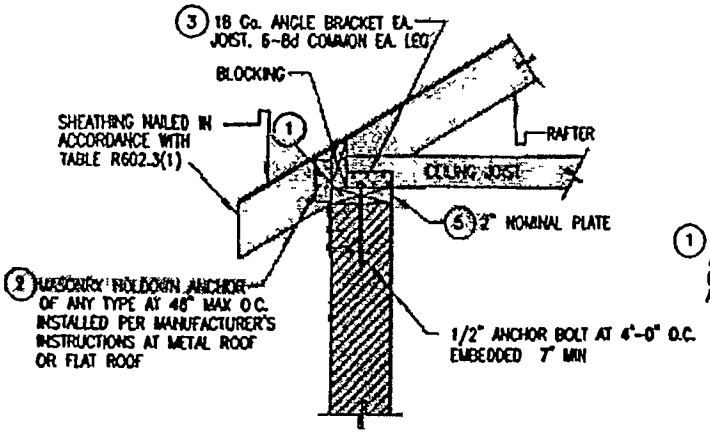
R606.8.2.1 Roof structures

Subsection R606.8.2.1 is amended to read as follows:

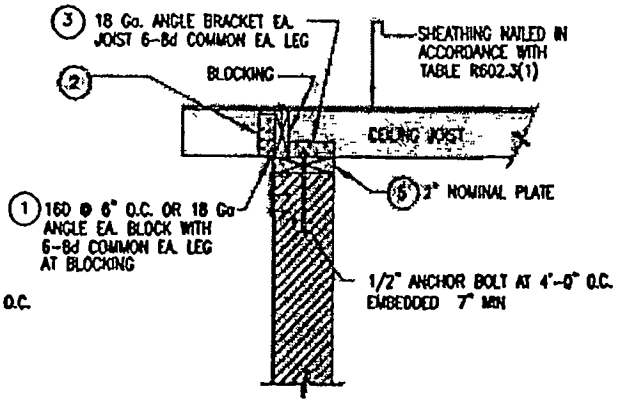
R606.8.2.1 Roof structures. Masonry walls shall be anchored to roof structures with metal strap anchors spaced at 4'0", maximum, and installed in accordance with the manufacturer's instructions; with ½-inch (12.7 mm) bolts spaced not more than 4'0" (1220 mm) on center with 18-gauge angle brackets at each joist; or other anchors approved by the building official. Anchors shall be embedded at least 6 inches (152 mm) into the masonry and shall be hooked or end with a bolt head or nut. Sill plate at roof structures on the masonry wall shall be of 2x framing with a minimum width of the wall width minus 5/8 inch (16 mm) with ½" anchor bolts installed as noted above. Bond beam at the top of the masonry wall shall be a minimum of 16 inches (203 mm) deep with one #5 reinforcing bar.

Figure R606.10(1) ANCHORAGE REQUIREMENTS FOR MASONRY WALLS LOCATED IN SEISMIC DESIGN CATEGORY A, B OR C AND WHERE WIND LOADS ARE LESS THAN 30 PSF

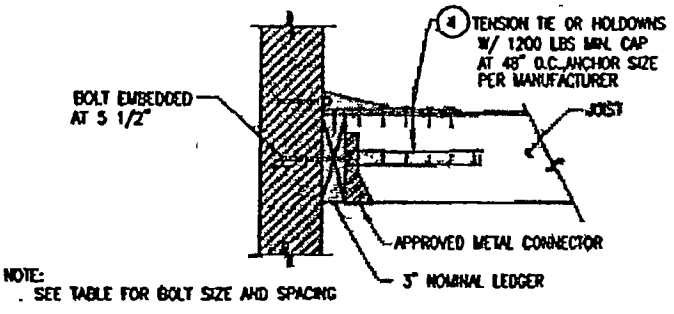
Figure R606.10(1) is deleted and replaced with a new Figure R606.10(1) to read as set forth on Pages 15a and 15b.



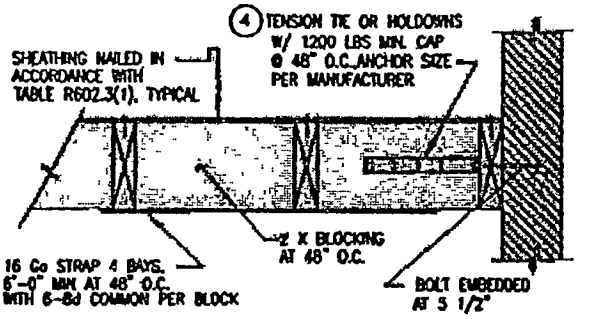
SLOPED ROOF



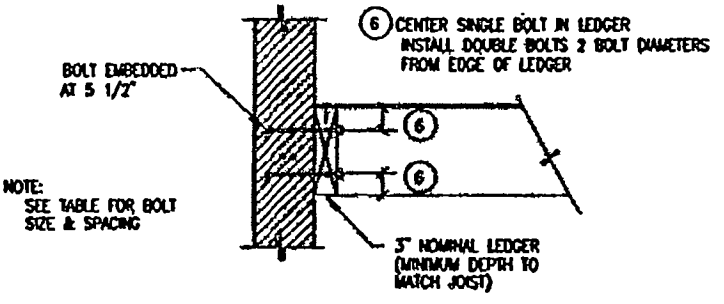
FLAT ROOF



JOIST PERPENDICULAR TO WALL



JOIST PARALLEL TO WALL



BOLTS AT LEDGER

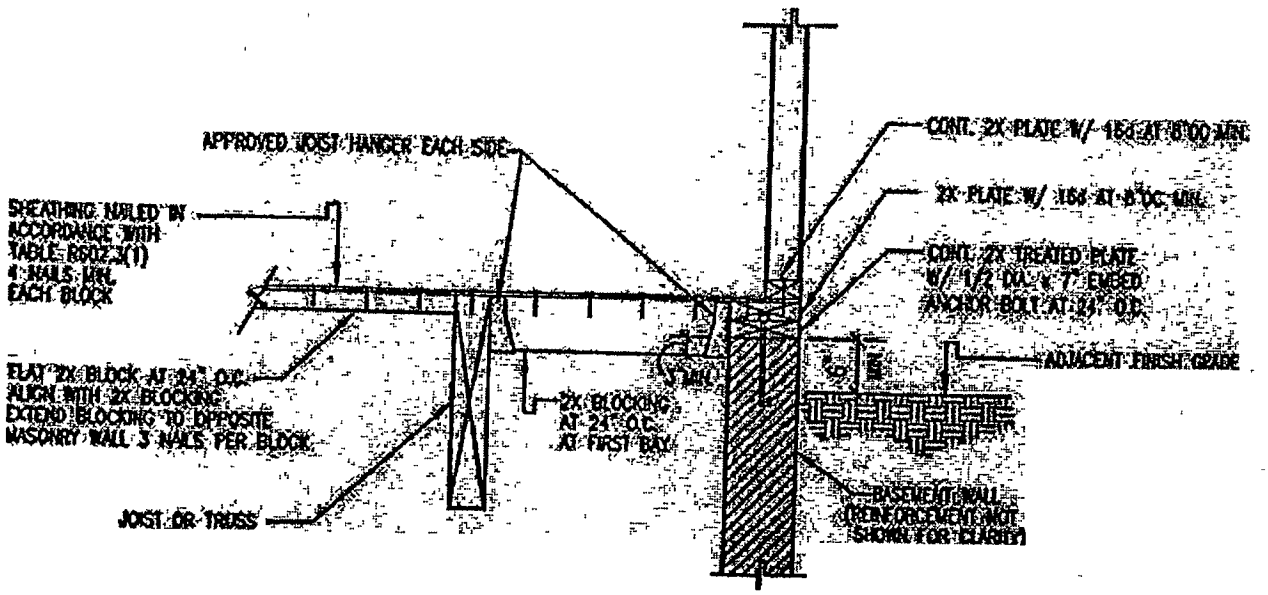
LEDGER BOLT SPACING AND SIZE[1]

JOIST SPAN	JOIST PERPENDICULAR TO WALL		JOIST PARALLEL TO WALL	
	BOLT SIZE AND SPACING		BOLT SIZE AND SPACING	
	ROOF	FLOOR	ROOF	FLOOR
10 FT.	1/2" AT 2 FT. 0 IN. 3/4" AT 2 FT. 0 IN.	1/2" AT 1 FT. 4 IN. 3/4" AT 2 FT. 0 IN.	1/2" AT 2 FT. 0 IN.	1/2" AT 1 FT. 4 IN. 3/4" AT 2 FT. 8 IN.
10-15 FT.	(2) 1/2" AT 2 FT. 0 IN. 3/4" AT 2 FT. 0 IN.	(2) 1/2" AT 2 FT 0 IN. 3/4" AT 1 FT. 4 IN.	3/4" AT 2 FT. 8 IN.	3/4" AT 2 FT. 8 IN.
15-20 FT	(2) 1/2" AT 2 FT. 0 IN. 3/4" AT 1 FT. 4 IN.	(2) 1/2" AT 1 FT 4 IN. (2) 3/4" AT 2 FT. 8 IN.	3/4" AT 2 FT. 0 IN.	3/4" AT 2 FT. 0 IN.

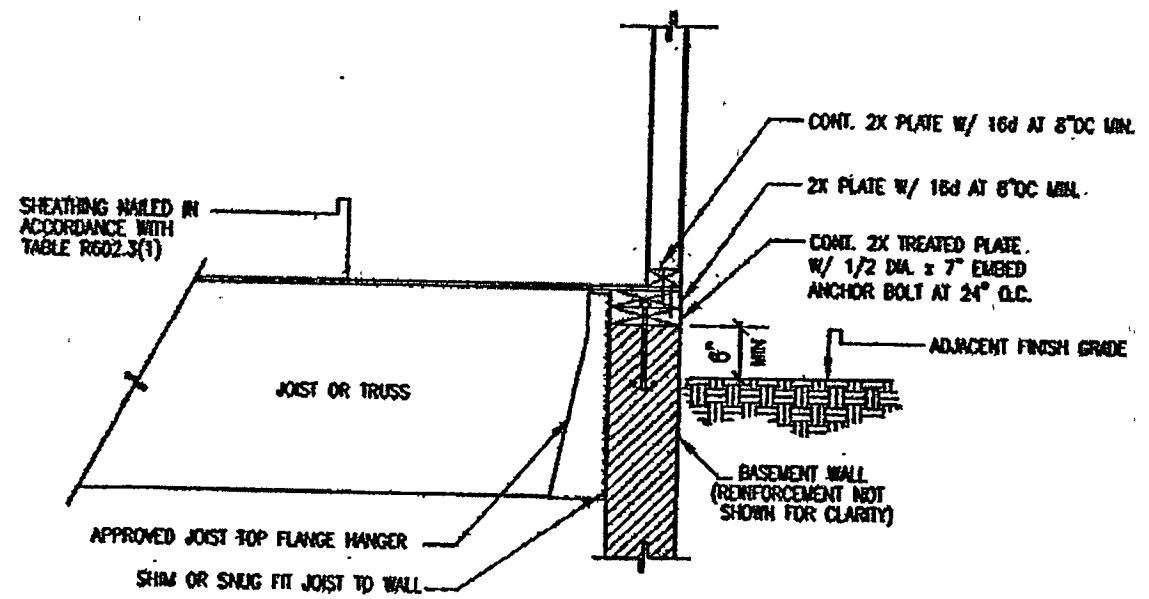
1. BOLTS SHALL BE INSTALLED WITH A METAL PLATE, METAL STRAP, OR WASHER NOT LESS THAN A STANDARD CUT WASHER BETWEEN THE WOOD AND THE BOLT HEAD AND BETWEEN THE WOOD AND THE NUT.

NOTE: WHERE BOLTS ARE LOCATED IN HOLLOW MASONRY, THE CELLS IN THE COURSES RECEIVING THE BOLT SHALL BE GROUTED SOLID.
FOR SI: 1 INCH = 25.4 MM, 1 FOOT = 304.8MM, 1 POUND PER SQUARE FOOT = 0.0479KN/M^2

FIGURE R606.10(1)
ANCHORAGE REQUIREMENTS FOR MASONRY WALLS LOCATED IN SEISMIC DESIGN CATEGORY A, B, C OR D1 AND WHERE WIND LOADS ARE LESS THAN 30 PSF



JOIST PARALLEL TO BASEMENT WALL



JOIST PERPENDICULAR TO BASEMENT WALL

NOTE: WHERE BOLTS ARE LOCATED IN HOLLOW MASONRY, THE CELLS IN THE COURSES RECEIVING THE BOLT SHALL BE GROUTED SOLID.
FOR SI: 1 INCH = 25.4 MM, 1 FOOT = 304.8MM, 1 POUND PER SQUARE FOOT = 0.0479KN/M

FIGURE R606.10(1) CONTINUED
ANCHORAGE REQUIREMENTS FOR MASONRY WALLS LOCATED IN SEISMIC DESIGN CATEGORY A, B, C OR D1 AND WHERE WIND LOADS ARE LESS THAN 30 PSF

Figure R606.10(3) REQUIREMENTS FOR REINFORCED MASONRY CONSTRUCTION IN SEISMIC DESIGN CATEGORY D_1 OR D_2

Figure 606.10(3) is amended as follows:

The thickness of the footings as shown in this figure is 6 inches. The thickness of the footing shown in the "Foundation for wood floor" detail and the "Foundation for concrete floor" detail is amended from 6 inches (152 mm) to 12 inches (305 mm).

Detail "A" shall be amended to reflect the Dowel and Rod detail is not 3/8 inch but shall be a # 4 reinforcing bar in accordance with Table R606.11.3.2.

R606.13 Beam supports

Subsection R606.13 is amended to read as follows:

R606.13 Beam supports. Beams, girders or other concentrated loads supported by a wall or column shall have a bearing of at least 3 inches (76 mm) in length measured parallel to the beam upon solid masonry not less than 4 inches (102 mm) in thickness, or upon a metal bearing plate of adequate design and dimensions to distribute the load safely. (The remainder of the section is deleted.)

R606.13.1 Joist bearing

Subsection R606.13.1 is amended to read as follows:

R606.13.1 Joist bearing. Joists shall have a bearing of not less than 2-1/2 inches (63.5 mm) or as necessary to accept end nailing or connectors, except as provided in Subsection R606.13, and shall be supported in accordance with Figure R606.10(1).

R609.1.4 Grout placement

Subsection R609.1.4 is amended to read as follows:

R609.1.4 Grout placement. Grout shall be a plastic mix suitable for pumping without segregation of the constituents and shall be mixed thoroughly. Grout shall be placed by pumping or by an approved alternate method and shall be placed before any initial set occurs and in no case more than 1-1/2 hours after water has been added. Grouting shall be done in a continuous pour, in lifts not exceeding 5 feet (1524 mm) or in accordance with Subsection R609.4.1. It shall be consolidated by puddling or mechanical vibrating during placing and reconsolidated after excess moisture has been absorbed but before plasticity is lost.

R703.6.2.1 Weep screeds

A new Subsection R703.6.2.1.1 is added to read as follows:

R703.6.2.1.1 Weep screeds with stem wall. Where requirements of this code may impose a potential non-compliant weep screed clearance from earth or paved areas, a concrete or masonry stem wall

designed for compliance with the required clearances shall be provided for these areas.

R801.3 Roof drainage

Subsection R801.3 is deleted in its entirety without replacement.

SECTION R802 WOOD ROOF FRAMING

Section R802 is amended by adding at the beginning, before Subsection R802.1, a new paragraph to read as follows:

Applicability limits. The provisions of this Section R802 shall control the construction of wood roof framing for buildings not greater than 60 feet (18288 mm) in length perpendicular to the joist, rafter or truss span, and not greater than 36 feet (10973 mm) in width parallel to the joist span or truss.

R802.6 Bearing

Subsection R802.6 is amended to read as follows:

R802.6 Bearing. The ends of each rafter or ceiling joist shall bear the full width on wood or metal and not less than 3 inches (76 mm) on masonry or concrete.

R802.7.1 Sawn lumber

Subsection R802.7.1 is amended to read as follows (with no change to the Exception):

R802.7.1 Sawn lumber. Notches in solid lumber joists, rafters and beams shall not exceed one-sixth of the depth of the member, shall not be longer than one-third of the depth of the member and shall not be located in the middle one-third of the span or the end one-sixth of the span. The tension side of members 4 inches (102 mm) or greater in nominal thickness shall not be notched. The diameter of the holes bored or cut into members shall not exceed one-third the depth of the member. Holes shall not be closer than 2 inches (51 mm) to the top or bottom of the member, or to any other hole located in the member. Where the member is also notched, the hole shall not be closer to the notch than the depth of the member.

R802.9 Framing of openings

Subsection R802.9 is amended to read as follows:

R802.9 Framing of openings. Openings in roof and ceiling framing shall be framed with header and trimmer joists. When the header joist span does not exceed 4 feet (1219 mm), the header joist may be a single member the same size as the ceiling joist or rafter. Single trimmer joists may be used to carry a single header joist that is located within 3 feet (914 mm) of the trimmer joist bearing. When the header joist span exceeds 4 feet (1219 mm), the trimmer joists and the header joist shall be doubled and of sufficient cross section to support the ceiling joists or rafter framing into the header. Approved hangers shall be used for the header joist to trimmer joist connections when the header joist span exceeds 6 feet (1829 mm). Tail joists over 12 feet (3658 mm) long shall be supported at the header by framing anchors.

R802.10.1 Truss design drawings

Subsection R802.10.1 is amended so that the introductory paragraph, before Items 1-12, reads as follows:

R802.10.1 Truss design drawings. Truss design drawings, prepared in compliance with Subsection R802.10.1, shall be provided to the building official and approved prior to fabrication. Truss design drawing shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

R802.10.5 Truss to wall connection

Subsection R802.10.5 is amended to read as follows:

R802.10.5 Truss/rafter to wall connection. Trusses and rafters shall be connected to wall plates by the use of approved connectors having a resistance to uplift not less than 175 pounds (79.45 kg) and shall be installed in accordance with manufacturer's specifications. For roof assemblies subject to wind uplift pressures of 20 pounds per square foot (0.958 kN/m^2) or greater, as established in Table R301.2(2), adjusted for height and exposure per Table R301.2(3), see Subsection R802.11.

R804.3.1 Allowable ceiling joist spans

Subsection 804.3.1 is amended to read as follows:

R804.3.1 Allowable ceiling joist spans. The clear span of cold-formed steel ceiling joists shall not exceed the limits set forth in Table R804.3.1(1) or R804.3.1(2). Ceiling joists shall bear full length on the walls and may be slope cut even with the top of the rafter to match the slope of the roof. The ceiling joist shall have a minimum bearing length of 1.5 inches (38 mm) between the edge of the wall and the beginning of the slope cut and shall be connected to rafters (heel joint) in accordance with Figure R804.3.1(1) and Table R804.3.1.(3). When continuous joists are framed across interior bearing supports, the interior bearing supports shall be located within 24 inches (610 mm) of midspan of the ceiling joist, and the individual spans shall not exceed the applicable spans in Table R804.3.1(1) or R804.3.1(2). Where required in Table R804.3.1(1) or R804.3.1(2), bearing stiffeners shall be installed at each bearing location in accordance with Subsection R804.3.8 and Figure R804.3.8. When the attic is to be used as an occupied space, the ceiling joists shall be designed in accordance with Section R505.

R903.4.1 Overflow drains and scuppers

Subsection R903.4.1 is amended to add a new sentence at the end of the second paragraph to read as follows:

Roof drainage water from a building shall not be allowed to drain to adjacent properties and shall not be allowed to accumulate adjacent to any building.

R1007 FIREPLACES–ADDITIONAL LIMITATIONS AND REQUIREMENTS

A new Section R1007 and two new Subsections R1007.1 and R1007.2 are added to read as follows:

SECTION R1007 FIREPLACES–ADDITIONAL LIMITATIONS AND REQUIREMENTS

R1007.1 Permissible types of fireplaces. No fireplace shall be constructed in any residential dwelling unit in Boulder City or within the Las Vegas Valley Hydrographic Basin at an elevation of less than 4000 feet (1220 m) above sea level unless it is one of the following:

1. A fireplace equipped with gas logs with a nationally recognized listing approved by the building official;
2. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the building official;
3. A dedicated wood-burning factory-built enclosed fireplace or heater that conforms to the "Phase II Environmental Protection Agency, Standards of Performance for New Stationary Sources, New Residential Wood Heaters" as prescribed in 40 CFR Part 60, Subpart AAA, as verified by a nationally recognized listing approved by the building official;
4. A masonry fireplace that includes the installation of a wood-burning insert which meets the standards described in Paragraph 3 of this section and which is installed in accordance with the insert manufacturers instructions; or
5. A decorative electrical appliance with a nationally recognized listing approved by the building official.

R1007.2 Fireplace requirements. A gas or wood-burning fireplace installed within a dwelling unit shall comply with the following requirements:

1. The fireplace opening shall be provided with solid doors such as glass, solid steel or cast iron.
2. If the fireplace is located in a sleeping room or an adjacent bathroom, then a permanent unobstructed fresh air supply shall be provided directly from the exterior of the structure to the firebox.
3. When gas is piped to the fireplace, a caution sign shall be installed that states "Caution: Damper must be permanently blocked open if gas is supplied to this fireplace." The letters on the sign must be a minimum of 3/8 inches in height.

N1101 GENERAL

Section N1101 including its constituent subsections, is deleted in its entirety and replaced with a new Section N1101, together with a new Subsection N1101.1 and a new Subsection N1101.1.1, to read as follows:

SECTION N1101 GENERAL

Subsection N1101.1 Scope. This chapter governs the design and construction of buildings for energy efficiency.

Subsection N1101.1.1 Criteria. Buildings shall be designed and constructed in accordance with the CABO 1992 Model Energy Code, and the Supplemental Document with amendments thereto, as adopted by Chapter 16.52 of the Las Vegas Municipal Code.

N1102 BUILDING ENVELOPE

Section N1102, including its constituent subsections, is deleted in its entirety without replacement.

APPENDIX H PATIO COVERS

AH102 DEFINITION

Section AH102 is amended by adding an exception following the definition of "Patio Covers," to read as follows:

Exception: In the case of an attached patio cover that shares a common wall with the main structure, the existing common wall and the openings of the main structure shall not be removed or modified except in order to comply with structural requirements.

EXCEPTIONS: 1 Sprinklers are not required for stages 1,000 square feet (92 9 m^2) or less in area and 50 feet (15 240 mm) or less in height where curtains, scenery or other combustible hangings are not retractable vertically. Combustible hangings shall be limited to a single main curtain, borders, legs and a single backdrop

2 Under stage areas less than 4 feet (1219 mm) in clear height used exclusively for chair or table storage and lined on the inside with $^5/_8$-inch (16 mm) Type X gypsum wallboard or an approved equal

904.2.3.8 Smoke-protected assembly seating. All areas enclosed with walls and ceilings in buildings or structures containing smoke-protected assembly seating shall be protected with an approved automatic sprinkler system.

EXCEPTION: Press boxes and storage facilities less than 1,000 square feet (92 9 m^2) in area and in conjunction with outdoor seating facilities where all means of egress in the seating area are essentially open to the outside

904.2.4 Group E Occupancies.

904.2.4.1 General. An automatic fire sprinkler system shall be installed throughout all buildings containing a Group E, Division 1 Occupancy.

EXCEPTIONS: 1. When each room used for instruction has at least one exterior exit door at ground level and when rooms used for assembly purposes have at least one half of the required exits directly to the exterior ground level, a sprinkler system need not be provided

2 When area separation walls, or occupancy separations having a fire-resistive rating of not less than two hours subdivide the building into separate compartments such that each compartment contains an aggregate floor area not greater than 20,000 square feet (1858 m^2), an automatic sprinkler system need not be provided

904.2.4.2 Basements. An automatic sprinkler system shall be installed in basements classified as Group E, Division 1 Occupancies

904.2.4.3 Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group E, Division 1 Occupancies. See Section 1005.3.3 6

904.2.5 Group F Occupancies.

904.2.5.1 Woodworking occupancies. An automatic fire sprinkler system shall be installed in Group F woodworking occupancies over 2,500 square feet (232 3 m^2) in area that use equipment, machinery or appliances that generate finely divided combustible waste or that use finely divided combustible materials.

904.2.6 Group H Occupancies.

904.2.6.1 General. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies

904.2.6.2 Group H, Division 4 Occupancies. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet (279 m^2).

904.2.6.3 Group H, Division 6 Occupancies. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies The design of the sprinkler system shall not be less than that required under UBC Standard 9-1 for the occupancy hazard classifications as follows:

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2[1]

[1] When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that needs to be calculated is 13

904.2.7 Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies. In Group I, Division 1.1 and Group I, Division 2 Occupancies, approved quick-response or residential sprinklers shall be installed throughout patient sleeping areas

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location Opening of the valve will cause the piping system to be charged Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in UBC Standard 9-1

904.2.8 Group M Occupancies. An automatic sprinkler system shall be installed in rooms classed as Group M Occupancies where the floor area exceeds 12,000 square feet (1115 m^2) on any floor or 24,000 square feet (2230 m^2) on all floors or in Group M Occupancies more than three stories in height. The area of mezzanines shall be included in determining the areas where sprinklers are required.

904.2.9 Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing 16 or more dwelling units, every congregate residence three or more stories in height or having an occupant load of 20 or more, and every hotel three or more stories in height or containing 20 or more guest rooms. Residential or quick-response standard sprinklers shall be used in the following locations and in accordance with the following standards:

904.3 Sprinkler System Monitoring and Alarms.

904.3.1 Where required. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically monitored where the number of sprinklers are.

1 Twenty or more in Group I, Divisions 1 1 and 1 2 Occupancies.

2. One hundred or more in all other occupancies

Valve monitoring and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote station or proprietary monitoring station as defined by national standards, or, when approved by the building official with the concurrence of the chief of the fire department, sound an audible signal at a constantly attended location

EXCEPTION: Underground key or hub valves in roadway boxes provided by the municipality or public utility need not be monitored

904.3.2 Alarms. An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Actuation of the alarm shall be as set forth in UBC Standard 9-1.

904.4 Permissible Sprinkler Omissions. Subject to the approval of the building official and with the concurrence of the chief of the fire department, sprinklers may be omitted in rooms or areas as follows:

1. When sprinklers are considered undesirable because of the nature of the contents or in rooms or areas that are of noncombustible construction with wholly noncombustible contents and that are not exposed by other areas Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistive construction or contains electrical equipment.

2. Sprinklers shall not be installed when the application of water or flame and water to the contents may constitute a serious life or fire hazard, as in the manufacture or storage of quantities of alu-

#2

City of Las Vegas

Agenda Item No. 3

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2003-84 – Amends the City's version of the Uniform Administrative Code to adapt it to the City's adoption of the International Building Code and International Residential Code as the City's Building Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
In a companion bill, it is proposed that the City adopt the 2003 editions of the International Building Code and International Residential Code as the City's Building Code. The City's Administrative Code includes the administrative provisions that correspond to the Building Code, so this bill will amend the City's Administrative Code to correspond to the adoption of the International Codes.

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

BACKUP DOCUMENTATION:
Bill No. 2003-84

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-84 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

PAUL WILKINS, Director, Building & Safety, stated that this bill is in order. It adopts the Administrative Code. He recommended approval. CHIEF DEPUTY CITY ATTORNEY STEED pointed out that the tables at the beginning of the document should be moved to the end.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 3 – Bill No. 2003-84

MINUTES – Continued:
No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed
(4:17 – 4:18)
1-294

BILL NO. 2003-84

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE THE DOCUMENT ENTITLED "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION," AS ADOPTED IN LVMC 16.02.010(B), AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Paul K. Wilkins, Director of Building and Safety

Summary: Amends the City's Uniform Administrative Code to adapt it to the City's adoption of the International Building Code and International Residential Code as the City's Building Code.

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

SECTION 1: The document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition," adopted in LVMC 16.02.010(B), is hereby repealed in its entirety.

SECTION 2: The document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition," which is attached hereto and incorporated by this reference, is hereby adopted and incorporated in LVMC 16.02.010(B).

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

SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall

constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 10-1-03
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

TABLE NO. 3-A BUILDING PERMIT FEES

NOTE: Fee categories marked with an asterisk represent an alternate method of calculating mechanical, plumbing and electrical permit fees for new Group R Occupancies.

VALUATION IN DOLLARS	BLDG PERMIT FEE	PLAN CHECK FEE	ZONING CHECK FEE	MECH PERMIT FEE*	PLUMB PERMIT FEE*	ELEC PERMIT FEE*	M P E PERMIT FEE*
1 to 500	14	9	1	2	3	3	8
501 to 600	15	10	1	2	3	3	8
601 to 700	17	11	1	3	3	3	9
701 to 800	20	13	1	3	4	4	11
801 to 900	21	14	1	3	4	4	11
901 to 1000	23	15	1	3	5	5	13
1000 to 1100	26	17	1	4	5	5	14
1101 to 1200	28	18	1	4	6	6	16
1201 to 1300	30	20	2	5	6	6	17
1301 to 1400	31	20	2	5	6	6	17
1401 to 1500	33	21	2	5	7	7	19
1501 to 1600	35	23	2	5	7	7	19
1601 to 1700	37	24	2	6	7	7	20
1701 to 1800	40	26	2	6	8	8	22
1801 to 1900	41	27	2	6	8	8	22
1901 to 2000	42	27	2	6	8	8	22
2001 to 3000	61	40	3	9	12	12	33
3001 to 4000	65	42	3	10	13	13	36
4001 to 5000	71	46	4	11	14	14	39
5001 to 6000	78	51	4	12	16	16	44
6001 to 7000	87	57	4	13	17	17	47
7001 to 8000	96	62	5	14	19	19	52
8001 to 9000	101	66	5	15	20	20	55
9001 to 10000	105	68	5	16	21	21	58
10001 to 11000	112	73	6	17	22	22	61
11001 to 12000	121	79	6	18	24	24	66
12001 to 13000	132	86	7	20	26	26	72
13001 to 14000	135	88	7	20	27	27	74
14001 to 15000	140	91	7	21	28	28	77
15001 to 16000	148	96	7	22	30	30	82
16001 to 17000	157	102	8	24	31	31	86
17001 to 18000	166	108	8	25	33	33	91
18001 to 19000	169	110	8	25	34	34	93
19001 to 20000	173	112	9	26	35	35	96
20001 to 21000	183	119	9	27	37	37	101
21001 to 22000	192	125	10	29	38	38	105
22001 to 23000	200	130	10	30	40	40	110

VALUATION IN DOLLARS	BLDG PERMIT FEE	PLAN CHECK FEE	ZONING CHECK FEE	MECH PERMIT FEE*	PLUMB PERMIT FEE*	ELEC PERMIT FEE*	M P E PERMIT FEE*
23001 to 24000	209	136	10	31	42	42	115
24001 to 25000	213	138	11	32	43	43	118
25001 to 26000	217	141	11	33	43	43	119
26001 to 27000	227	148	11	34	45	45	124
27001 to 28000	234	152	12	35	47	47	129
28001 to 29000	238	155	12	36	48	48	132
29001 to 30000	244	159	12	37	49	49	135
30001 to 31000	252	164	13	38	50	50	138
31001 to 32000	258	168	13	39	52	52	143
32001 to 33000	264	172	13	40	53	53	146
33001 to 34000	267	174	13	40	53	53	146
34001 to 35000	270	176	14	41	54	54	149
35001 to 36000	278	181	14	42	56	56	154
36001 to 37000	284	185	14	43	57	57	157
37001 to 38000	290	189	15	44	58	58	160
38001 to 39000	293	190	15	44	59	59	162
39001 to 40000	296	192	15	44	59	59	162
40001 to 41000	301	196	15	45	60	60	165
41001 to 42000	308	200	15	46	62	62	170
42001 to 43000	314	204	16	47	63	63	173
43001 to 44000	320	208	16	48	64	64	176
44001 to 45000	327	213	16	49	65	65	179
45001 to 46000	330	215	17	50	66	66	182
46001 to 47000	334	217	17	50	67	67	184
47001 to 48000	339	220	17	51	68	68	187
48001 to 49000	345	224	17	52	69	69	190
49001 to 50000	351	228	18	53	70	70	193
50001 to 51000	354	230	18	53	71	71	195
51001 to 52000	358	233	18	54	72	72	198
52001 to 53000	364	237	18	55	73	73	201
53001 to 54000	370	241	19	56	74	74	204
54001 to 55000	376	244	19	56	75	75	206
55001 to 56000	379	246	19	57	76	76	209
56001 to 57000	382	248	19	57	76	76	209
57001 to 58000	388	252	19	58	78	78	214
58001 to 59000	396	257	20	59	79	79	217
59001 to 60000	401	261	20	60	80	80	220
60001 to 61000	407	265	20	61	81	81	223
61001 to 62000	409	266	20	61	82	82	225
62001 to 63000	411	267	21	62	82	82	226
63001 to 64000	416	270	21	62	83	83	228

VALUATION IN DOLLARS	BLDG PERMIT FEE	PLAN CHECK FEE	ZONING CHECK FEE	MECH PERMIT FEE*	PLUMB PERMIT FEE*	ELEC PERMIT FEE*	M P E PERMIT FEE*
64001 to 65000	421	274	21	63	84	84	231
65001 to 66000	428	278	21	64	86	86	236
66001 to 67000	431	280	22	65	86	86	237
67001 to 68000	433	281	22	65	87	87	239
68001 to 69000	437	284	22	66	87	87	240
69001 to 70000	442	287	22	66	88	88	242
70001 to 71000	446	290	22	67	89	89	245
71001 to 72000	449	292	22	67	90	90	247
72001 to 73000	452	294	23	68	90	90	248
73001 to 74000	457	297	23	69	91	91	251
74001 to 75000	462	300	23	69	92	92	253
75001 to 76000	467	304	23	70	93	93	256
76001 to 77000	469	305	23	70	94	94	258
77001 to 78000	471	306	24	71	94	94	259
78001 to 79000	478	311	24	72	96	96	264
79001 to 80000	482	313	24	72	96	96	264
80001 to 81000	486	316	24	73	97	97	267
81001 to 82000	488	317	24	73	98	98	269
82001 to 83000	492	320	25	74	98	98	270
83001 to 84000	497	323	25	75	99	99	273
84001 to 85000	502	326	25	75	100	100	275
85001 to 86000	507	330	25	76	101	101	278
86001 to 87000	509	331	25	76	102	102	280
87001 to 88000	512	333	26	77	102	102	281
88001 to 89000	515	335	26	77	103	103	283
89001 to 90000	520	338	26	78	104	104	286
90001 to 91000	527	343	26	79	105	105	289
91001 to 92000	529	344	26	79	106	106	291
92001 to 93000	531	345	27	80	106	106	292
93001 to 94000	538	350	27	81	108	108	297
94001 to 95000	542	352	27	81	108	108	297
95001 to 96000	545	354	27	82	109	109	300
96001 to 97000	548	356	27	82	110	110	302
97001 to 98000	551	358	28	83	110	110	303
98001 to 99000	555	361	28	83	111	111	305
99001 to100000	561	365	28	84	112	112	308

OVER $100,000 AND UP: $561.00 FOR THE FIRST $100,000 PLUS $3.10 PER EACH ADDITIONAL THOUSAND OR FRACTION THEREOF.

TABLE NO. 3-A – BUILDING PERMIT FEES (continued)

NOTES:

1. The administrative issuance fee of $35.00 applies to each permit.
2. The minimum permit fee is $14.00 (exclusive of Plan Check Fees and Zoning Check Fees).
3. The Plan Check Fee is 65% of the Building Permit Fee.
4. The Zoning Check Fee is based upon Planning Department requirements.
5. If all sub-trades are issued as part of the primary residential permit issuance, the following fees will be in effect:
   - –The Mechanical Permit Fee is 15% of the Building Permit Fee.
   - –The Plumbing Permit Fee is 20% of the Building Permit Fee.
   - –The Electrical Permit Fee is 20% of the Building Permit Fee.
   - –The M P E Permit is 55% of the Building Permit Fee.
6. If separate trade permits (electrical, plumbing, mechanical) are required or requested, fees shall be based upon contract valuation as designated in the Table.

CHART OF MINIMUM VALUATION PER SQUARE FOOT
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY

OCCUPANCY AND TYPES	PER SQFT VALUE
1. APARTMENT HOUSES:	
Type I or II FR*	73.00
Type II or Type V - Mas	60.00
Type V - Wood	53.00
Type I Bsmt Garage (Balcony = 1/2 sq ft cost)	31.00
2. AUDITORIUMS:	
Type I or II FR	87.00
Type II-1 HR	63.00
Type II-N	59.00
Type III-1 HR	66.00
Type V-1 HR	63.00
Type V-N	59.00
3. BANKS:	
Type I or II FR*	123.00
Type II-1 HR	90.00
Type II-N	87.00
Type III-1 HR	100.00
Type III-N	96.00
Type V-1 HR	90.00
Type V-N	86.00
4. BOWLING ALLEYS:	
Type II-1 HR	42.00
Type II-N	39.00
Type III-1 HR	46.00
Type III-N	43.00
Type V-1 HR	31.00
5. CASINOS:	
Type I or II FR*	95.00
Type II-1 HR	67.00
Type II-N	64.00
Type III-1 HR	72.00
Type III-N	70.00
Type V-1 HR	65.00
Type V-N	63.00
6. CLUBHOUSE/RECREATION BLDGS:	
Type II-1 HR	56.00
Type II-1	53.00
Type III-1 HR	61.00
Type III-N	58.00
Type V-1 HR	56.00
Type V-N	53.00

OCCUPANCY AND TYPES	PER SQFT VALUE
7. CHURCHES:	
Type I or II FR*	82.00
Type II-1 HR	61.00
Type II-N	58.00
Type III-1 HR	67.00
Type III-N	64.00
Type V-1 HR	62.00
Type V-N	59.00
8. CONVALESCENT HOSPITALS:	
Type I or II FR*	115.00
Type II-1 HR	80.00
Type III-1 HR	82.00
Type V-1 HR	77.00
9. DWELLINGS:	
Type V Wood > 4000 sf	64.00
Type V Wood ≤ 4000 sf	46.00
Type V Masonry	63.00
Bsmts, Finished	35.00
Bsmts, Unfinished	21.00
10. EXHIBIT HALLS/CONVENTION CNTR	
Type I or II FR	50.00
Type II-1/V-1 HR	29.00
Type II-N or V-N	28.00
Type III-1 HR	33.00
Type III-N	32.00
11. FIRE STATIONS:	
Type I or II FR	95.00
Type II-1 HR	62.00
Type II-N	59.00
Type III-1 HR	68.00
Type III-N	65.00
Type V-1 HR	64.00
Type V-N	60.00
12. HOSPITALS:	
Type I or II FR*	94.00
Type III-1 HR	86.00
Type V-1 HR	74.00
13. HOTELS/MOTELS:	
Type I or II FR*	82.00
Type III-1 HR	72.00
Type III-N	69.00
Type V-1 HR	63.00
Type V-N	62.00

* Add 0.8 % to total cost for each story over three ** Deduct 20 % for shell-only Bldgs
*** Deduct 11 % for Mini-warehouses

CHART OF MINIMUM VALUATION PER SQUARE FOOT
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING & SAFETY
PAGE 2

OCCUPANCY AND TYPES	PER SQFT VALUE
14. INDUSTRIAL PLANTS:	
Type I or II FR*	47.00
Type II-1HR	32.00
Type II-N - Stock	30.00
Type III-1 HR	63.00
Type III-N	34.00
Type V-1 HR	34.00
Type V-N	31.00
Tilt-up	24.00
15. LIBRIARIES:	
Type I or II FR	96.00
Type II-1 HR	70.00
Type II-N	67.00
Type III-1 HR	74.00
Type III-N	71.00
Type V-1 HR	70.00
Type V-N	67.00
16. MEDICAL OFFICES:	
Type I or II FR*	99.00
Type II-1 HR	76.00
Type II-N	72.00
Type III-1 HR	80.00
Type III-N	77.00
Type V-1 HR	74.00
Type V-N	72.00
17. OFFICES:	
Type I or II FR*	88.00
Type II-1 HR	59.00
Type II-N	56.00
Type III-1 HR	64.00
Type III-N	61.00
Type V-1 HR	60.00
Type V-N	56.00
18. PRIVATE GARAGES:	
Masonry	20.00
Wood Frame	22.00
Open Carport	13.00
19. PUBLIC GARAGES:	
Type I or II FR*	40.00
Type I or II Open Parking*	30.00
Type II-N	23.00
Type III-1 HR	30.00
Type III-N	27.00
Type V-1 HR	28.00

OCCUPANCY AND TYPES	PER SQFT VALUE
20. RESTAURANTS:	
Type III-1 HR	80.00
Type III-N	78.00
Type V-1 HR	74.00
Type V-N	71.00
21. SCHOOLS:	
Type I or II FR	92.00
Type II-1 HR	63.00
Type III-1 HR	67.00
Type III-N	64.00
Type V-1 HR	63.00
Type V-N	60.00
22. SERVICE STATIONS:	
Type II-N	55.00
Type III-1 HR	58.00
Type V-1 HR	49.00
Canopies	23.00
23. STORES:	
Type I or II FR*	68.00
Type II-1 HR	41.00
Type II-N	40.00
Type III-1 HR	51.00
Type III-N	47.00
Type V-1 HR	42.00
Type V-N	39.00
24. THEATERS:	
Type I or II Fr	91.00
Type III-1 HR	66.00
Type III-N	63.00
Type V-1 HR	62.00
Type V-N	59.00
25: WAREHOUSES: ***	
Type I or II FR	41.00
Type II-1 HR	24.00
Type V-1 HR	24.00
Type II-N / V-N	22.00
Type III-1 HR	27.00
Type III-N	26.00
26. CONVERSIONS:	
Garage to Living	18.00
Carport to Living	25.00
Cov Patio to Living	25.00
Carport to Garage	7.00
Finish Basement	21.00

* Add 0.8 % to total cost for each story over three ** Deduct 20 % for shell-only Bldgs
*** Deduct 11 % for Mini-warehouses

CHART OF MINIMUM VALUATION PER SQUARE FOOT
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING & SAFETY
PAGE 3

OCCUPANCY AND TYPES	PER SQFT VALUE
27. ADDITIONS:	
Room	329.00
Finish Basement	29.00
Unfinished Basement	21.00
28. CARPORT/PATIO COVER ADDITIONS:	
(Add flatwork cost if no existing floor)	
1834.00	
Alum / Steel	5.00
Wood	9.00
Wood Lattice	7.00
Balcony / Sun Deck	15.00
Screen Room	14.00
29. EQUIPMENT:	
Air Conditioning:	
Commercial	4.75
Residential	3.75
Sprinkler System	2.25
30. SWIMMING POOLS / SPAS:	
Based on contract valuation	
31. FLATWORK:	
Pool Kool Decking	4.00
Concrete	4.00
Brick Paving / Vaneer	7.00
Asphalt	1.25

OCCUPANCY AND TYPES	PER SQFT VALUE
32. AGRICULTURAL BLDGS:	
Stables / Kennels	14.00
Animal Shelters	14.00
Storage Sheds	9.75
33. FIREPLACES (Unit Cost):	
Standard	Single
Double	2755.00
Triple Sided	3676.00
Free Standing Stove	861.00
Free Standing BBQ	1377.00
Precast Tilt-up	1533.00
34. FENCES:	
Chain Link	1.25
Ornamental Iron	2.50
Block	5.50
Brick / Stone	7.00
Concrete	4.25
Wood, Solid	1.25
Wood, Picket / Grape	0.75
Retaining Walls	6.50
35. ROOFING:	1.75 sqft
36. TRAILER / MOBILE HOME PARKS:	Contract Price

* Add 0.8 % to total cost for each story over three ** Deduct 20 % for shell-only Bldgs
*** Deduct 11 % for Mini-warehouses

TABLE NO. 3-B – GRADING FEES

Issuance Fee – $35.00

Grading Permit Fees:

Clearing and Grubbing – $25.00 minimum for each permit up to 50 acres, plus $6.00 per additional 50 acres or portion thereof.

Earth Moving – $25.00 minimum

50 cubic yards or less – $25.00
51 to 100 cubic yards – $29.00

101 to 1000 cubic yards – $29.00 for the first 100 cubic yards, plus $15.00 for each additional 1,000 cubic yards or fraction thereof.

1001 to 10,000 cubic yards – $164.00 for the first 1,000 cubic yards, plus $12.85 for each additional 1,000 cubic yards or fraction thereof.

10,001 to 100,000 cubic yards – $281.00 for the first 10,000 cubic yards, plus $68.13 for each additional 10,000 cubic yards or fraction thereof.

100,001 cubic yards or more – $893.00 for the first 100,000 cubic yards, plus $31.43 for each additional 10,000 cubic yards or fraction thereof.

Grading, Clearing and Grubbing Prior to Obtaining a Permit

An additional fee of $150.00 for each 100 acres or fraction thereof shall be levied when a grading or clearing and grubbing operation has commenced prior to obtaining a permit.

TABLE NO. 3-C
OTHER FEES AND CHARGES

1. **Moving Permit (moving within or into the City):** $300.00 for each building or structure (or portion thereof).

2. **Moving Permits (moving out of the City):** $62.00, plus administrative issuance and zoning fees, for each building or structure (or portion thereof).

3. **Certification and Certificate of Occupancy:** $50.00 per dwelling unit, guest room or tenant space. For more than four units, the fee shall be $200.00 plus $10.00 per additional dwelling unit in excess of four.

4. **Additional Plan Review Service Charge:** $75.00 per hour (or portion thereof). An additional $100.00 per hour is charged if the review is done on overtime requested by the applicant.

5. **Inspections Outside of Normal Business Hours:**

   (a) $60.00 per hour if contiguous to work hours (minimum 1 hour)
   (b) Same-day (express) inspections by appointment during regular working hours will be charged at the rate of $100.00 per hour, with a one-hour minimum, plus $25.00 for each additional quarter-hour or portion thereof. Same-day (express) inspections by appointment during hours other than regular working hours will be charged at the rate of $150.00 per hour, with a one-hour minimum, plus $37.50 for each additional quarter-hour or portion thereof.
   (c) Planned Saturday callouts will be a minimum of three hours ($180.00), plus $60.00 an hour for each hour or portion thereof over three hours.
   (d) Emergency after hours calls (with less than 12 hours notice) and holiday callouts will be $240.00 for a three hour minimum, plus an additional $80.00 for each hour or portion thereof over three hours.
   (e) Fire investigations for permits: $80.00, for the first hour, then $60.00 per hour thereafter.

6. **Reinspection Under Provisions of Section 305.8:** $75.00.

7. **Demolition Permit:** $62.00, plus administrative issuance and zoning fees. NOTE: Some demolitions may require the issuance of a sewer investigation permit, whose fee is the same as for a demolition permit.

8. **Expired Permit:** Permit fees for renewal/or reissuance of an expired permit shall be per Section 303.4.

   Exception: Where only final inspections are incomplete, the fee to renew the permit shall be $50.00 per trade (i.e. Building, Mechanical, Plumbing, Electrical), when approved by the Building Official.

9. **Special Investigations:** $100.00 or $100.00 per hour, whichever is greater. (Results of a Special Investigation may lead to a request for an Appeal Hearing.)

10. **Product Approval:** $250.00 per case for staff review and evaluation of a building product not yet approved by the International Code Council (ICC).

11. **Amusement Ride Certificate:** $250.00 (on an annual basis from date of issuance).

12. **Change of Address:** If address change is requested by the applicant or owner after permits have been issued, a $200.00 Administrative Processing Fee per address will be charged.

13. **Manufactured Housing:**
Inspection: $100.00 (plus administrative issuance fee),
Zoning Review: $5.00,
Manufactured Home Tag: $40.00.

14. **Change of Contractor:** $50.00 (plus administrative issuance fee).

15. **Request for Appeal Hearing:** $100.00.

16. **Special Occupancy Verification:** $100.00, which includes research time, calculations, and resulting letter.

17. **Administrative Issuance:** $35.00.

18. **Deferred Submittals:** $100.00 for each deferred submittal, plus review time and administrative issuance fee.

19 **Special Inspection Agency:**
$300.00 for initial fee, plus $50.00 per qualified individual.
$250.00 for annual renewal, plus $50.00 per qualified individual.

A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION

SECTION 1: Except as otherwise indicated, all section and chapter references contained in this Supplemental Document are to the Uniform Administrative Code, 1997 Edition.

SECTION 2: Certain provisions of this code may be parallel or similar to provisions of the International Building Code, 2003 Edition; International Residential Code, 2003 Edition; the Uniform Plumbing Code, 2000 Edition; the Uniform Mechanical Code, 2000 Edition; the National Electrical Code, 2002 Edition; or other similar code adopted by the City. The provisions of this Code and the provisions of the other referenced codes shall be applied to the extent possible. The Building Official shall have the discretion, in the interest of convenience for the City or the public, to apply the provisions herein or corresponding administrative provisions in any of the above-referenced codes. In the event of any conflict in administrative provisions, the provisions of Section 104 of this Code shall govern, unless otherwise deemed appropriate by the Building Official. Unless otherwise specified, the term "Department" refers to the department of the City charged with the enforcement of the codes referred to in this Section, and the term "Director" refers to the director of that department.

SECTION 3: Section 202 is hereby amended by deleting Subsection 202.6 and substituting therefor a new Subsection 202.6 reading as follows:

202.6 Authority to Disconnect Utilities. The Building Official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to the building, structure or building service equipment therein regulated by this Code or by the technical codes, in case of emergency, where the building, structure or equipment is hazardous to life or property. The Building Official shall whenever possible notify the serving utility, the owner and the occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify in writing the utility, owner and occupant of the disconnection immediately thereafter. Such disconnection is also authorized in cases where a building or structure has been constructed, remodeled, repaired, energized or occupied in violation of this Code or any of the technical codes; provided, however, that notice and an opportunity for informal hearing shall first be afforded the owner and occupant.

SECTION 4: Section 204 is hereby deleted in its entirety and a new Section 204, consisting of Subsections 204.1 and 204.2 is substituted therefor, reading as follows:

SECTION 204 Appeal Procedures

204.1 Administrative Appeal. Whenever an actual or potential violation of any of the technical codes or this Code is identified by staff of the Department, either at the plan review stage or during construction, and the permittee or permit applicant desires administrative appeal of the conclusion or decision, based upon code interpretation or hardship, the permittee or applicant may obtain such review from the Building Official's Hearing Committee. The Committee shall consist of:

-The Director, a Deputy Director, or another designee.

-An Inspection Supervisor or the Supervisor's designee.

-The Plans Examination Supervisor or the Supervisor's designee.

-Additional inspectors or technical persons, at the Director's discretion.

An application for administrative appeal shall be filed on forms made available by the Building Official and must be filed no later than 4:30 p.m. on the day preceding the appeal meeting to be held that week. The application should contain sufficient information to enable the Committee to perform its review. A filing fee of one hundred dollars ($100.00) will be charged for each appeal. The Committee will meet within eight (8) days after an application has been properly filed, with notice thereof to the applicant. The applicant may, but is not required to, attend the hearing. The decision of the Committee shall be made by the Director or his designee, after receiving input from other Committee members. An applicant who is aggrieved by the Committee's decision may appeal that decision in accordance with Subsection 204.2 of this Section.

204.2 Appeals to City Council.

1. **Right of Appeal.** The City Council of the City of Las Vegas is hereby designated as the board of appeals to hear and decide appeals where it is alleged by an aggrieved party that there is an error in any order or decision made by the Building Official in the enforcement of this Code or the technical codes, or an error in any decision of the Hearing Committee pursuant to Subsection 204.1.

2. **Manner of Appeal.** An appeal may be initiated by filing with the Building Official, within 20 days after the Building Official's order or decision, a written appeal containing:

a. A heading in the words: "Before the City Council of the City of Las Vegas";

b. A caption reading "Appeal of" followed by the names of all appellants participating in the appeal;

c. A brief statement setting forth the legal interest of each of the appellants in the building or land involvement in the decision or order;

d. A brief statement in ordinary and concise language of the specific decision or order protested;

e. A brief statement in ordinary and concise language of the relief sought, such as that the order or decision should be reversed or modified; and

f. A statement setting forth the legal or equitable basis of the relief sought by the appellant.

3. **Processing of Appeal.** Upon receipt of any appeal filed pursuant to this Subsection, the Building Official shall present it at the next available regular or special meeting of the City Council for the setting of a hearing date.

4. **Appeal Hearing Date.** Upon receiving a written appeal, the City Council shall fix a date, time and place for the hearing of the appeal by the Council. The date shall be not less than 21 days nor more than 60 days from the date the appeal was filed with the Building Official. Written notice of the time and place of hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Building Official, either by causing a copy of the notice to be delivered to the appellant personally or by certified mailing postage prepaid, addressed to the appellant at the address shown on the appeal documents.

5. **Waiver.** Failure of any person to file an appeal in accordance with the above provisions shall constitute a waiver of the right to an administrative hearing and adjudication of the decision or order of the Building Official.

6. **Issues Considered.** Only these matters or issues specifically raised by the appellant in the written appeal shall be considered on the hearing of the appeal.

7. **Vote.** A majority vote of the City Council shall be necessary to reverse or modify any order or decision of the Building Official.

SECTION 5: Section 301 is hereby amended by deleting Subsection 301.1 and substituting therefor a new Subsection 301.1 and a new Subsection 301.1.1, reading as follows:

301.1 Permits Required. Except as otherwise specified in this Section, no building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes shall be erected, constructed enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official. If work is commenced before a necessary and appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

301.1.1 Licensing Requirements. No building permits shall be issued for building work that is required to be performed by a licensed contractor under NRS Chapter 624 unless the applicant is appropriately licensed by the State of Nevada and is licensed to do business within the City. Whenever two or more trades (building, plumbing, mechanical, or electrical) are to perform work on a project, a general contractor must be retained for the project, unless this requirement is waived by the Building Official. A general contractor to whom a permit is issued shall be responsible for all work authorized for the project and shall post at the job site a list of all subcontractors doing work on the job with their names, their State subcontractor's license numbers and classifications and their City business license numbers. Mechanical, electrical and plumbing subcontractors shall register with the Department when all permits have been taken out by the general contractor. Contractors and subcontractors must meet all applicable qualifications and requirements described in the technical codes.

NOTE: Additional licensing requirements concerning plumbing work are contained in Sections 22 to 31, inclusive, of this Supplemental Document. Additional licensing requirements concerning mechanical work are contained in Sections 32 to 35, inclusive, of this Supplemental Document.

SECTION 6: Section 301 is hereby amended by deleting Subsection 301.2, including its constituent subdivisions and substituting therefor a new Subsection 301.2, reading as follows:

301.2 Work Exempt from Permit. A building permit shall not be required for the following:

1. Construction work on property owned by the United States or on property owned by any other governmental entity, to the extent exempted by State law.

2. Amusement devices and structures, including merry-go-rounds, ferris wheels, rotating conveyances, slides and similar devices, and any other accessory structure consisting of a cover or roof whose use is necessary for the operation of any such device or structure when the device or structure is used for less than 30 days. A storage building or detached structure that is not an integral part of an amusement device or structure does not qualify as an exempt accessory structure for purposes of this paragraph. The exemption contained in this paragraph likewise does not apply to any electrical, mechanical or plumbing work that is to be done in connection with amusement devices or structures that are to be used on a site.

3. Oil derricks.

4. Movable cases, counters and partitions that do not exceed 5 feet 9 inches in height and do not contain electrical branch circuits.

5. Privately owned water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.

6. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below, when built in conjunction with a building that is classified as a Group R, Division 3 one-family or two-family dwelling, or a U Occupancy.

7. Painting, papering and similar finish work, except for trim and decorative work exceeding 0.5 pounds per square foot or 0.35 pounds per lineal foot in weight.

8. Temporary motion picture, television and theater stage sets and scenery.

9. Window awnings supported by an exterior wall of a Group R, Division 3 one-family or two-family dwelling, or a U Occupancy, when projecting not more than 54 inches.

10. Residential television or radio antennas whose height design does not exceed 10 feet above the height of the tallest structure on the property, and so located that the distance to the nearest property line is equal to or greater than the total height of the antenna mast.

11. Construction directly relating to the delivery of a utility service, built by a public utility company operating under the control of the Nevada Public Service Commission. This exemption applies only to buildings, structures, or service equipment that is directly used in utility generation or distribution and is installed on properly registered easements belonging to water, gas, power, telephone, or other utility companies operating under the control of the Nevada Public Service Commission, another State agency, or a public franchise. This exemption does not apply to office buildings, grading, occupied support buildings or general site development.

12. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved 120-volt receptacle, when that cord or cable is permitted by the Electrical Code.

13. The repair or replacement of fixed motors or fixed approved appliances of the same type and rating in the same location.

14. The installation, alteration or repair of electrical wiring, apparatus or equipment for the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public utility in the exercise of its function as a serving utility.

15. Any portable unit refrigerating system (cooling only) as defined in the Mechanical Code.

16. Any wall, including a retaining wall, that is not over 2 feet in height, measured from the low finished grade to the grade on the opposite side. This exemption does not apply to:

a. Any wall that supports a surcharge;

b. Any wall (including a patio wall) that retains flammable liquids; or

c. Any wall of combined materials that exceeds 2 feet in height.

NOTE: Exemption from the permit requirements of this Code shall not be deemed to authorize any work to be done in violation of the provisions of the technical codes or any other City ordinances or regulations.

SECTION 7: Section 301 is hereby amended by adding thereto a new subsection, designated as Subsection 301.3, reading as follows:

301.3 Manufactured Housing, Travel Trailer and Recreational Vehicle Permits.

1. Manufactured Housing Installations (R-MH or R-MHP District). Manufactured housing installations are under the jurisdiction of the Nevada Department of Business and Industry. The units shall bear a seal from a recognized approval agency.

2. Travel Trailers or Recreational Vehicles (R-MH or R-MHP District). Travel trailers or recreational vehicles are under the jurisdiction of the Nevada Department of Business and Industry.

3. Temporary Residential Use Pending Construction. Nothing in this Code or the technical codes shall be deemed to prohibit any owner of a lot or parcel of land from parking his own manufactured home or recreational vehicle thereon and living therein. Before placing or parking the manufactured home or recreational vehicle, the owner must:

a. Obtain a building permit for a permanent residence to be located on the same lot and for the owner's use;

b. Execute in the City's favor a surety bond or equivalent, in accordance with the provisions of Paragraph (4) below;

c. Obtain a permit for the temporary placement of the manufactured home or recreational vehicle; and

d. Provide the proper sanitary facilities in the manner required by the Clark County Health District.

The period of occupancy may not exceed one year after the permit for temporary placement is issued. Upon written request, the Building Official may grant a single extension of time of up to six months.

4. Surety for Removal. The surety bond required by this Subsection shall be in the amount of one thousand dollars ($1,000.00), shall secure the removal of the manufactured home or recreational vehicle, and shall be conditioned upon the owner's maintaining in force a valid building permit during the entire time the manufactured home or recreational vehicle is in place. As an alternative to the surety bond, the owner may deposit the sum of one thousand dollars ($1,000.00):

a. With the City Treasurer, to be refunded upon full compliance with this Subsection; or

b. With a financial institution, provided that the owner, the City and the financial institution have entered into a security agreement that is acceptable to the City Attorney. The arrangement described in this Subparagraph (b) is referred to below as cash-in-lieu-of-bond.

5. Temporary Placement for Contractor/Security Purposes. Nothing in this Code or the technical codes shall be deemed to prohibit the temporary placement of a manufactured home or travel trailer for the use of a contractor engaged in construction work on the same parcel of land. In addition, a manufactured home or travel trailer may be temporarily placed upon any commercially zoned lot or parcel of land to be used for security purposes when approved by the Building Official. Any placement of a temporary manufactured home or travel trailer for the purpose of living there shall be subject to the requirements concerning installation, permitting, bonding, and time limits as set forth in Paragraphs (3) and (4) above. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Subsection.

6. Temporary Placement of Manufactured Building for Commercial Operation. Nothing in this Code or the technical codes shall be deemed to prohibit a commercial operation from temporarily operating within a manufactured building when the use has been approved by the City

Council. In the event of Council approval, the duration of the temporary use shall be in accordance with this Subsection or as determined by the City Council. The period of occupancy may not exceed one year from the date of approval. The Building Official may, upon written request, grant a single six-month extension, provided that a valid building permit is in force at the time the extension is requested and the City Council has approved the extension. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Subsection.

7. Enforcement. Enforcement of the provisions of this Subsection 301.3 shall be in accordance with this Paragraph (7). Each reference in this Paragraph (7) to the term "manufactured home" includes a travel trailer or recreational vehicle.

a. Whenever the Building Official or his designee finds that a manufactured home has remained on the permit holder's property for a period in excess of the limits specified above, he may issue a written notice and order to comply to the principal and to any surety on the bond. Notice to the principal is sufficient if sent by certified mail, return receipt requested, to the address provided by the principal on the application for the permit. The notice and order shall state the estimated cost of removal, and provide that if the manufactured home is not removed within (30) days from the date of notice, the bond shall be forfeited.

b. Any permit holder or surety who believes that no violation described in Paragraph (7)(a) above has occurred may, within 15 days after the date of the notice and order, apply in writing to the Department for a hearing. The Department shall forthwith set a date for the hearing, with at least five days written notice to the requesting party. The hearing shall be conducted by the Building Official or his designee.

c. The compliance order shall be stayed from the date a timely hearing request is received by the Department until a decision is rendered by the Department, and by the City Council in the event of a timely appeal of the Department's decision.

d. After the requested hearing, the Building Official may rescind, modify or affirm the order of compliance.

e. Within ten days after the date the Department's decision is rendered, the permit holder or surety may, if dissatisfied, appeal to the City Council by filing a written notice of appeal with the Department.

f. Upon receipt of an application from the person required to remove the manufactured home and an agreement by that person to comply with the order if allowed additional time, the Building Official or his designee may, at his discretion, grant an extension of time, not to exceed an additional one hundred and eighty (180) days, within which to remove the manufactured home. The Building Official or his designee's authority to extend time is limited to the removal of the manufactured home and shall not in any way affect the time to appeal the notice and order.

g. After receipt of a notice and order to comply, the surety must, within the time limits specified above, either cause the manufactured home to be removed or pay over to the Department the cost of removal after the manufactured home is removed by the Department. The Building Official or his designee may proceed by such mode as is deemed convenient to cause the

manufactured home to be removed. The Building Official or his designee may, in accordance with City contracting procedures, hire a private contractor to remove the manufactured home.

h. If a cash bond has been posted, notice of default as provided shall be given to the principal, and if the compliance is not obtained within the time limits specified, the Building Official or his designee may proceed without further notice to use the cash deposit or any portion of the deposit to cause the manufactured home to be removed, by contract or otherwise. The balance, if any, of such cash deposit shall, upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

i. If cash-in-lieu of bond has been deposited, the notice of default shall be given to the principal, and if the compliance is not obtained within the thirty (30) days specified, the Building Official or his designee may withdraw the deposited funds and use them to cause the manufactured home to be removed by contract or otherwise. The balance, if any, shall upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

j. In any instance where the Building Official or his designee has caused a manufactured home to be removed, the manufactured home may be placed in storage at any location within Clark County, Nevada, and all costs of that storage shall be borne by the owner of the mobile home upon reclaiming the manufactured home. Upon the owner' failure to pay storage costs, the manufactured home may be sold in accordance with NRS Chapter 108.

k. Any costs in excess of the forfeited bond amounts shall be charged to the principal. Where the full amount due to the City is not paid by the principal within 60 days after the City has removed the manufactured home, the Building Official or his designee may request the City Attorney to commence appropriate legal proceedings to obtain payment.

8. Adoption of Guidelines. The Department may adopt procedural guidelines to be used in implementing this Subsection 301.3.

SECTION 8: Section 301 is hereby amended by adding thereto three new subsections, designated as Sections 301.4, 301.5 and 301.6, respectively, reading as follows:

301.4 Grading Permit-Acreage Limitations. In order to minimize the environmental impacts of large-scale grading, a grading permit shall authorize the grading of no more than 120 acres at a time. The Building Official may increase the acreage authorized for grading in the case of:

1. Golf course development; or

2. Other large-scale development, if the applicant or permittee demonstrates to the satisfaction of the Building Official that enhanced dust control mitigation measures are in place to ensure that the increase in grading activity will not adversely impact neighboring properties.

301.5 Moving of Buildings.

1. In order to move any building or structure to or from a location within the City, a moving permit must be obtained in advance. The application for a permit must describe the proposed new location for the building or structure. After a permit is issued, but before the building or structure is moved, the applicant must contact a Supervisor of Building Inspections to schedule field inspections of the building that is to be moved and the site from which it is being moved. Field inspections may include, without limitation, the following items:

a. Visible structural integrity of the structure.

b. Required or proposed means of egress.

c. Electrical wiring and grounding.

d. Plumbing and gas line location, and compliance with applicable codes.

e. Site safety, including the capping of lines, disconnection of electrical power, filling of holes, and removal of other potential hazards.

The moving of buildings shall be subject to the requirements (and the prior approval, if applicable) of the Traffic Engineering Division of the Department of Public Works, the Nevada Department of Transportation, and any other agency having jurisdiction.

2. With regard to any structure proposed to be moved to a location within the City, whether it is proposed to be moved from another location within the City or from a location outside the City, the application for a moving permit shall be accompanied by an application for a building permit, including the submittal of plans of the type and extent that would be required for the initial erection of that structure and comply with current codes. The Department is authorized to require letters from design professions verifying structural integrity and compliance with the Model Energy Code. The review and approval of those plans shall also include and be subject to review and verification by the Department of Planning and Development, and the Land Development Division that the proposed location of the building, whether permanent or temporary, is permissible and appropriate under applicable zoning and development regulations.

301.6 Demolition Permits. A separate permit is required for each building, address or suite at which demolition is to occur. Any required sewer investigation permit must be obtained prior to the issuance of a demolition permit.

SECTION 9: Section 302 is hereby amended by deleting Subsection 302.3 and substituting therefor a new Subsection 302.3, reading as follows:

302.3 Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon substantial paper whose sheets will be of a uniform size not to exceed 42 x 30 inches in size. The plans and specifications shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that the work will conform to the provisions of the technical codes and all relevant laws, ordinances, rules and regulations.

Except as otherwise provided below, a geotechnical report must be submitted with the plans and specifications that pertain to an application for building permit. The report must be prepared by a registered design professional. Recommendations included in the report and approved by the Building Official shall be incorporated in the construction documents. Minimum explorations shall conform to Section 1802.4.2 of the 2003 International Building Code (IBC), as adopted by the City. Information contained in the geotechnical report shall conform to Section 1802.6 of the 2003 IBC, as adopted by the City.

Exception. At the option of the Building Official, the following projects may be exempted from submitting a geotechnical report:

1. Habitable remodels or additions to a dwelling unit with a footprint less than 600 square feet.

2. Storage, garage, agricultural, and similar use buildings, such as gazebos and playhouses, associated with a dwelling unit with a footprint less than 600 square feet.

3. Single story commercial structures less than 600 square feet.

4. Fences.

5. Manufactured housing, trailers, modular buildings, and pre-engineered carports.

6. Signs less than 50 feet in height.

SECTION 10: Section 303 is hereby amended by deleting Subsection 303.4 and substituting therefor a new subsection 303.4, reading as follows:

303.4 Expiration. Every permit issued by the Building Official with respect to work governed by the technical codes shall expire by limitation and become null and void if the building or work authorized by the permit is not commenced within 180 days from the date of the permit, as documented by an inspection, or if the building or work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, as documented by an inspection. Permits shall also expire when corrections which have been required by means of a notice to correct have not yet been completed within thirty (30) days after the inspection. Before the work can be recommenced, a new permit therefor shall first be obtained, and the fee therefor shall be one half the amount required for a new permit for the work, provided that no changes have been made or will be made in the original plans and specifications for the work, and provided further that the suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee and shall be subject to all development/impact fees current at the time of the new permit. Any permittee holding an unexpired permit may apply for an extension of the time within which to commence work under that permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. The Building Official may extend a permit more than once.

SECTION 11: Section 304 is hereby amended by deleting Subsections 304.1, 304.2, and 304.3, and substituting therefor new Subsections 304.1, 304.2, and 304.3, reading as follows:

304.1 General. Fees shall be assessed in accordance with the provisions of this Section and the fee tables adopted in connection with this Supplemental Document. Political subdivisions which by law are exempt from the payment of building permit fees are not exempt from:

1. The plan review fees described in this Section 304;

2. Sewer connection fees; or

3. Any other development-related fee, except to the extent provided by law.

Section 304.2 Permit Fees. The fee for each permit shall be as provided in set forth in Table Nos. 3-A through 3-C, as adopted in connection with this Supplemental Document and amended by the City Council from time to time.

The determination of value or valuation under this Code or any of the technical codes shall be made by the Building Official. The valuation to be used in establishing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. In order for the Building Official to determine the valuation for purposes of establishing the building permit and building plan review fees, the applicant must provide a total construction valuation for each project, including the builder's profit, if applicable. The valuation to be used by the Building Official shall be the greater of the declared valuation or the valuations as calculated from the Chart of Minimum Valuation Per Square Foot, which is attached to Table No. 3-A.

304.3 Plan Review Fees.

1. When the submission of plans or other data is required by Section 302, a plan review fee shall be paid at the time plans and specifications are submitted. The building plan review fee for buildings or structures shall be as set forth in Table No. 3-A, calculated at 65 percent of the building permit fee. An additional fee shall be charged for zoning requirement review.

2. No separate plan review fee shall be charged for repetitive permits for electrical, mechanical or plumbing work when all permits (building, electrical, mechanical, and plumbing) are sought on one application. When separate permits by trade area are requested, plan review fees for electrical, mechanical and plumbing work for each permit shall be as set forth in the Notes to Table No. 3-A.

3. The plan review fee for grading work shall be as set forth in Table No. 3-B.

4. If two or more buildings (residential dwellings) are to be built from a single model building plan without substantial modifications, as determined by the Building Official, and the model building plan is submitted by any one building contractor while the Building Code under which the plans were approved by the Building Official are in effect, then:

a. The plan review fees for each model building plan shall be sixty-five percent (65%) of the aggregate building permit fees, plus $50.00 for each additional exterior design elevation.

b. An additional issuance fee for each subsequent use of that model plan (tract house) shall be paid, in the amount of $35.00.

5. Plan review for repetitive plans is valid for the period during which the Building Code under which plans were reviewed is in effect. Plans must be resubmitted within 6 months after the adoption of a more recent edition of the Building Code. Plan review fees shall be sixty-five percent (65%) of the building permit fee.

6. Plan review for non-repetitive plans is valid for 6 months after approval. Unless permits are issued within that period, plans must be re-reviewed under the then-current Building Code and new plan review fees paid.

7. The plan review fees described in this Subsection 304.3 are separate and in addition to the permit fees described in Subsection 304.2 of this Section.

8. Where plans are incomplete or are changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table No. 3-C.

9. Where a permit has been issued, and subsequently the builder, owner or representative requests a change in the plan which would require the preparation of new permit documentation, an additional fee shall be charged in the amount of $35.00 for each new permit required.

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

Except with respect to fees erroneously collected, administrative issuance fees and zoning requirement review fees will not be refunded.

SECTION 13: Section 304 is hereby amended by adding thereto three new subsections, designated respectively as Subsections 304.7, 304.8 and 304.9, reading as follows:

304.7 Moving Permit Fees. For moving a building or structure, the fee shall be as set forth in Table No. 3-C.

304.8 Demolition and Related Permit Fees. The fee for any demolition permit and related sewer investigation permit, as set forth in Table No. 3-C, shall be paid at the time of issuance of the permit and prior to any demolition work being done by the permittee. A separate fee must be paid for each permit required by or described in Subsection 301.6.

304.9 Other Fees. See Table No. 3-C.

SECTION 14: Section 305 is hereby amended by deleting Subsection 305.5 and substituting therefor a new Subsection 305.5, reading as follows:

305.5 Required Building Inspections. All work regulated by this Code and the technical codes must be inspected and approved before being covered or concealed, and finished work must be inspected and approved before occupancy. The sequence and types of required inspections will be indicated on the inspection report card. The absence of such indication shall not be deemed to waive any inspection requirement. The Building Official, upon notification, shall make inspections that may include, but are not limited to, the following, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent of construction that fails to comply with this Code or the technical codes:

1. Foundation Inspection. To be made after excavations for footing are complete and required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the Building Official.

2. Concrete slab or under-floor inspection. To be made after in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed of floor sheathing installed, including the subfloor.

3. Frame inspection. To be made after the floor, framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes, and ducts are approved.

4. Lath and/or wallboard inspection. To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joists and fasteners are tapped and finished.

5. Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

SECTION 15: Section 306 is hereby amended by deleting Subsection 306.1, including the subparts thereof that follow, and substituting therefor a new Subsection 306.1, reading as follows:

306.1 General. In addition to the inspections that are referred to in Section 305 of this Code, special inspections shall be conducted for the types of work listed under Section 1704 of the 2003 International Building Code (IBC). Structural tests and special inspections shall comply with Chapter 17 of the IBC, including Subsections 1704.4, 1704.5, 1704.7, 1704.7.4, and 1704.15 thereof, as adopted by the City. The special inspector must be one who is approved by the Building Official and must be assigned to the construction project until all special inspection work is completed in accordance with this Subsection.

If one or more special inspectors are assigned and employed by the City, the owner or contractor shall reimburse the City for the costs of employing the special inspector(s). Reimbursement shall be made within 30 days after billing. If full reimbursement has not been made within 30 days after the final billing, the City may place a labor lien on the affected property in accordance with the provisions of the Nevada Revised Statutes.

SECTION 16: Section 307 is deleted in its entirety with no substitution.

SECTION 17: Section 308 is hereby amended by adding thereto two new subsections, designated as Subsections 308.3 and 308.4, respectively, reading as follows:

308.3 Construction Power. The Building Official may authorize temporary construction power, which is a privilege granted solely for convenience.

308.4 Revocation of Temporary Connection or Construction Power. Temporary connections of construction power may be revoked, upon written notice, for the use of temporary construction power for permanent occupancy, and may be revoked with or without notice for tampering with the electrical service panel in violation of the National Electrical Code and utility company requirements, or in the event work is suspended or abandoned as described in Subsection 303.4.

SECTION 18: Subsection 309.1 is hereby amended by deleting both the first paragraph thereof and the exception that follows and substituting for that paragraph and exception the following paragraph:

309.1 Use or Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has approved the building or structure for occupancy, either by means of a Certificate of Occupancy or by the approval of a final inspection.

SECTION 19: Subsection 309.3 is hereby amended by adding thereto a new paragraph, reading as follows:

For purposes of enforcing this Code, existing buildings for which a Certificate of Occupancy has never been issued shall be deemed to have been issued a Certificate. Nothing in this paragraph, however, shall be construed to mean or imply that any such building complies with the requirements and provisions of the technical codes.

SECTION 20: Section 309 is hereby amended by adding thereto a new subsection, designated as Subsection 309.7, reading as follows:

309.7 Utilities. Upon revocation of a Certificate of Occupancy, the Building Official may order the disconnection or discontinuance of utility services upon at least three (3) days written notice to the owner and occupant.

SECTION 21: Table Nos. 3-A to 3-H, inclusive, are hereby deleted in their entirety, and new Table Nos. 3-A, 3-B and 3-C, which are attached hereto and incorporated by this reference, are adopted in lieu thereof.

PROVISIONS RELATING TO THE PLUMBING CODE

SECTION 22: In connection with the administration and enforcement of the Uniform Plumbing Code, 2000 Edition, the provisions which are set forth as Sections 23 to 31, inclusive, of

this Supplemental Document are hereby adopted.

SECTION 23: GENERAL PROHIBITIONS.

A. It is unlawful for any person to conduct, carry or engage in the business of plumbing or act in the capacity of a plumbing contractor without first having obtained a license from the State of Nevada Contractor's Board to carry on the trade of plumbing.

B. It is unlawful for any person to conduct, carry on or engage in the business of installing, altering or repairing sewers or private sewage disposal systems without first having obtained a license from the State of Nevada Contractors Board to carry on the trade of plumbing.

C. It is unlawful for any person to work or labor at the trade of plumbing unless that person has successfully passed an examination by an approved agency and has a valid current Plumber's Certificate of Qualification, as required by the Nevada Revised Statutes and the Rules and Regulations of the State of Nevada Contractors Board.

EXCEPTION: Apprentices and helpers.

D. Contractors that are described in Section 25(F) and their employees engaged in the construction of underground utility lines, as described in that Section, are exempt from the provisions of this Chapter that require a Certificate of Qualification, but such contractors must possess both a valid State Contractor's License and a City business license to carry on the business of contracting, as distinct from engaging in the business of plumbing.

SECTION 24: DEFINITIONS AND QUALIFICATIONS OF CONTRACTORS AND PLUMBERS.

A. A Plumbing Contractor is a person who holds a license from the State of Nevada Contractors Board and a business license from the City to carry on the trade of plumbing.

B. A Certified Plumber is a person who has successfully passed an examination given by an approved agency and has a valid current Plumber's Certificate of Qualification.

C. A Master Plumber is a person who was certified as such by a local entity before July 1, 1985.

D. A Qualified Individual or QI is a person who has passed an appropriate examination(s) of the State of Nevada Contractors Board subsequent to July 1, 1985, and otherwise meets the qualifications of, and has been accepted by, the State of Nevada Contractors Board as a Qualified Individual in one or more of the subcategories of plumbing contracting (or as appropriate to the work to be permitted) after July 1, 1985.

SECTION 25: PERMITS; WORKSITE REQUIREMENTS

A. Permits may be issued to plumbing contractors having a State of Nevada Contractor's license and City business license for any plumbing or drainage work regulated by the Uniform

Plumbing Code.

B. Permits may be issued to any properly licensed person to install, alter or enlarge irrigate systems, providing that required backflow prevention devices are installed to existing water lines.

C. Permits may be issued to licensed fire sprinkling contractors or licensed plumbing contractors for the installation of automatic fire extinguishing systems, provided that all work conforms to the requirements of the most recent edition of the National Board of Fire Underwriters Standard #13.

D. Permits may be issued to any person to do plumbing or drainage work regulated by the Uniform Plumbing Code in a single family dwelling used exclusively for living purposes, including the usual accessory buildings or quarters in connection with such buildings, provided that the person is the bona fide owner of the dwelling and accessory buildings or quarters, and the same are occupied or designated to be occupied by the owner.

E. A permit may be issued for the original installation of permanent and rental water softening equipment, provided the work done involves only minor changes in the existing water lines. Every application for a permit shall be accompanied by a sketch or drawing of the proposed installation. The person making the installation, at a minimum, must have successfully passed an examination given by an approved agency for a limited certificate of competency, permitting the holder to make minor changes in the present water system to install only permanent and rental water softening equipment. If the installation involves connecting to the drainage system, this work must be done by a certified plumber unless the building is provided with a drain connection suitable for the purpose of connecting a water softener. For purposes of this paragraph, "minor changes" in the water system shall be construed to mean that no more than one cut into the existing water lines will be required.

F. A permit may be issued to any general engineering contractor, or to any sewer, sewage disposal, drain and pipelaying contractor, pipeline contractor or industrial piping contractor licensed by the State of Nevada, for work within that contractor's respective specialty or specialties, for the construction and installation of sewer, water, or other underground utility lines on private or public property up to a point not less than five (5) feet from the building and, with respect to a manufactured home or recreational vehicle park, for installation of pipeline systems in accordance with approved plans.

G. A permit may be issued to any refrigeration or air conditioning contractor who holds both a valid State of Nevada Contractor's License, Classification C-21 (a) or (b), and a valid business license issued by the City, to install gas piping which is directly related and necessary to the repair or replacement of a refrigeration, heating or air conditioning system, not exceeding 500,000 BTUH per permit (based on natural gas input). The permittee shall only use qualified workers who have met City requirements for installation of gas lines. The permittee shall not modify or alter any gas piping except for that gas piping allowed by this Subsection.

H. At least one Certified (Journeyman) Plumber must be on any job site while work is being performed.

SECTION 26: CERTIFICATION

A. Certification. A Master Plumber or Qualified Individual Certification shall be recognized and accepted by the Building Official upon receipt of a certification issued by a third-party independent agency recognized by the Building Official as demonstrating competency in the field of plumbing.

B. Renewal of Certificates. Master or Qualified Individuals are required to insure that their Master and Qualified Individual certifications are maintained in a current active status in accordance with the third party testing agency accepted by the State of Nevada Contractors Board and to renew as required.

C. Nonrecognition of Certificate. A Master or Qualified Individual who has been found not to meet the qualification standard of the State of Nevada Contractors Board for a Qualified Individual in any plumbing contractor's license classification shall not be recognized as certified, until the individual meets the standards of certification by re-examination.

D. Reciprocal Sanctions. The record of disciplinary action taken by any governmental entity in Clark County against a holder of a Master or Qualified Individual Certificate shall be reviewed by the Administrative Authority, who shall determine if sanctions shall be imposed upon the individual.

SECTION 27: RESPONSIBILITY FOR CERTIFICATION; REVOCATION OF CERTIFICATE OR OF RECOGNITION THEREOF.

A. A plumbing contractor shall be responsible for ensuring that plumbers under the contractor's control have certificates.

B. Upon presentation to the Building Official of allegations that the holder of any certificate has violated any provisions of this Code or other City ordinance regulating plumbing installations and permits, or is incompetent or unfit to comply with such regulations, the Building Official may seek action by the City Council to suspend or revoke the certificate (or recognition thereof), or take other disciplinary measures. All recommendations must be filed through Building Official, who will proceed with all necessary paperwork for Council action. The certificate holder shall be given notice of the allegations against him and the opportunity to appear at the hearing to refute the charges. If, after the hearing, it is voted to recommend the suspension or revocation of the certificate or recognition, the holder shall be notified in writing by the Building Official that such a recommendation has been made and that, unless he can show good and sufficient cause to the City Council why revocation should not occur, the City Council may order the Building Official to revoke the certificate or recognition thereof. This notification shall be delivered to the holder of the certificate at least ten (10) days in advance of the action by the City Council. When a certificate or recognition has been revoked, no new certificate or recognition shall be granted to the same person to perform plumbing work within the City until that person has waited at least one (1) year and the Building Official determines that the applicant meets all of the requirements of this Code. The City Council may, at any time on its own motion and after notice and hearing and for good and proper cause, revoke or suspend any certificate (or recognition thereof), or take other disciplinary action against the holder.

SECTION 28: PLAN/CALCULATION PREPARATION

A. It shall be the responsibility of every contractor and the contractor's Master Plumber or Qualified Individual to inform the Building Official in writing of any change of employment status on his Master or Qualified Individual within ten (10) days thereafter.

B. When plans and calculations are not stamped with the seal of an architect or engineer who is responsible for the work, the plumbing contractor shall be responsible for design and conformance with this Code. The plumbing contractor shall provide on any plans a title block which includes the plumbing contractor's company and individual names and the State Contractor's License Number.

EXCEPTION: An owner-builder may prepare plans for the owner-builder's own home. An owner-builder shall provide a title block and sign the building plans.

C. A Master Certificate or Qualified Individual Certificate shall be valid for one business only. Simultaneous use of the certificate for more than one contractor shall be grounds for certificate revocation. Notwithstanding anything above to the contrary, an owner holding a Master Certificate may be the Master Plumber for his own business.

SECTION 29: OCCUPANCY FEES FOR SEWER CONNECTION (See Chapter 14.04 of the Las Vegas Municipal Code for Schedule of Fees.)

Occupancy fees for sewer connection shall be due at the time of issuance of building permit or occupancy change. An application for occupancy change shall include the deposit for any additional fees that required to be paid. Credit for existing sewer shall be applied to the new sewer fees based on previous type of occupancy and only when the new occupancy requires an additional fee. The Building Official may authorize the refunding of sewer connection fees which are erroneously paid or collected and in instances where construction is not performed. All applications for refunds must be filed in writing by the original permittee not later than 180 days after the date of payment. All refunds are subject to an administrative fee to cover the processing of permits and refund applications. The administrative fee shall be $50.00, or twenty percent (20%) of the total connection fee, whichever is less.

SECTION 30: SEWER TRUNK EXTENSION AND OVERSIZING REFUNDING AGREEMENTS

A. Sewer trunk extensions and oversizing necessary to serve real property within the City which is incapable of being served by existing sewer trunks may be installed pursuant to refunding agreements, at the discretion of the Director of Public Works, in accordance with the following procedures:

1. An applicant for a "sewer extension" refunding agreement will file an application with the Department of Public Works, accompanied by an approved design of the proposed installation.

2. When a "sewer oversizing" refunding agreement is required, the Department of Public Works shall designate the sizing for the proposed trunk extension; the depth at which it shall

be installed; the number, location and type of appurtenances to be included therein; and the location of the area from which the refund therefor will be derived. Two designs shall be prepared for the project, an oversizing design and a base design meeting the capacity needs of the development. Both designs shall have matching pipe crown elevations.

3. Upon receipt of approved design plans, the applicant shall submit to the Department of Public Works at least three (3) written bids (sealed) from licensed sewer contractors for the construction of the proposed sewer extension in accordance with the approved plans therefor; provided, however, that the Director of Public Works, at his discretion and upon good cause shown, may waive the requirement of those written bids.

4. Sewer refunding agreements are based on the lowest responsible bid. Oversizing costs are based on the lowest cost differential between the oversizing design bid and the base design bid. Reimbursable extension costs are based on the lowest bid minus the oversizing costs. Costs involving rock or hard material excavation shall not be included in the original refunding agreements. If the developer encounters rock or hard material excavation, the developer shall notify Off-site Inspection and Testing who will document the amount of hard material excavation encountered. The developer may request an amendment to the agreement based on the amount of hard material excavation encountered. As a prerequisite for City consideration for payment for rock or hard material excavation, notification will be provided to the City prior to commencement of work.

5. Any sewer trunk extension and appurtenant installation under a refunding agreement shall conform to Design and Construction Standards for Wastewater Collection Systems then in force in the City, and shall be subject to the acceptance by the City prior to the use thereof.

6. Upon the completion of construction of any such sewer trunk extension, "as built" plans of the installation shall be filed with the Department of Public Works.

B. Recovery of extension costs shall apply only to that portion of the extended sewer trunk in excess of two hundred (200) feet from its connection to the existing sewer trunk (the "trunk extension subject to refunding") and terminating at the nearest point of the development. The amount recoverable thereunder shall be as specified in the agreement but not to exceed ninety-five (95%) of the amount, based on the lowest acceptable bid, actually expended by the applicant, after any appropriate adjustment in cost, in the construction of the trunk extension subject to refunding; provided, however, that the cost resulting from any oversizing of the extended sewer trunk at the request of the City shall be pursuant to separate agreement and shall be paid after the acceptance by the City of the extended sewer trunks, or as specified in the agreement.

C. Unless otherwise provided by agreement, refunds pursuant to each refunding agreement shall be made by the City on or before the anniversary date of the refunding agreement in each year, and shall be in the amount of $125.00 for each sewer connection fee received during the preceding 12 months from properties adjacent to the limits of the extension agreement. The right to any refund thereunder shall expire on the tenth anniversary of the execution of the agreement. In no event shall the aggregate refund to be made under any the refunding agreement ever exceed ninety-five percent (95%) of the costs expended by the applicant in connection with the installation of the trunk extension subject to refunding.

D. Unless otherwise specified by agreement, refunds associated with sewer extensions and reimbursements associated with oversizing shall be made to the applicant.

SECTION 31: FEES. Fees related to plumbing permits and plumbing work shall be as set forth in Table Nos. 3-A and 3-C.

PROVISIONS RELATING TO THE MECHANICAL CODE

SECTION 32: In connection with the administration and enforcement of the Uniform Mechanical Code, 2000 Edition, the provisions which are set forth as Sections 33 to 35, inclusive, of this Supplemental Document are hereby adopted.

SECTION 33: LICENSING. Any person, firm or corporation engaged in the business of installing, repairing, servicing maintaining or improving heating and air conditioning equipment or ductwork in the City shall first secure a State of Nevada Contractor's License and a City business license. Those licenses must be kept valid as long as the licensee is engaged in any business described in this Section.

SECTION 34: QUALIFIED PERSONS.

A. It is unlawful for any person to install, alter, reconstruct, repair or maintain any heating, ventilating, air conditioning or refrigeration equipment or evaporative cooler or cooling tower as described in this Code, unless the person is a qualified person or a regular salaried employee of a qualified person, in which latter case the qualified person shall be responsible for all work done by the employee.

B. The term "qualified person" shall be deemed to mean a person, firm or corporation holding both a valid contractor's license issued by the State of Nevada and a valid City business license, or a person who qualifies under Subsection (C) of this Section.

C. Any permit required by this Code may be issued to any person doing any construction or work regulated by this Code in a single family dwelling used exclusively for living purposes, including usual accessory buildings and quarters in connection with the single family dwelling, provided that:

1. The person is a bona fide owner of the dwelling, accessory building and quarters;

2. The same are occupied by or intended to be occupied by the owner; and

3. For the installation of any equipment, the owner applies for and obtains a permit for the construction work; provided, however, that no permit will be required for the repair, service or maintenance of existing equipment.

SECTION 35: FEES.

Fees related to mechanical permits and mechanical work shall be as set forth in Table Nos. 3-A and 3-C.

City of Las Vegas

Agenda Item No. 4

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
NEW BILL:

Bill No. 2003-85 – Adjusts the building height, lot coverage, and on-site parking requirements and limitations applicable to senior citizen apartments, and adjusts the lot coverage limitations applicable to certain mixed-use developments that include a residential component. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Senior citizen apartments and similar residential uses that have the potential to form part of mixed-use developments have faced certain development difficulties relating to building height, lot coverage and on-site parking. This bill will adjust those restrictions so as to encourage and facilitate these types of development.

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

BACKUP DOCUMENTATION:
Bill No. 2003-85

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-85 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development, indicated that this item resulted from several senior housing projects in the City. Most city codes contain a separate standard for senior citizen housing, especially with regarding to density and parking. The density is higher and parking is less. This code amendment brings the City's code up to standards on this matter. Staff reviewed this matter thoroughly and believes that it is appropriate.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
CITY ATTORNEY
Item 4 – Bill No. 2003-85

MINUTES – Continued:
No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:18 – 4:19)

1-327

BILL NO. 2003-85

ORDINANCE NO. _____

AN ORDINANCE TO ADJUST THE BUILDING HEIGHT, LOT COVERAGE, AND ON-SITE PARKING REQUIREMENTS AND LIMITATIONS APPLICABLE TO SENIOR CITIZEN APARTMENTS; TO ADJUST THE LOT COVERAGE LIMITATIONS APPLICABLE TO CERTAIN MIXED-USE DEVELOPMENTS THAT INCLUDE A RESIDENTIAL COMPONENT; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development

Summary: Adjusts the building height, lot coverage, and on-site parking requirements and limitations applicable to senior citizen apartments, and adjusts the lot coverage limitations applicable to certain mixed-use developments that include a residential component.

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

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to add to the "Residential & Lodging" element thereof a new row pertaining to the use "Senior Citizen Apartments," reading as follows:

U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RESIDENTIAL & LODGING
							C	C	C			Senior Citizen Apartments*

RESIDENTIAL & LODGING	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Senior Citizen Apartments*					S				

SECTION 2: Title 19, Chapter 4, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled "SENIOR CITIZEN APARTMENTS," reading as follows:

SENIOR CITIZEN APARTMENTS [R-3, R-4, R-5]

For any development that is over three stories in height:

(1) The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

(2) Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

SECTION 3: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled "SENIOR CITIZEN APARTMENTS," reading as follows:

SENIOR CITIZEN APARTMENTS [C-1]

(1) For any development that is over three stories in height:

(a) The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

(b) Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

(2) The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.

(3) The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.

(4) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

(5) For any development that, in accordance with LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements shall be met. In addition, for any development that is not located within the Downtown Las Vegas Redevelopment Area, as established by Ordinance No. 3218 and amended from time to time, the minimum setback requirements for the C-1 District shall be met.

SECTION 4: As set forth at the end of Title 19, Section 8, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, Table 2 and its accompanying Notes

are hereby amended to read as follows:

Table 2. Residential District Development Standards, Other than Single-Family

STANDARD	R-2	R-3	R-4	R-5
Minimum Lot Size [(ft²)](sq. ft.)	6,500	6,500	6,500	7,000
Dwelling Units per Gross Acre	6-12	13-25	26-50	unlimited [1]
Min. Lot Width (ft.)	NA	NA	NA	NA
Min Front Yard Setback (ft.) [3]	20	20	10	10
Min Side Yard Setback (ft.) [3]	5 [4]	5 [4]	5 [4]	5 [4]
Min. Corner Side Yard Setback (ft) [3]	5 [4]	5 [4]	5 [4]	5 [4]
Min Rear Yard Setback (ft) [3]	20 [4]	20 [4]	20 [4]	20 [2, 4]
Min Distance Between Buildings [3]	10	10	10	unlimited
Max. Lot Coverage [3]	NA	NA	NA	NA
Max Building Height (ft.) [3]	2 stories or 35 feet, whichever is less [5]			5 stories or 55 feet, whichever is less

Notes:

1. R-5 District—The maximum density is unlimited. However, the height limit on development imposes a de facto limitation on density in all areas except the Downtown Overlay District (see Section 19.06.060), where the height is unlimited.

2. R-5 District—The minimum rear yard setback shall be twenty feet. However, where the rear twenty feet of the lot has direct access to a public alley and is used for the on-site parking of automobiles, this area may be covered by a roof provided it is otherwise open on three sides.

3. Downtown Overlay District—All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in Table 2. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060.

4. All Districts – Side, corner side and rear yard setbacks are subject to the patio cover provisions set forth in Subsection 19.08.040(B)(4).

5. R-3 and R-4 Districts—The height limit for senior citizen apartment developments shall be

three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060.

SECTION 5: Title 19, Section 8, Section 45, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(B) Applicability. With the exception of unrestricted gaming development, and development located within a designated special purpose, overlay or planned development which has adopted commercial design guidelines, no new commercial site development, building or structure shall be erected in any commercial zone unless in conformity with all applicable provisions of [these regulations.] this Section, including the development standards set forth in Table 3. No existing commercial building or structure shall be moved or substantially enlarged, and no previously developed site shall be substantially modified or enlarged, unless in conformance with all applicable provisions of [these regulations.] this Section, including the development standards set forth in Table 3.

SECTION 6: As adopted in Title 19, Chapter 8, Section 45, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, Table 3 and its accompanying Notes are hereby amended to read as follows:

Table 3. Commercial District Development Standards

STANDARD	P-R	N-S	O	C-D	C-1	C-2	C-PB
Min. Site Area to Rezone	NA	NA	NA	NA	NA	NA	20 Ac.
Min. Lot Width (ft.) [4]	60	100	100	100	100	100	100
Min. Front Yard Setback (ft.) [4]	20	25	25	25	20	20	20
Min. Side Yard Setback (ft.) [4]	5	10	10	10	10	10	10
Min. Corner Side Yard Setback (ft.) [4]	15 [3]	15	15	15	15	15	20
Min. Rear Yard Setback (ft.) [1, 4]	15	25	15	25	20	20	15
Max. Lot Coverage [4]	50%	30%	30%	30%	50% [6]	50%	50%
Max. Building Height [R] (ft.) [1, 2, 4, 5]	2 stories or 35 feet, whichever is less				none	none	none

Notes:

1. Rear Yard Setback, Height. Rear yard setbacks and building heights may be affected by the Residential Adjacency requirements in Section 19.08.060.

2. Height.

a. Non-Residential Building Height When Adjacent to Residential. See Section 19.08.060(B).

b. P-R and O Districts. The maximum building height in the P-R and O Districts is two stories or thirty-five feet, whichever is less.

c. C-D District. Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D Districts shall not exceed:

(1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;

(2) Two stories or thirty-five feet, whichever is less, for all other parcels.

d. C-PB District. The maximum building height in the C-PB District is three stories or fifty-five feet, whichever is less. Any parcel of land contiguous to a freeway or expressway and to a depth of six hundred feet from the right-of-way line thereof, the maximum building height shall be six stories or one hundred feet, whichever is less. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty-five feet, whichever is less.

e. Exemptions. Chimney and vent stacks; roof structures for the use of elevations, stairs, tanks, ventilation, and similar necessary mechanical equipment; visual screens which surround mounted mechanical equipment; skylights; whip and mounted antennas and flag poles up to forty feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

f. Height Along Certain Streets. For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).

3. P-R District. A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to

the existing established corner setback.

4. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060.

5. Gaming Enterprise Overlay District. All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this chapter. However, the exemption does not [prohibited] prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.

6. C-1 District. Senior citizen apartments and mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:

a. The mixed-use development must contain both residential and commercial uses in the same structure;

b. Commercial uses shall be located at the front yard setback facing the public right-of-way; and

c. The residential units shall be located at or above the second story of the mixed-use structure.

SECTION 7: Table 1, as adopted in Title 19, Chapter 10, Section 10, Subsection (F), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the row pertaining to the category "Senior Citizen Apartment," as found in the RESIDENTIAL & LODGING element thereof, to read as follows:

Senior Citizen [Apartment] Apartments	[One space for each unit, plus one guest space for every six units.] .75 spaces per unit, or .5 spaces per unit within the Downtown Overlay District

SECTION 8: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location, the following term and its corresponding definition:

"Senior Citizen Apartments" means an apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older, or in which the units are intended and operated for occupancy by persons fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

(1) Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and

(2) Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

SECTION 9: In Sections 2 and 3 of this Ordinance, the brackets that follow the title of the subdivision being added are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable districts.

SECTION 10: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010, 19.04.040, 19.04.050, 19.08.040, 19.08.045, 19.08.050, and 19.10.010 and 19.20.020 are deemed to be subchapters rather than sections.

SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,

sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valtteed 10-1403
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 5

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2003-86 – Makes minor corrections to the maps that depict the boundaries of the downtown area as described in the Downtown Las Vegas Centennial Plan, the Las Vegas 2020 Master Plan, and the Downtown Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
A number of maps that were adopted as part of the City's Downtown Las Vegas Centennial Plan, Las Vegas 2020 Master Plan, and Downtown Overlay District vary slightly from the descriptions of the boundaries that were approved for those areas and that were intended to be represented by the maps. This bill will amend the various maps to conform them to the boundaries that were intended to be reflected in the maps.

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

BACKUP DOCUMENTATION:
Bill No. 2003-86

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-86 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development, advised that the Downtown Centennial Plan was adopted in 2000 and contains maps depicting the boundaries. However, in Section B-4, regarding the definition of downtown districts, staff determined that the text outlines the boundaries somewhat different than the map. This bill adopts the more specific and more restrictive language of the actual text and matching the maps match that text.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 5 – Bill No. 2003-86

MINUTES - Continued:

AL GALLEGO, citizen of Las Vegas, complained that the City maps do not include the area of the City north of the freeway. This area should be included, because it includes the library, the museum, the Mormon Fort, and the Sawyer building.

MS. WHEELER indicated that the recently completed Downtown North Plan addresses the downtown north area. This bill only makes the 2000 text and maps match. It is not a new plan and simply corrects an error.

MR. GALLEGO persisted that the City forgets about the northern area of the City. He wants to see some of the federal monies earmarked toward the improvement of this area. He is already hearing rumors from developers that Cashman Field is for sale.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:19 – 4:23)

BILL NO. 2003-86

ORDINANCE NO. _____

AN ORDINANCE TO CORRECT THE MAPS THAT DEPICT THE BOUNDARIES OF THE DOWNTOWN AREA AS DESCRIBED IN THE DOWNTOWN LAS VEGAS CENTENNIAL PLAN, THE LAS VEGAS 2020 MASTER PLAN, AND THE DOWNTOWN OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development

Summary: Makes minor corrections to the maps that depict the boundaries of the downtown area as described in the Downtown Las Vegas Centennial Plan, the Las Vegas 2020 Master Plan, and the Downtown Overlay District.

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

SECTION 1: A number of maps that were adopted as part of the City's Downtown Las Vegas Centennial Plan, Las Vegas 2020 Master Plan, and Downtown Overlay District vary slightly from the descriptions of the boundaries that were approved for those areas and that were intended to be reflected in the maps. In order to conform the maps to the boundaries intended, it is the intent of the City Council to amend the various maps as set forth in Sections 2 to 5, inclusive, of this Ordinance.

SECTION 2: The Downtown Las Vegas Centennial Plan, as adopted by Ordinance No. 5238, is hereby amended by amending Maps 5 and 6 thereof to reflect the boundary corrections described in the map attached as Exhibit 1.

SECTION 3: The Las Vegas 2020 Master Plan, as adopted by Ordinance No. 5250, is hereby amended by amending Maps 7 and 8 thereof to reflect the boundary corrections described in the map attached as Exhibit 1.

SECTION 4: Title 19, Chapter 6, Section 60, of the Municipal Code of the City of Las Vegas, 1983 Edition, is hereby amended by amending the map that is contained in that Section to reflect the boundary corrections described in the map attached as Exhibit 1.

SECTION 5: The Planning and Development Department is authorized and directed to:

(A) Prepare amended maps to correspond to the formats of the various maps

referred to in Sections 2 and 3 of this Ordinance, and to include them or attach them to the appropriate Plan documents; and

(B) Prepare an amended map to correspond to the format of the map described in Section 4 of this Ordinance for subsequent inclusion in the Municipal Code.

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

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 10-2-03
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

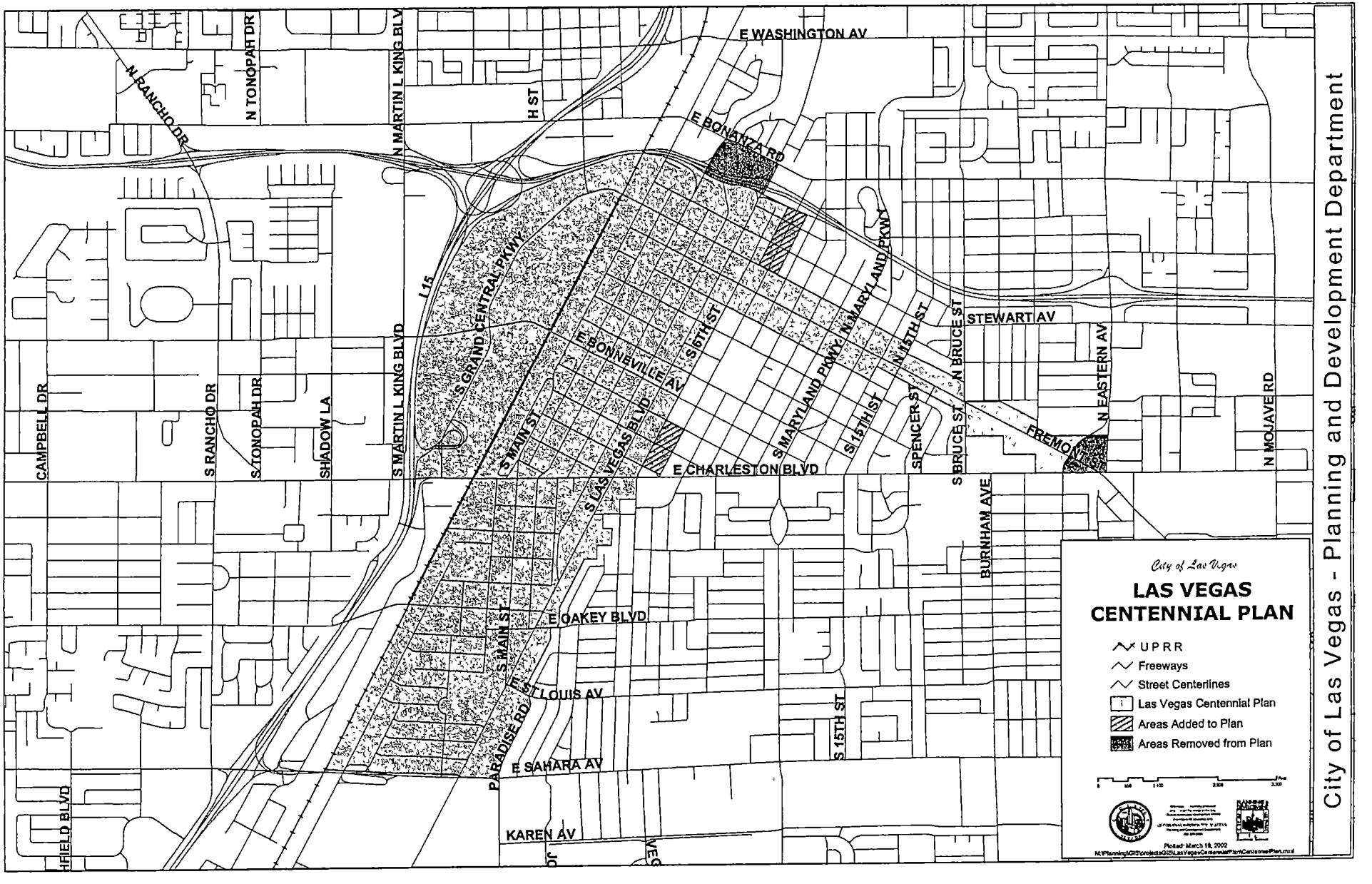
ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk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S 15TH ST
KAREN AV
HFIELD BLVD
City of Las Vegas
LAS VEGAS
CENTENNIAL PLAN
UPRR
Freeways
Street Centerlines
Las Vegas Centennial Plan
Areas Added to Plan
Areas Removed from Plan
City of Las Vegas - Planning and Development Department

Exhibit 1

City of Las Vegas

Agenda Item No. 6

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2003-87 – Requires all massage therapists and independent massage therapists to have their business licenses on their persons while performing massages, and changes the qualifying criteria for such licensing. Proposed by Mark Vincent, Director of Finance and Business Services

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:
This bill will enhance City code enforcement efforts, by requiring that all massage therapists and independent massage therapists have their business licenses on their persons while performing massages. Additionally, this bill repeals the requirement for a certificate of graduation from a recognized school of massage as a requirement of licensing and instead requires that a person be certified by a recognized certifying agency as proficient in massage or that he or she has a current license with Clark County in order to be licensed.

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

BACKUP DOCUMENTATION:
Bill No. 2003-87

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-87 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

JIM DiFIORE, Manager, Business Services, reported that this bill will address an issue of redundancy currently in the City Code with regard certificate of graduation with a recognized school of massage. As required, all massage therapists must obtain national certification. During

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 6 – Bill No. 2003-87

MINUTES – Continued:

the process of compliance with national certification, the National Certification Board from Virginia does a background check on the schools and determines whether they are qualified. Staff feels that the National Certification Board should be allowed to address the issue of the qualifications of the schools and not the City.

This bill also amends the code to allow the City to print ID cards for massage therapists instead of having to carry their certificates. COUNCILWOMAN MONCRIEF concurred with this amendment.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:23 – 4:26)

BILL NO. 2003-87

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LICENSING REQUIREMENTS FOR MASSAGE THERAPISTS AND INDEPENDENT MASSAGE THERAPISTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent,
Director of Finance and Business Services

Summary: Requires all massage therapists and independent massage therapists to have their business licenses on their persons while performing massages, and changes the qualifying criteria for such licensing.

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

SECTION 1: Title 6, Chapter 52, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.52.020: Unless the context otherwise requires, the following words, as they appear in this Chapter, shall have the meanings ascribed to them in this Section:

[~~"Certificate of graduation" means a certificate issued by a recognized school of massage attesting that a person has successfully completed at least five hundred hours of training in massage or physical therapy.~~]

"Certification" means certification by the National Certification Board for Therapeutic Massage and Bodywork or by a board of equivalent stature which is accredited by the National Commission for Certifying Agencies for massage and bodywork.

"Chair massage" means a massage administered by a massage therapist to the neck, shoulders, back, arms, hands and feet of a fully clothed client utilizing a massage chair.

"Employee" means any massage therapist who is a bona fide employee of a massage establishment.

"Independent massage therapist" means a massage therapist who is not an employee of a massage establishment, is a sole practitioner, and hires no employees.

"Massage" means any method of treating any of the external parts of a person including, but not limited to, rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, feet, elbows or any other part of the body. All massage modalities recognized by the National Certification Board for Therapeutic Massage and Bodywork, and the American Organization for

Bodywork Therapies of Asia are included in this definition.

"Massage establishment" means any premises occupied and used for the purpose of performing massage therapy.

"Massage therapist" means any person who, for consideration, performs any massage as defined in this Section and has met all of the requirements of this Chapter.

"Outcall massage" means any massage given or provided off the premises of a licensed massage establishment by a licensed massage therapist.

["Recognized school of massage" means a school or educational institution that is located and licensed to do business in Nevada as a school or educational institution (other than with a temporary or provisional license), or which is affiliated with such school or educational institution, and which has for its purpose, the teaching of anatomy, physiology, hands on training and related courses in the theory, method, profession, or work of massage, and which requires the successful completion of a course of study of not less than five hundred hours before a student will be eligible to receive a certificate of graduation.]

SECTION 2: Title 6, Chapter 52, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.52.090: Each massage establishment licensee shall display the establishment's license [, and the license of each and every massage therapist and independent massage therapist licensed to operate within the establishment,] in an open and conspicuous place on the premises of the massage establishment. The license of any massage therapist and independent massage therapist [whose business location is not within a licensed massage establishment] must be carried on the licensee's person whenever the licensee is performing massage.

SECTION 3: Title 6, Chapter 52, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

[(A) In addition to the information required by LVMC Chapter 6.06 in connection with a license application, an applicant for a massage therapist license or an independent massage therapist license shall provide to the Department, on forms provided or approved by the Department, the following:

(1) Proof that the applicant has a currently valid health card issued by the Clark County Health District;

(2) A certificate of graduation from a recognized school of massage, or a valid unexpired massage permit or license issued by the Clark County Department of Business Licensing with proof of having held that permit or license a minimum of twenty-four consecutive months immediately prior to making application with the Department;

(3) Proof of current certification; and

(4) Such other information as the Director may require that reasonably relates to the applicant's fitness for a license or the nature of the service to be provided.

(B) The Director may waive the production of a certificate of graduation from a recognized school of massage requirements if the applicant for a massage therapist or independent massage therapist license shows proof that he or she is licensed to practice massage in a state other than Nevada, and the Director finds that the applicant has successfully completed massage education and training courses equivalent to the education and training courses offered by a recognized school of massage.]

6.52.160 In addition to the information required by LVMC Chapter 6.06 in connection with a license application, an applicant for a massage therapist license or an independent massage therapist license shall provide to the Department, on forms provided or approved by the Department, the following:

(A) Proof that the applicant has a currently valid health card issued by the Clark County Health District;

(B) Proof of current certification or a valid unexpired massage permit or license issued by the Clark County Department of Business Licensing with proof of having held that permit or license a minimum of twenty-four consecutive months immediately prior to making application with the Department; and

(C) Such other information as the Director may require that reasonably relates to the applicants's fitness for a license, qualifications to perform massage or the nature of the service to be provided.

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

SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Larry G. Bellis 10-2-03
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 7

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
NEW BILL:

Bill No. 2003-88 - Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement District No.1502 (Grand Montecito Parkway) not to exceed $6,000,000 - Ward 6 (Mack)

Fiscal Impact

[ ]	**No Impact**	**Amount:** $6,285,000
[X]	**Budget Funds Available**	**Dept./Division:** Public Works - S.I.D.
[ ]	**Augmentation Required**	**Funding Source:** Special Assessments

PURPOSE/BACKGROUND:
This ordinance authorizes and directs the issuance of a general obligation interim warrant for the payment of the costs and expenses within Special Improvement District No.1502 (Grand Montecito Parkway). Grand Montecito Parkway is part of the Town Center loop road system. The project will include installation of full-width pavement, median islands, storm drain facilities, curb and gutter, streetlights, commercial driveways, fire hydrants, sewer mains and laterals, and water mains and laterals. This obligation is expected to be refinanced through the issuance of General Obligation Bonds in or about March 2005. The Interim Warrant (as well as any later bond refinancings) is a general obligation of the City, though property assessments are expected to provide the funding necessary for all debt service requirements.

RECOMMENDATION:
Staff recommends approval.

BACKUP DOCUMENTATION:
Bill No. 2003-88

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-88 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED indicated that the bill is in order.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
Finance and Business Services
Item 7 – Bill No. 2003-88

MINUTES – Continued:
No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:26)

1-564

Summary - An ordinance authorizing the issuance of a registered interim warrant in connection with the City of Las Vegas, Nevada Special Improvement District No. 1502 (Grand Montecito Parkway) and providing other matters relating thereto.

BILL NO. 2003-88
ORDINANCE NO. ____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1502 (GRAND MONTECITO PARKWAY); AUTHORIZING AND DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION INTERIM WARRANT FOR THE PAYMENT OF THE COSTS AND EXPENSES WITHIN SUCH DISTRICT; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, the City Council (the "Council") of the City of Las Vegas (the "City"), Nevada, pursuant to an ordinance (the "District Ordinance") previously adopted, created the City of Las Vegas, Nevada Special Improvement District No. 1502 (Grand Montecito Parkway) (the "District") and ordered the acquisition of local improvements for the District (the "Project"); and

WHEREAS, the District has been created by the District Ordinance in accordance with Chapter 271 of Nevada Revised Statutes ("NRS"), i.e., the Consolidated Local Improvement Law (the "Project Act"); and

WHEREAS, the Council has authorized the proper officers of the City to advertise for a construction contract for the Project on behalf of the City and District; and

WHEREAS, § 271.355, NRS, provides that the Council may issue interim warrants for the purpose of paying any contractor or otherwise defraying any costs of the Project as the same become due from time to time until moneys are available therefor from the levy and collection of assessments to the benefited lots, tracts and parcels of land (and any issuance of bonds), and that such interim warrants may be general obligation interim warrants to which the full faith and credit of the City is pledged, subject to the limitations set forth in NRS 361.453 and section 2 of article 10 of the Nevada constitution, and shall be issued in such manner, in such form, with such recitals, terms, covenants and conditions and with such other details as may be provided by the Council by ordinance; and

WHEREAS, the Council now desires to issue a general obligation interim warrant for the purpose of paying the contractor on the Project (the "Contractor") and otherwise defraying the costs and expenses of the Project until moneys are available from the levy and collection of assessments or the issuance of any special assessment bonds; and

WHEREAS, the Council has determined and does hereby determine to issue an interim warrant (the "Warrant"), upon estimates of the City Engineer (the "Engineer"), to provide funds to pay the Contractor or other proper persons, which Warrant, together with the interest thereon, shall be a general obligation of the City to which the full faith and credit of the City shall be pledged, subject to the limitations set forth in NRS 361.453 and section 2 of article 10 of the Nevada constitution; and

WHEREAS, the Council intends to pay the Warrant from special assessments to be levied to pay a portion of the cost of the Project in the District and from the proceeds of special assessment bonds to be hereafter sold and delivered; and

WHEREAS, the Debt Management Commission of Clark County, Nevada, has heretofore approved the issuance of the Warrant; and

WHEREAS, after notice inviting bids for their purchase, the City Director of Finance and Business Services (the "Finance Director"), as the chief financial officer of the City, or the City Manager, as the chief administrative officer of the City, is hereby authorized to receive and publicly open bids and sell the Warrant to the best bidder therefor (the "Purchaser") and the City Finance Director or the City Manager is hereby authorized to accept a binding bid for the Warrant, the Warrant to bear interest at the rates per annum provided in the purchase proposal submitted by the Purchaser (the "Purchase Proposal"), such rates not to exceed 3 percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Warrant, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Warrant, plus a premium or less a discount not to exceed 9 percent of the principal amount of the Warrant, all as specified by the City Finance Director or the City Manager in a certificate dated on or before the date of delivery of the Warrant (the "Certificate of the Finance Director").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:

Section 1. This ordinance shall be known as, and may be cited by, the short title "District No. 1502 Interim Warrant Ordinance" (the "Ordinance").

Section 2. For the purpose of providing for the payment to the Contractor or other proper person of the costs and expenses of the Project and for the purpose of defraying the other costs (incidental or otherwise) heretofore incurred or to be incurred in the District, there shall be issued, and the Council hereby authorizes the issuance (pursuant to NRS § 271.355) of, the fully registered "City of Las Vegas, Nevada, Special Improvement District No. 1502, General Obligation Interim Warrant, Series 2003B" in an aggregate principal amount specified in the Certificate of the Finance Director (not to exceed $6,000,000 or such lesser sum as is advanced by the Purchaser) which does not exceed the Engineer's present estimate of construction costs and incidental costs to be assessed in each of the District. Each advance (the "Advance") by the Purchaser shall be requested by the City by submitting a signed original requisition in the form set forth in Section 14 hereof by the City. The Warrant shall bear interest at the rate specified in the Certificate of the Finance Director, which shall not exceed by more than 3% the "Index of Twenty Bonds" most recently published before bids are received or a negotiated offer to purchase the Warrant is accepted from the date of its issuance until its maturity, and shall mature on the date specified in the Certificate of the Finance Director not to exceed 3 years from the date of the issuance thereof. The Warrant shall bear interest from the date of each Advance and interest shall be payable quarterly commencing on the first day of the month which is at least 3 full calendar months from the date of issuance thereof but no greater than 4 full calendar months thereafter and on the first day of the month every three full calendar

months thereafter; provided that if a Warrant is reissued upon transfer, exchange or other replacement it shall bear interest at the rate set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the first Advance for the Warrant. Interest on the Warrant shall be calculated based on a 360-day year, consisting of twelve 30-day months. The Warrant shall be subject to redemption prior to maturity as set forth in the Certificate of the Finance Director. Both principal and interest shall be payable solely to the registered owner thereof in lawful money of the United States of America, without deduction for exchange or collection charges, at the office of the City Treasurer in Las Vegas, Nevada (the "Paying Agent") upon maturity. If upon presentation at maturity or prior redemption by the City, payment of any of the Warrant is not made as therein provided, interest thereon shall continue at the same rate stated therein until the principal thereof is paid in full.

Section 3. The Warrant shall be fully registered in the name of the owner for the payment of both principal and interest in the office of the Paying Agent and any transfer thereof must likewise be registered in said office. The City Treasurer is hereby appointed the registrar (the "Registrar") and shall maintain records in the office of the Registrar showing at all times that the Warrant are registered as to both principal and interest, and the name and address of the owner thereof. The Registrar shall register or permit to be transferred the Warrant subject to such reasonable regulations as the Registrar may prescribe. The City Treasurer, shall note such registration on his registration records and on the registration panel on the back of the Warrant showing that the Warrant is registered as to both principal and interest. The City and its officers may treat the person in whose name the Warrant is registered as the absolute owner, whether or not such Warrant shall be overdue. All payments made as provided in this Ordinance shall be valid and effectual to discharge the liability upon the Warrant to the extent of the amounts so paid.

Section 4. The Warrant, together with the interest due thereon from the date of issue until paid, shall be redeemed and retired in regular numerical order from any legally available City funds, and the full faith and credit of the City is pledged to such payment, subject to the limitations set forth in NRS 361.453 and section 2 of article 10 of the Nevada constitution.

Section 5. The payment of the Warrant is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the assessments, the general fund and general tax proceeds pledged for the payment of the Warrant. No property of the City, subject to such exceptions, shall be liable to be forfeited or taken in payment of the Warrant.

Section 6. No recourse shall be had for the payment of the principal of and interest on the Warrant or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the City or any officer or other agent of the City, past, present or future, either directly or indirectly through the City or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Warrant and as a part of the consideration of its issuance specially waived and released.

Section 7. The Finance Director or City Manager is authorized to sell the Warrant and sign a binding contract therefor with the Purchaser pursuant to the terms set forth herein and in the Certificate of the Finance Director. All action heretofore taken by the Council and the officers and employees of the City directed toward the Project and toward the issuance, sale and delivery of the Warrant is ratified, approved and confirmed including, without limitation, if deemed necessary by the Finance Director, the Official Notice of Sale, and the distribution of the Preliminary and Final Official Statements for the Bonds. If deemed necessary by the Finance Director, the distribution and use of a Preliminary Official Statement for the Warrant is hereby authorized; the distribution, use of and execution of the Final Official Statement for the Warrant in substantially the form of the Preliminary Official Statement, with such amendments, additions and deletions as are consistent with the facts and not inconsistent herewith as may be approved by the Finance Director, is hereby authorized. The Finance Director is authorized to deem the Preliminary Official Statement to be "final" for the purposes of Rule 15c2-12 of the United States Securities Exchange Commission.

Section 8. The Warrant shall be issued pursuant to the laws of the State, and shall be fully registered in the name of the owner thereof, and the amount advanced for the Purchaser pursuant to the Warrant, shall not exceed the estimates of the Engineer of the costs to be assessed in the District, made on or before the date of issuing the Warrant.

Section 9. The Warrant shall be executed as follows:

A. Filings with Secretary of State. Pursuant to the Project Act, and to the act cited as the Uniform Facsimile Signatures of Public Officials Act, cited as chapter 351 of NRS, and prior to the execution of the Warrant, the Mayor of the City Council of the City, the City Clerk and the City Treasurer shall each file with the Secretary of State of the State of Nevada his or her manual signature certified by him or her under oath.

B. Manner of Execution. The Warrant shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile of the signature of the Mayor shall be countersigned and executed with the manual or facsimile of the signatures of the City Treasurer and shall be authenticated with the manual or facsimile impression of the official seal of the City; and shall be signed, executed, and attested with such a manual or facsimile signature of the City Clerk.

C. Authentication. The Warrant shall not be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided has been duly manually executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized officer or employee of the Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on the Warrant. By authenticating the Warrant, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

Section 10. The Warrant bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligation of the City, notwithstanding that before the delivery thereof and the payment therefor any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Each of the Mayor, the City Treasurer and City Clerk, at the time of the execution of the Warrant and of a signature certificate pertaining thereto by the Mayor, the Treasurer and the City Clerk, respectively, may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office if such facsimile signature appears upon any of the Warrant.

Section 11. Pursuant to NRS § 271.505, the Warrant shall recite that it is issued under the authority of the Project Act, which recital shall conclusively impart full compliance with the provisions of the Project Act and all such Warrant containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 12. Pursuant to § 271.520, the Warrant, its transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to chapter 375B of NRS.

Section 13. After such registration of the Warrant by the Registrar and after its execution and authentication and other provisions herein supplemental thereto, the Treasurer shall cause the Warrant to be delivered to the Purchaser thereof, upon payment being made therefor on the terms of the sale of the Warrant.

Section 14. Subject to the provisions of this Ordinance, the Warrant shall be in substantially the following form with such omissions, insertions, endorsements, and variations as to any recitals of fact or other provisions as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Interim Warrant)

Transfer of This Warrant Other Than By Registration is not Effective

CITY OF LAS VEGAS, NEVADA
SPECIAL ASSESSMENT DISTRICT NO. 1502
GENERAL OBLIGATION INTERIM WARRANT
SERIES 2003B

NO._____

Interest Rate	Maturity Date	Dated As Of	CUSIP
___% per annum	_____ 1,	_____, 2003	

REGISTERED OWNER:

MAXIMUM PRINCIPAL AMOUNT: SIX MILLION DOLLARS $6,000,000

The City of Las Vegas in the County of Clark and in the State of Nevada (the "City" the "County," and the "State", respectively), for value received hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above the Principal Amount specified above or such lesser amount as is advanced by the Registered Owner, on the Maturity Date specified above (unless called for earlier redemption), and to pay interest thereon on the Maturity Date specified above at the Interest Rate per annum specified above, until the principal sum is paid or payment has been provided therefor. Advances hereunder (an "Advance") shall be requested by submitting a signed original requisition in the form attached hereto to the Registered Owner. This interim warrant will bear interest from the date of each Advance. The principal of and redemption premium, if any, on this interim warrant are payable to the Registered Owner hereof upon presentation and surrender hereof at the principal office of the City's paying agent for this interim warrant or any successor (the "Paying Agent"), presently the Treasurer of the City of Las Vegas, Nevada, which is also now acting as the City's registrar for this interim warrant (the "Registrar") by the Paying Agent. Interest on this interim warrant will be paid quarterly on _____ 1, _____1, _____ 1 and _____1 commencing on _____ 1, 20__ and on the Maturity Date (or, if such date is not a business day, on the next succeeding business day), by check or draft mailed to the person in whose name this interim warrant is registered (the "Registered Owner") in the registration records of the City maintained by the Registrar. The principal amount advanced to the City is redeemable, in whole or in part, at any time prior to the Maturity Date upon payment of the principal amount so redeemed plus accrued interest thereon to the date of redemption. All payments of the principal of, interest on and redemption premiums, if any, due in connection with this interim warrant (the "Warrant Requirements") shall be made in lawful money of the United States of America without deduction for the services of the Paying Agent, as provided in the City's ordinance adopted and approved on November 5, 2003 authorizing the issuance of this Warrant (the "Ordinance") and the Certificate of the Director of Finance pertaining thereto (the "Certificate").

This fully registered interim warrant and the interest thereon is a general obligation of the City for the payment of which the City Council (the "Council") of the City has

pledged the City's full faith and credit, subject to the limitations set forth in NRS 361.453 and section 2 of article 10 of the Nevada constitution. The City intends to pay the principal of and interest on this interim warrant from special assessments to be hereafter levied to pay the cost of certain local improvements in the City of Las Vegas, Nevada Special Improvement District No. 1502 (the "District") and the proceeds of the special assessment bonds of the District to be hereafter sold and delivered, as provided by NRS § 271.355.

This interim warrant is issued pursuant to the laws of the State and City, and this interim warrant, together with all other interim warrants heretofore issued in connection with the District, does not exceed the estimate of the City Engineer of the costs to be assessed in the District, made on or before the date of the issuance of this interim warrant.

This interim warrant is fully registered in the name of the owner for the payment of both principal and interest in the office of the City Treasurer and any transfer thereof must likewise be registered in said office and may be transferred by registered assignment only and noted on the back hereof. This interim warrant must be registered only as to both principal and interest.

This fully registered interim warrant is issued by the City for the purpose of paying for a portion of the costs of certain local improvements in the District under the authority of and in full conformity with the provisions of Chapter 271, Nevada Revised Statutes.

It is hereby certified, recited and warranted that all of the requirements of law have been fully complied with by the proper officers of the City in the issuance of this interim warrant.

IN WITNESS WHEREOF, the City has caused this interim warrant to be signed and executed in its name and upon its behalf with the manual or facsimile signature of the Mayor, to be countersigned and executed with the manual or facsimile signature of the City Treasurer and has caused a manual impression or a facsimile of the seal of the City to be affixed hereon; and has caused this interim warrant to be signed, executed and attested with the manual or facsimile signature of the City Clerk, all as of the date written above.

CITY OF LAS VEGAS, NEVADA

(Manual or Facsimile Signature)
Mayor
Las Vegas, Nevada

Countersigned:
(Manual or Facsimile Signature)
City Treasurer

(Manual or Facsimile Seal)

Attest:
(Manual or Facsimile Signature)
City Clerk

(End of Form of Interim Warrant)

(Form of Certificate of Authentication)

Date of authentication
and registration: _____

This the interim warrant described in the within-mentioned Ordinance, and this interim warrant has been duly registered on the registration records kept by the undersigned as Registrar for such interim warrant.

CITY OF LAS VEGAS, NEVADA,
CITY TREASURER
as Registrar

By: (Manual Signature)
Authorized Officer

(End of Form of Certificate of Authentication)

(Form of Assignment)

For value received, the undersigned hereby sells, assigns and transfer unto _____ the within interim warrant and hereby irrevocably constitutes and appoints _____ attorney, to transfer the same on the books kept for registration of the within interim warrant, with full power of substitution in the premises.

_____

Dated: _____

Signature Guaranteed:

_____

Name and address of transferee:

_____

_____

_____

Social Security or other tax identification number of transferee:

_____

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within interim warrant in every particular, without alteration or enlargement or any change whatsoever. Signature(s) must be guaranteed by an eligible guarantor institution as defined in 17 CFR § 240.17Ad-15(a)(2).

(End of Form of Assignment)

(Form of Principal Advance Request)

Date: _____ __, ____

_____
_____
_____

Re: City of Las Vegas, Nevada
Special Assessment District No. 1502
General Obligation Interim Warrant
No. R-1, dated _____ __, ____

Gentlemen:

The undersigned hereby requests that you make a principal advance in the amount of $_____, on the above-captioned Warrant to the order of the City of Las Vegas, Nevada on or before _____ __, 2003.

The undersigned hereby certifies and warrants that:

1. The aggregate of principal advances requested from you under the above-captioned Warrant, including the advance requested in this letter, do not exceed the maximum principal amount of the Warrant of $6,000,000;

2. All representations, warranties and expectations of the City contained in the Warrant and the documents accompanying the Warrant, including, without limitation, the Federal Tax Exemption Certificate dated _____ __, 2003, remain true and correct on this date as if made on this date, and are hereby re-made as of this date. No law has been adopted which would in any way adversely affect the City's authority to obtain and repay this advance. The City covenants to advise you immediately if any such law is adopted.

3. Please deposit the amount advanced into our account No. _____.

Respectfully submitted,

CITY OF LAS VEGAS, NEVADA

By:_____
(Must be City Manager or Chief Financial Officer)

(End Form of Principal Advance Request)

Section 15. Upon the issuance of the Warrant, the Treasurer shall cause the proceeds of the Warrant to be applied as follows:

A. First, the proceeds, if any, received from the sale of the Warrant as accrued interest on the Warrant, if not needed to defray the cost of the Project, shall be used to pay the principal of and interest on the applicable series of the Warrant, when due.

B. The balance of the proceeds received from the sale of the Warrant shall be used solely to defray wholly or in part the cost of the Project including, without limitation, all costs of issuing the Warrant, and the costs of rebates to the United States under § 148 of the Internal Revenue Code of 1986, as amended to the date of delivery of the Warrant (the "Tax Code"), which the Council hereby determines are necessary and desirable and pertain to the Project. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, any unexpended balance of Warrant proceeds (or, unless otherwise required by law, any other moneys) remaining shall be to be used to pay the principal of and interest on the applicable series of the Warrant.

Section 16. All action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the performance of all prerequisites to the creation of the District, the acquisition of the Project, the specially benefited property therein, the sale and issuance of the Warrant, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved, and confirmed.

Section 17. The City covenants for the benefit of the owners of the Warrant that it will not take any action or omit to take any action with respect to the Warrant, the proceeds thereof, any other funds of the City or any project financed with the proceeds of the Warrant, if such action or omission (i) would cause the interest on the Warrant to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Tax Code or (ii) would cause interest on the Warrant to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Warrant until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

Section 18. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limiting the generality of the foregoing, the preparation of the Warrant and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the Warrant.

Section 19. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This

repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 20. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1502 (GRAND MONTECITO PARKWAY); AUTHORIZING AND DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION INTERIM WARRANT FOR THE PAYMENT OF THE COSTS AND EXPENSES WITHIN SUCH DISTRICT; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 15, 2003, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 5, 2003.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 21. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Councilmembers voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO.

(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1502 (GRAND MONTECITO PARKWAY); AUTHORIZING AND DIRECTING THE ISSUANCE OF A GENERAL OBLIGATION INTERIM WARRANT FOR THE PAYMENT OF THE COSTS AND EXPENSES WITHIN SUCH DISTRICT; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on October 15, 2003, and was passed at the meeting held on November 5, 2003, by the following vote of the City Council:

Those Voting Aye: _____
_____
_____
_____
_____
_____
_____

Those Voting Nay: _____
Those Absent: _____

This Ordinance shall be in full force and effect from and after the ____ day of _____, 2003, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this November 5, 2003.

/s/ Oscar Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

Section 22. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, the Council may, upon notice mailed to each owner of the Warrant at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent. Any successor by merger with the Registrar and Paying Agent is automatically appointed as Registrar and Paying Agent hereunder without any further action of the Council, as long as the successor otherwise is qualified to act as Registrar and Paying Agent pursuant to this section. Any bank, trust company or national banking association into which the Registrar and/or Paying Agent or its successor may be converted, merged or with which it may be consolidated, or to which it may sell or otherwise transfer all or substantially all of its corporate trust business shall be the successor of the Registrar and/or Paying Agent under this Ordinance with the same rights, powers, duties and obligations and subject to the same restrictions, limitations, and liabilities as its predecessor, all without the execution or filing of any papers or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 23. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Adopted November 5, 2003.

(SEAL)

_____
Mayor

Attest:

_____
City Clerk

APPROVED AS TO FORM
Vial Steed 10-3-03
Date

STATE OF NEVADA)
)
COUNTY OF CLARK) **ss.**
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen and qualified City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on October 15, 2003 and finally adopted and approved on November 5, 2003.

2. The following members of the Council were present at the October 15, 2003 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
Those Absent:	_____
	_____

3. The foregoing Ordinance was first proposed and read by title to the City Council on October 15, 2003, and referred to a committee composed of _____ _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on November 5, 2003, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the November 5, 2003 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
Those Voting Nay:	_____
Those Absent:	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on October 15, 2003 and November 5, 2003. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(ii) City Hall
City Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada

(iii) Clark County Government Center
Las Vegas, Nevada

(iv) Downtown Transportation Center
Las Vegas, Nevada

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on October 15, 2003 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on November 5, 2003 is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at

the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this November 5, 2003.

_____

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of October 15, 2003 Meeting)

EXHIBIT B

(Attach Copy of Notice of November 5, 2003 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Deposit of Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

City of Las Vegas

Agenda Item No. 8

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: NOVEMBER 3, 2003

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

[ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2003-90 – Amends Ordinance No. 5616, pertaining to drought conservation measures, to adjust the exemption provisions relating to the prohibition of fountains and water features. Proposed by: Douglas Selby, City Manager

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This bill would adjust the recently-adopted drought conservation ordinance to establish, instead of merely authorize, exemptions for certain water features. Among them: swimming pools, small water features in residential developments, recreational water features, and pre-existing features necessary to sustain aquatic animals. The bill would also 1) establish a process for resort hotels or coalitions thereof to obtain an exemption for certain water features based upon a request for exemption and the submittal of a water use reduction plan, and 2) provide for the limited operation of water features otherwise prohibited during drought conditions in order to maintain their integrity and functionality.

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

BACKUP DOCUMENTATION:
Bill No. 2003-90

COMMITTEE RECOMMENDATION:
COUNCILWOMAN MONCRIEF recommended Bill 2003-90 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:
COUNCILMAN WEEKLY declared the Public Hearing open.

MATT PINJUV, Planning and Development, indicated that the purpose of this bill is to change some of the language that was in the drought code adopted in July 2003. Most notably, it clarifies language with regard to what businesses can ask for exceptions to allow the continued operation of fountains. It adds an exemption for resort hotels to continue to allow the fountains to operate, along with some other minor verbiage changes.

RECOMMENDING COMMITTEE MEETING OF NOVEMBER 3, 2003
City Attorney
Item 8 – Bill No. 2003-90

MINUTES – Continued:
No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:26 – 4:27)

1-579

BILL NO. 2003-90

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 5616, PERTAINING TO DROUGHT CONSERVATION MEASURES, TO ADJUST THE EXEMPTION PROVISIONS RELATING TO THE PROHIBITION OF FOUNTAINS AND WATER FEATURES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Douglas Selby, City Manager

Summary: Amends Ordinance No. 5616, pertaining to drought conservation measures, to adjust the exemption provisions relating to the prohibition of fountains and water features.

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

SECTION 1: Ordinance No. 5616 of the City of Las Vegas is hereby amended as set forth in Sections 2 to 4, inclusive, of this Ordinance.

SECTION 2: Section 3 of Ordinance No. 5616 is hereby amended to read as follows:

Section 3: For purposes of this Chapter, the following terms shall have the meanings ascribed to them, unless the context requires otherwise:

"Community use recreational turf" refers to any private or public park facility [that is] consisting of a turf-dominated, multi-purpose recreational area [of] that:

(1) Has at least two acres and [has] no dimension less than one hundred feet[.] ; or

(2) Is a field that is programmable for athletic or other recreational events.

"District" means the Las Vegas Valley Water District.

"Drought" means a condition in which the combination of many complex factors acting and interacting with the environment results in water supplies not being replenished normally. For purposes of this Chapter, a "drought" occurs when existing water supplies cannot meet established demands for a period of time.

"Drought Alert" refers to a second-level drought declaration of the Board of Directors of the Southern Nevada Water Authority based upon current or projected reductions in the community's renewable water supply.

"Drought Emergency" refers to a third-level drought declaration of the Board of Directors of

the Southern Nevada Water Authority based upon current or projected reductions in the community's renewable water supply.

"Drought Watch" refers to a first-level drought declaration of the Board of Directors of the Southern Nevada Water Authority based upon current or projected reductions in the community's renewable water supply.

"No Drought" refers to a condition where no drought declaration of the Board of Directors of the Southern Nevada Water Authority is in effect.

"Non-potable water" means water not suitable for drinking.

"Potable" water means water suitable for drinking.

"Raw water" means non-potable water diverted from a natural source, subjected to minimal or no treatment, and delivered to a user for subsequent treatment or use.

"Reclaimed water" means municipal wastewater that has been treated to meet all applicable federal, state and local standards for use in approved applications, including without limitation landscape irrigation, construction and industrial cooling. For purposes of this Chapter, "reclaimed water" and "recycled water" are equivalent terms.

"Resort hotel" means any building or group of buildings that is maintained as and held out to the public to be a hotel where sleeping accommodations are furnished to the transient public and that has:

(1) More than two hundred rooms available for sleeping accommodations;

(2) At least one bar with permanent seating capacity for more than thirty patrons that serves alcoholic beverages sold by the drink for consumption on the premises;

(3) At least one restaurant with permanent seating capacity for more than sixty patrons that is open to the public twenty-four hours each day and seven days each week; and

(4) A gaming area within the building or group of buildings.

"Service Rules" means the service rules that have been adopted by the District.

"Southern Nevada Water Authority" or "SNWA" means the organization by that name that has been formed by cooperative agreement among local agencies to address Southern Nevada's water needs on a regional basis.

"Spray irrigation" means the application of water by means of sprinklers or other devices that disperse droplets of water through the air.

"Water use reduction plan" means a document or documents to be submitted by or on behalf of a resort hotel or coalition of resort hotels in connection with an application to exempt fountains or water features from the prohibitions contained in this Chapter. The term includes a plan that is modeled after the Water Efficiency and Drought Response Plan outline or similar document that may have been approved for use by the District or the City Manager.

"Xeriscape" means a type of landscaping that incorporates drought-tolerant and low water-use plants with an organic or inorganic surface mulch layer as a water-efficient alternative to traditional turfgrass landscaping.

SECTION 3: Section 4 of Ordinance No. 5616 is hereby amended to read as follows:

Section 4: (A) The Drought Plan adopted by the SNWA in February 2003 and approved by the City Council in March 2003 shall serve as the basis for adopting this Chapter, and as a guideline in its interpretation. The Drought Plan was adopted in order to preserve, protect and encourage the conservation of water resources. The Plan describes different stages of water supply conditions as follows:

(1) No Drought

(2) Drought Watch

(3) Drought Alert

(4) Drought Emergency

(B) The provisions of this Chapter shall apply whenever a Drought Watch, Drought Alert or Drought Emergency condition has been declared by the Board of Directors of SNWA and remains in effect. Unless the context otherwise requires, whenever a provision of this Chapter does not specify whether it applies to a Drought Watch, Drought Alert or Drought Emergency condition, the provision shall apply when any of those conditions are in effect. In the event of conflict between the provisions of this Chapter and other applicable ordinances, regulations or the Service Rules, the most stringent provisions will prevail. However, with respect to any provision of the Service Rules that is less stringent than the provisions of this Chapter, the District may enforce that provision[.]

instead.

(C) In the case of a Drought Emergency, the provisions of this Chapter pertaining to a Drought Alert shall continue to apply. However, based upon the recommendations of SNWA and a citizens advisory committee, the City shall have the authority to adopt additional restrictions that are deemed necessary in order to protect the public health, safety and welfare. Upon the adoption and publication of those additional restrictions, they shall becoming binding on water users within the City.

SECTION 4: Section 20 of Ordinance No. 5616 is hereby repealed and a new Section 20 is adopted in lieu there, reading as follows:

Section 20: (A) Fountains and water features that utilize potable or non-potable water provided by the District, or water that has been reprocessed by the customer, are prohibited. The following features, however, are exempt from this prohibition:

(1) Swimming pools;

(2) Not more than one fountain or other water feature at any single-family residence, provided that the surface area of the fountain or other water feature does not exceed two hundred square feet during a Drought Watch condition, or twenty-five square feet during a Drought Alert condition;

(3) Not more than one fountain or other water feature within the common areas of a single-family or multi-family development, provided that the fountain or other water feature is not an entryway or streetscape feature and its surface area does not exceed two hundred square feet during a Drought Watch condition, or twenty-five square feet during a Drought Alert condition;

(4) Fountains or water features that are necessary and functional components serving other allowable uses, such as storage ponds on a golf course or aeration devices;

(5) Fountains or water features within public or private recreational water parks, provided that the fountains or water features have a recreational function and are not merely decorative;

(6) Indoor water features, or features with the majority of the total water volume contained indoors or underground. If practical alternatives exist for separating indoor and

outdoor components, they shall be separated and managed accordingly. (Example: timers on shut-off valves);

(7) Fountains or water features necessary to sustain aquatic animals, provided that the animals have been actively managed within the water feature prior to the declaration of drought.

(B) Fountains or water features that are integral to the operation of a resort hotel or a coalition of resort hotels may be exempted from the prohibition contained in Subsection (A). In order to be eligible for an exemption, a resort hotel or coalition of resort hotels must submit a request for exemption and a water use reduction plan. The request for exemption must be submitted in writing to the City Manager, to be forwarded to the City Council for consideration. The water use reduction plan must be submitted to the District, with a copy to the City, and must contain such information, and be in a format, that is satisfactory to the District. Any exemption shall be conditioned upon the posting of one or more signs in proximity to the exempted fountain or water feature stating that the fountain or water feature is operating in compliance with this Chapter and that a water use reduction plan is on file with the District and the City.

(C) In order to continue to operate any fountain or water feature that is prohibited by Subsection (A) of this Section and that is in operation on the effective date of this Ordinance, a resort hotel or coalition of resort hotels must submit a request for exemption and water use reduction plan within 90 days after the effective date of this Ordinance. If the exemption is not approved, the fountain or water feature may not be operated except as permitted in Subsection (D) of this Section.

(D) Nothing in this Section that prohibits or limits the operation of fountains or water features shall be deemed to:

(1) Prohibit the construction of fountains or water features; or

(2) Require a fountain or water feature to be drained if maintaining a recirculating water pool is necessary in order to maintain pumps, pond liners, and ancillary equipment, but in such a case the recirculating water pool may only be operated between the hours of 1:00 am and 4:00 am.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or

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

SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 10-7-03
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2003, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2003, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk