

City of Las Vegas

5. ✓

**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>
TUESDAY, APRIL 19, 2005
4:00 P.M.**

RECOMMENDING COMMITTEE - COUNCILMAN WOLFSON AND COUNCILWOMAN TARKANIAN

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

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- 1. Bill No. 2005-17 - Annexation No ANX-5329 - Property location: On the southeast corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: S. F. Investments, LLC; Acreage: 2.42 acres; Zoned: R-E (County zoning), U (R) (City equivalent) Sponsored by: Councilman Lawrence Weekly
- 2. Bill No. 2005-18 - Updates the City's drought plan ordinance to reflect a change in terminology from "drought emergency" to "drought critical." Sponsored by: Councilman Larry Brown
- 3. Bill No. 2005-19 - Adopts the International Energy Conservation Code, 2003 Edition, along with the document entitled "2003 Southern Nevada International Energy Conservation Code Amendments," as replacements for the Model Energy Code, 1992 Edition, and the Supplemental Document amending that code Proposed by: Paul Wilkins, Director of Building and Safety
- 4. Bill No. 2005-20 - Amends the City's Administrative Code to authorize the implementation of a program for contractor verification regarding the proper installation of water heaters and water softeners. Proposed by: Paul K. Wilkins, Director of Building and Safety
- 5. Bill No. 2005-21 - Amends the City's Fire Code to require the installation of automatic sprinkler systems in existing residential board and care facilities Proposed by: David L. Washington, Chief, Department of Fire and Rescue
- 6. Bill No. 2005-22 - Amends the City's Fire Code to update fire protection requirements for certain structures and occupancies. Proposed by: David L. Washington, Chief, Department of Fire and Rescue
- 7. Bill No. 2005-23 - Levies Assessment for Special Improvement District No. 1501 - Downtown Street Rehabilitation Phase III (District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west Sponsored by: Step Requirement

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

80 ✓

continued

RECOMMENDING COMMITTEE MEETING

TUESDAY, APRIL 19, 2005

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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 Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

(Mailing required under the provisions of NRS Chapter 241)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **12th** day of **April**, 2005, 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 **19th** day of **April, 2005**, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Paula Clark

City Clerk
DEPARTMENT

12th day of April, 2005

Gracey Campbell

 **STACEY CAMPBELL**
Notary Public State of Nevada
No 04-92740-1
My appt exp. Oct 14, 2008

AFFIDAVIT OF ELECTRONIC MAILING (email)

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **12th** day of **April**, 2005, 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 **19th** day of **April, 2005**, was electronically mailed (emailed) to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Paula Clark

SIGNATURE

City Clerk

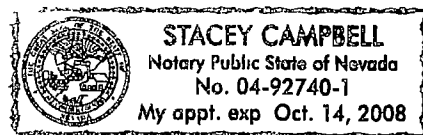
DEPARTMENT

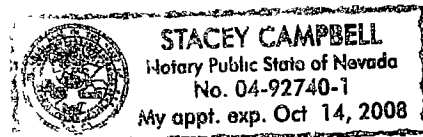
Subscribed and sworn to before me this

12th day of April, 2005

Stacey Campbell

NOTARY PUBLIC in and for said County and State





**RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005**

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS WOLFSON and TARKANIAN

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

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:01 - 4:02)

1-1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-17 - Annexation No. ANX-5329 - Property location: On the southeast corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: S. F. Investments, LLC; Acreage: 2.42 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Jones Boulevard and Madre Mesa Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 29, 2005) is set by this ordinance.

NOTE: This annexation was approved earlier as Bill No. 2005-1, but was not recorded by the recordation date established in the ordinance.

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. 2005-17 and Location Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-17 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated this is a standard annexation being repeated because the previously approved ordinance was not recorded in time. The matter is in order.

ARLON SIBERT, 5980 West Alfred Drive, appeared on behalf of the residents in Hillcrest Manor and in the surrounding unincorporated area. In January, a petition was submitted with 218 subsequent signatures against the annexation. The residents remain opposed to the annexation.

CHIEF DEPUTY CITY ATTORNEY STEED outlined the annexation process which will be followed by the land use issue. During the related land use issues, the residents will have an opportunity to be heard. MR. SIBERT indicated that he understood the future process.

COUNCILMAN WOLFSON declared the Public Hearing closed.

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

MINUTES - Continued:

(4:02 - 4:04)

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8 **BILL NO. 2005-17**

9 **ORDINANCE NO. _____**

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
13 CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5329)

13 Sponsored by: Councilman Lawrence
14 Weekly

Summary: Annexes property described
generally as located on the southeast corner
of Jones Boulevard and Madre Mesa Drive.

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

17 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are
18 hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the
19 following described real property:

20 That portion of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of
21 the Southwest Quarter (SW 1/4) of Section 13, Township 20 South, Range
22 60 East, M.D.M., in the County of Clark, State of Nevada, bounded as
follows:

23 Bounded on the north by the centerline of MADRE MESA DRIVE (25.00
24 feet wide as measured from the centerline thereof) also being the south line
25 of HILLCREST MANOR UNIT No.4 recorded March 3, 1955 in Book 4 of
26 Plats Page 65 of Clark County, Nevada Records; bounded on the east by the
27 west line and southerly projection of the Parcel Map in File 24, Page 2,
28 recorded February 1, 1979 of Clark County, Nevada Records; bounded on the
south by the north line of the Parcel Map in File 7, Page 80, recorded
December 3, 1975 of Clark County, Nevada Records; and bounded on the
west by the centerline of JONES BOULEVARD (30.00 feet wide as
measured from centerline thereof), also being the west line of the Northwest
Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 13.

1 SECTION 2: The City Council hereby determines that the described territory
2 meets the requirements provided by law for annexation to the City for the following reasons:

- 3 A. The area to be annexed was contiguous to the City's boundaries at the
4 time the annexation proceedings were instituted;
- 5 B. More than one-eighth (1/8) of the aggregate external boundaries of
6 the area are contiguous to the City;
- 7 C. The territory proposed to be annexed is not included within the
8 boundaries of another incorporated city or within the boundaries of
9 any unincorporated town as those boundaries existed as of July 1,
10 1983;
- 11 D. The City is eligible to annex the described territory since the
12 landowners have signed a petition constituting one hundred percent
13 (100%) of the owners of record of individual lots or parcels of land
14 within the annexation area.

15 SECTION 3: The City will provide police protection through the Las Vegas
16 Metropolitan Police Department, fire protection, street maintenance, and library services
17 immediately upon annexation. Garbage collection by the company franchised by the City
18 will also be provided immediately. The City sanitary sewer system will serve the proposed
19 annexation area. Any connection to or extension of this sewer line to serve the annexation
20 area shall be at the expense of the landowners. Other services, such as participation in the
21 City's recreational programs, special education classes and programs, public works planning,
22 building inspections, and other City services will also be available immediately. Utilities
23 such as gas, electricity, telephone, and water are provided by private utility companies and
24 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
25 sidewalks and street lights which are not in place at the time of annexation will be installed
26 in the presently developed areas upon the request of the property owners and at their expense
27 by means of special assessment districts. Such improvements will be extended into the
28 undeveloped areas as development takes place and the need therefor arises, and will be

1 located according to the needs of the area at that time. Such installations will also be made
2 at the expense of the property owners, either by means of special assessment districts or as
3 prerequisites to the approval of subdivision plats, building permits or other land use or
4 development applications.

5 SECTION 4: The annexation of the described territory shall become
6 effective on the 29th day of April, 2005, and on that date the City will have the funds
7 appropriated in sufficient amount to finance the extension into the described territory of
8 police protection, fire protection, street maintenance, street sweeping, and street lighting
9 maintenance.

10 SECTION 5: The described territory, together with the inhabitants and
11 property thereof, shall, from and after the 29th day of April, 2005, be subject to all debts,
12 laws, ordinances and regulations in force in the City and shall be entitled to the same
13 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
14 levied by the City.

15 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
16 an accurate map or plat of the described territory and to record the map or plat, together with
17 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
18 Nevada, which recording shall be done prior to the 29th day of April, 2005.

19 SECTION 7: The described territory, which previously has been zoned
20 R-E (County of Clark classification), is hereby classified as U (R) (City of Las Vegas
21 classification), which is deemed to be the City equivalent of the County classification.

22 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
23 clause of phrase in this ordinance or any part thereof, is for any reason held to be
24 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
25 decision shall not affect the validity or effectiveness of the remaining portions of this
26 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
27 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
28 phrase thereof irrespective of the fact that any one or more sections, subsections,

1 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
2 or ineffective.

3 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
4 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this ____ day of _____,
7 2005.

8 APPROVED:

9
10 By _____
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 Val Steep 3-23-05
16 Date
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1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

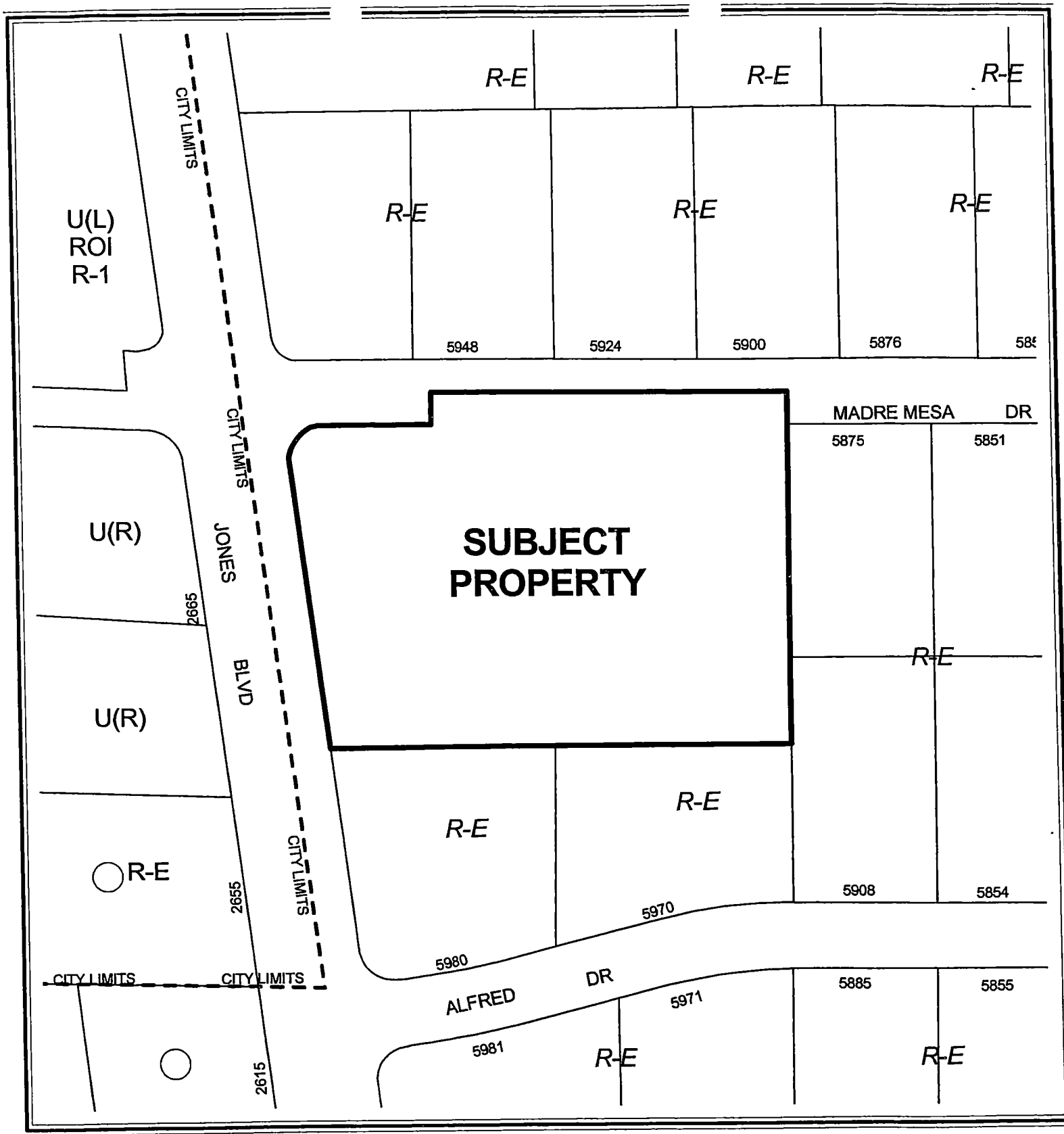
10 ABSENT: _____

11 APPROVED:

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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-5329

0 80 160 Feet



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-18 - Updates the City's drought plan ordinance to reflect a change in terminology from "drought emergency" to "drought critical." Sponsored by: Councilman Larry Brown

Fiscal Impact:

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On March 2, 2005, the City Council approved a revision to the Southern Nevada Water Authority's Drought Plan. Among other things, the revised plan requires a change in terminology from "drought emergency" to "drought critical." This bill will revise the City's drought plan ordinance accordingly.

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. 2005-18

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-18 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED explained that this formality brings the City ordinance into conformance with the drought plan that contained terminology changes and was adopted by the City Council last month.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:04 - 4:05)

1-73

BILL NO. 2005-18

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE CITY'S DROUGHT PLAN ORDINANCE TO REFLECT A CHANGE IN TERMINOLOGY FROM "DROUGHT EMERGENCY" TO "DROUGHT CRITICAL," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Margo Wheeler, Director of Planning and Development

Summary: Updates the City's drought plan ordinance to reflect a change in terminology from "drought emergency" to "drought critical."

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

SECTION 1: Title 14, Chapter 11, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14.11.020: 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 consisting of a turf-dominated, multi-purpose recreational area that:

(1) Has at least two acres and 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"] "Drought Critical" 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

1 Nevada Water Authority based upon current or projected reductions in the community's renewable
2 water supply.

3 "No Drought" refers to a condition where no drought declaration of the Board of Directors of the
4 Southern Nevada Water Authority is in effect.

5 "Non-potable water" means water not suitable for drinking.

6 "Potable" water means water suitable for drinking.

7 "Raw Water" means non-potable water diverted from a natural source, subjected to minimal or no
8 treatment, and delivered to a user for subsequent treatment or use.

9 "Reclaimed Water" means municipal wastewater that has been treated to meet all applicable federal,
10 state and local standards for use in approved applications, including without limitation landscape
11 irrigation, construction and industrial cooling. For purposes of this Chapter, "reclaimed water" and
12 "recycled water" are equivalent terms.

13 "Resort Hotel" means any building or group of buildings that is maintained as and held out to the
14 public to be a hotel where sleeping accommodations are furnished to the transient public and that has:

15 (1) More than two hundred rooms available for sleeping accommodations;

16 (2) At least one bar with permanent seating capacity for more than thirty patrons that serves
17 alcoholic beverages sold by the drink for consumption on the premises;

18 (3) At least one restaurant with permanent seating capacity for more than sixty patrons that
19 is open to the public twenty-four hours each day and seven days each week; and

20 (4) A gaming area within the building or group of buildings.

21 "Service Rules" means the service rules that have been adopted by the District.

22 "Southern Nevada Water Authority" or "SNWA" means the organization by that name that has been
23 formed by cooperative agreement among local agencies to address Southern Nevada's water needs on
24 a regional basis.

25 "Spray irrigation" means the application of water by means of sprinklers or other devices that disperse
26 droplets of water through the air.

27 "Water Use Reduction Plan" means a document or documents to be submitted by or on behalf of an
28 applicant in connection with a request to exempt fountains or water features from the prohibitions

1 contained in this Chapter. The term includes a plan that is modeled after the Water Efficiency and
2 Drought Response Plan outline or similar document that may have been approved for use by the
3 District or the City Manager.

4 "Xeriscape" means a type of landscaping that incorporates drought-tolerant and low water-use plants
5 with an organic or inorganic surface mulch layer as a water-efficient alternative to traditional turfgrass
6 landscaping.

7 SECTION 2: Title 14, Chapter 11, Section 30, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **14.11.030:** (A) The Drought plan adopted by the SNWA in February 2003 and approved by the
10 City Council in March 2003, and any amendments adopted by SNWA, shall serve as the basis for
11 adopting this Chapter, and as a guideline in its interpretation. The drought plan was adopted in order
12 to preserve, protect and encourage the conservation of water resources. The plan describes different
13 stages of water supply conditions as follows:

- 14 (1) No drought;
- 15 (2) Drought watch;
- 16 (3) Drought alert;
- 17 (4) Drought [emergency.] critical.

18 (B) The provisions of this Chapter shall apply whenever a drought watch, drought
19 alert or drought [emergency] critical condition has been declared by the Board of Directors of SNWA
20 and remains in effect. Unless the context otherwise requires, whenever a provision of this Chapter
21 does not specify whether it applies to a drought watch, drought alert or drought [emergency] critical
22 condition, the provision shall apply when any of those conditions are in effect. In the event of conflict
23 between the provisions of this Chapter and other applicable ordinances, regulations or the Service
24 Rules, the most stringent provisions will prevail. However, with respect to any provision of the
25 Service Rules that is less stringent than the provisions of this Chapter, the District may enforce that
26 provision instead.

27 (C) In the case of a drought [emergency.] critical condition, the provisions of this
28 Chapter pertaining to a drought alert shall continue to apply. However, based upon the

1 recommendations of SNWA and a citizens advisory committee, the City shall have the authority to
2 adopt additional restrictions that are deemed necessary in order to protect the public health, safety and
3 welfare. Upon the adoption and publication of those additional restrictions, they shall become binding
4 on water users within the City.

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

13 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this ____ day of _____, 2005.

17 APPROVED:

18
19 By _____
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 _____
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:

25 Val Steep 3-23-05
26 Date
27
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-19 - Adopts the International Energy Conservation Code, 2003 Edition, along with the document entitled "2003 Southern Nevada International Energy Conservation Code Amendments," as replacements for the Model Energy Code, 1992 Edition, and the Supplemental Document amending that code. Proposed by: Paul Wilkins, Director of Building and Safety

Fiscal Impact:

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Model Energy Code has been replaced by the International Energy Conservation Code. This bill will adopt the 2003 Edition of the International Energy Conservation Code, along with the document entitled "2003 Southern Nevada International Energy Conservation Code Amendments," in place of the Model Energy 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. 2005-19

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-19 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

PAUL WILKINS, Director of Building and Safety, advised that this bill has been submitted in conjunction and with the cooperation of the Home Builders Association and the other building departments. Staff recommends approval. This bill is more stringent on some energy concerns. CHIEF DEPUTY CITY ATTORNEY VAL STEED clarified with MR. WILKINS that the proposed effective date of August 1 will be presented at the City Council meeting this bill is eligible for adoption.

CONNIE SUCKLING, Southern Nevada Home Builders Association, spoke in support of adoption. The industry thanks MR. WILKINS and his staff for working with it during the long review process.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:05 - 4:07)

1-99

BILL NO. 2005-19

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2003 EDITION, ALONG WITH THE DOCUMENT ENTITLED "2003 SOUTHERN NEVADA INTERNATIONAL ENERGY CONSERVATION CODE AMENDMENTS," AS REPLACEMENTS FOR THE MODEL ENERGY CODE, 1992 EDITION, AND THE SUPPLEMENTAL DOCUMENT AMENDING THAT CODE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Paul Wilkins, Director of Building and Safety

Summary: Adopts the International Energy Conservation Code, 2003 Edition, along with the document entitled "2003 Southern Nevada International Energy Conservation Code Amendments," as replacements for the Model Energy Code, 1992 Edition, and the Supplemental Document amending that code.

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

SECTION 1: Title 16, Chapter 52, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.52.010: Those certain documents, three copies of which are on file in the Office of the City Clerk and are designated as follows, are adopted by reference as if set forth herein in full:

(A) The publication entitled ["The Model Energy Code, 1992 Edition," as published by the Council of American Building Officials,] "International Energy Conservation Code, 2003 Edition," as published by the International Code Council, as Part 1 of this Chapter; and

(B) The document entitled ["A Supplemental Document Amending the Model Energy Code, 1992 Edition,"] "2003 Southern Nevada International Energy Conservation Code Amendments," which adds to, deletes from and amends the [Model Energy Code, 1992 Edition,] "International Energy Conservation Code, 2003 Edition," as Part 2 of this Chapter.

SECTION 2: The document entitled "2003 Southern Nevada International Energy Conservation Code Amendments," referred to in Section 1 of this Ordinance, is attached hereto.

SECTION 3: The document entitled "A Supplemental Document Amending the Model Energy Code, 1992 Edition," is hereby repealed.

SECTION 4: Ordinance No. 5636 of the City of Las Vegas, which adopted the 2003

1 Edition of the International Building Code and the City of Las Vegas Amendments to the 2003
2 International Building Code, is hereby amended as set forth in Section 5 of this Ordinance.

3 SECTION 5: Subsection 1301.1.1 of the International Building Code is deleted in its
4 entirety and replaced with a new Subsection 1301.1.1, reading as follows:

5 **1301.1.1 Criteria.** Buildings shall be designed and constructed in accordance with the
6 International Energy Conservation Code, 2003 Edition, and the "2003 Southern Nevada
7 International Energy Conservation Code Amendments," as adopted by Chapter 16.52 of the
8 Las Vegas Municipal Code.

9 SECTION 6: Ordinance No. 5636 of the City of Las Vegas, which adopted the 2003
10 Edition of the International Residential Code and the City of Las Vegas Amendments to the 2003
11 International Residential Code, is hereby amended as set forth in Section 7 of this Ordinance.

12 SECTION 7: Section N1101 of the International Residential Code, including its
13 constituent subsections, is deleted in its entirety and replaced with a new Section N1101, together with
14 a new Subsection N1101.1 and a new Subsection N1101.1.1, reading as follows:

15 **SECTION N1101 GENERAL**

16 **Subsection N1101.1 Scope.** This section governs the design and construction of buildings
17 for energy efficiency.

18 **Subsection N1101.1.1 Criteria.** Buildings shall be designed and constructed in accordance
19 with the International Energy Conservation Code, 2003 Edition, and the "2003 Southern
20 Nevada International Energy Conservation Code Amendments," as adopted by Chapter 16.52
21 of the Las Vegas Municipal Code.

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

1 invalid or ineffective.

2 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

6 APPROVED:

7
8 By _____
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14 Val Steef 3-23-05
15 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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2003

SOUTHERN NEVADA

INTERNATIONAL ENERGY CONSERVATION CODE

AMENDMENTS

February 1, 2005

JURISDICTIONS CONSIDERING ADOPTION:

Clark County

4701 W. Russell Rd.
Las Vegas, Nevada 89118
(702) 455-3030
Inspections 455-8040

Boulder City

401 California Ave.
Boulder City, NV. 89005
(702) 293-9282

North Las Vegas

2266 Civic Center Dr.
North Las Vegas, NV 89030
(702) 633-1577
Inspections 633-1576

City of Las Vegas

731 S. 4th Street
Las Vegas, Nevada 89155
(702) 229-6251
Inspections 229-2071

City of Mesquite

10 East Mesquite Blvd.
Mesquite, NV, 89027
(702) 346-2835

City of Henderson

240 Water Street
Henderson, NV 89015
(702) 267-3600
Inspections 267-3900

PREFACE

This document comprises the Southern Nevada Amendments to the 2003 International Energy Conservation Code as published by the International Code Council (ICC). It was developed by the jurisdictions listed on the cover page, the Association of General Contractors (AGC) and the Southern Nevada Home Builders Association (SNHBA) as a document to be adopted by reference. These provisions are not code unless adopted and codified by governmental jurisdictions. These amendments are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided any alternates have been approved and its use authorized by the building official. This document is available to be adopted as code by any jurisdiction without permission or approval from the jurisdictions listed on the cover page.

Section 101.1 Title (p.1)

Revise section 101.1 as follows:

101.1 Title These regulations shall be known as the *Energy Conservation Code* of Southern Nevada, and shall be cited as such. It is referred to herein as “this code.”

Section 107.3 (p.4)

Add a new section that reads as follows:

107.3 Referenced Codes. Where this code refers to other codes not adopted by the jurisdiction, the applicable code adopted by the jurisdiction shall govern.

Section 202 Definitions (p.6 -9)

Revise the definition of “Conditioned Space” by adding a second sentence that reads as follows:

Conditioned Space: A heated or cooled space, or both, within a building and, where required, provided with humidification or dehumidification means so as to be capable of maintaining a space condition falling within the comfort envelope set forth in ASHRAE 55. Supplemental heating required for the protection of wet fire protection systems (freeze protection to 42 degrees) or the sole use of evaporative cooling does not fall within the scope of this definition.

Revise Section 202 by adding the following definitions:

Sign. An interior or exterior lighted device used to impart way-finding, identifications or promotional information to the viewer. Signs include, but are not limited to business identification, location maps, gaming boards, sports scoreboards, and slot carousels identifiers.

Task Lighting. Lighting devices, either plug and cord connected or hard wired, 6 feet or less above the work surface that provides lighting for a particular work surface or task.

Table 302.1 Exterior Design Conditions (p.11)

Table 302.1 is amended to read as follows:

**Table 302.1
Exterior Design Conditions^d**

Condition	Value
Winter ^a , Design Dry-bulb (°F)	27 °F
Summer ^a , Design Dry-bulb (°F)	106 °F
Summer ^a , Design Wet-bulb (°F)	66 °F
Degree Days Heating ^b	2238
Degree Days Cooling ^b	3213
Climate Zone ^c	5B

For SI: °C = [(°F)-32]/1.8.

- The outdoor design temperature shall be selected from the columns of 97½ percent values for winter and 2½ percent values for summer from tables in the ASHRAE *Fundamental Handbook*. Adjustments shall be permitted to reflect local climates, which differ from the tabulated temperatures, or local weather experience determined by the code official.
- The degree-days heating (base 65 °F) and cooling (base 65 °F) shall be selected from NOAA "Annual Degree Days to Selected Bases Derived from the 1971-2000 Normals," data available from adjacent military installations, or other source of local weather data acceptable to the code official.
- The climate zone shall be selected from the applicable map provided in Figures 902.1(1) through 902.1(51) in Chapter 9 of this code.
- For elevations greater than 6000 feet, see local jurisdiction for design conditions.

Section 402.2.2.1 Orientation for groups of buildings. (p.13)

Revise section 402.2.2.1 to read as follows:

402.2.2.1 Orientation for groups of buildings. The worst possible orientation of the proposed design, in terms of annual energy use, considering north, east, south, and west orientations, shall be used to represent groups of otherwise identical designs (including reversed or mirror plans).

Section 402.3.3 Site Energy (p.16)

Revise Section 402.3.3 to read as follows:

402.3.3 Site Energy. The different energy sources shall be compared on the basis of source energy use at the site where: 1kWh = 3 x 3,413 Btu's. (= 10,239 Btu's.)

Section 502.1.1 Moisture Control (p.17)

Revise section 502.1.1 by adding the following exception:

502.1.1 Moisture Control. The design shall not create a condition of accelerated deterioration from moisture condensation. Frame walls, floors and ceilings not ventilated to allow moisture to escape shall be provided with an approved vapor retarder having a permeance rated of 1 perm (5.7×10^{-11} kg/Pa s m²) or less, when tested in accordance with the desiccant method using Procedure A of ASTM E 96. The vapor retarder shall be installed on the warm-in-winter side of the thermal insulations.

Exceptions:

1. In construction where moisture or its freezing will not damage the materials.
2. Where the county in which the building is being constructed is considered a hot and humid climate area and identified as such in Figures 902.1 (1) through 902.1(51) in Chapter 9 of this code.
3. Where other approved means to avoid condensation in unventilated framed wall, floor, roof and ceiling cavities are provided.
4. Frame walls, floors and ceilings in jurisdictions in Zone 5b (Crawl space floor vapor retarders are not exempted.)

Table 502.2 Heating and Cooling Criteria (p.18)

Table 502.2 is amended to read as follows:

**Table 502.2
Heating and Cooling Criteria^a**

Element	Mode	Detached One- and Two-Family Dwellings	Group R-2, R-4 or Townhouses
		U ₀	U ₀
Walls	Heating or cooling	0.19	0.27
Roof/Ceiling	Heating or cooling	0.37	0.37
Floors over unheated spaces	Heating or cooling	0.07	0.07
Heated slab on grade ^{b,f}	Heating	R-value = 6	R-value = 6
Unheated slab on grade ^{c,d,f}	Heating	R-value = 0	R-value = 0
Basement wall ^{e,f}	Heating or cooling	U-factor = 0.15	U-factor = 0.15
Crawl space wall ^{e,f}	Heating or cooling	U-factor = 0.14	U-factor = 0.14

For SI: 1 Btu/hr-ft²-°F = 5.678 W/(m²-K), °C=[(°F)-32]/1.8

- a. For projects where the building official has determined that the Climate Data is not consistent with that of the Las Vegas Valley, values shall be determined by using the graphs [Figures 502.2.(1), 502.2(2), 502.2(3), 502.2(4), 502.2(5) and 502.2(6)] using HDD determined by either the building official or a creditable climate source.
- b. There are no insulation requirements for heated slabs in locations having less than 500 HDD.
- c. There are no insulation requirements for unheated slabs in locations having less than 2,500 HDD.
- d. Slab edge insulation is not required for unheated slabs in areas of very heavy termite infestation probability in accordance with Section 502.2.1.4 and as shown in Figure 502.2.(7).
- e. Basement and crawl spaces wall U-factors shall be based on the wall components and surface air film. Adjacent soil shall not be considered in the determinations of the U-factor.
- f. Typical foundation insulation techniques can be found in the DOE *Building Foundation Design Handbook*.

Table 502.2.5 Prescriptive Envelope Component Criteria Additions and Replacement Windows for Existing Detached One- and Two-Family Dwellings (p.39)

Table 502.2.5 is amended to read as follows:

Table 502.2.5
Prescriptive Envelope Component Criteria
Additions and Replacement Windows for Existing
Detached One- and Two-Family Dwellings

Heating Degree Days	Maximum	Minimum					
	Fenestration U-factor ^c	Ceiling R-value ^{a,c}	Wall R-value ^e	Floor R-value	Base-ment Wall R-value ^b	Slab perimeter R-value and depth ^c	Crawl space wall R-value ^d
0-1,999	0.75	R-26	R-13	R-11	R-5	R-0	R-5
2,000 – 3,999	0.50	R-30	R-13	R-19	R-8	R-0	R-10
4,000 - 5,999	0.40	R-38	R-18	R-21	R-10	R-9, 2 ft.	R-19
6,000 – 8,499	0.35	R-49	R-21	R-21	R-11	R-13, 4 ft.	R-20
8,500 – 12, 999	0.35	R-49	R-21	R-21	R-19	R-18, 4 ft.	R-20

For S.I. 1 foot = 304.8 mm

- a. "Ceiling R-value" shall be required for flat or inclined (cathedral) ceilings. Floors over outside air shall meet "Ceiling R-value" requirements.
- b. Basement wall insulation shall be installed in accordance with Section 502.2.2.1.6
- c. Slab perimeter insulations shall be installed in accordance with Section 502.2.1.4. An additional R-2 shall be added to "Slab perimeter R-value" in the table if the slab is heated.
- d. "Crawl space wall R-value" shall apply to unventilated crawl spaces only. Crawl space insulation shall be installed in accordance with Section 502.2.1.5.
- e. Sunroom additions shall be required to have a maximum fenestration U-factor of 0.50 in locations with 2,000 – 12,999 HDD. In locations with 0 -5,999 HDD, the minimum ceiling R-value shall be R-19 and the minimum wall R-value shall be R-13. In locations with 6,000 - 12,999 HDD, the minimum ceiling R-value shall be R-24 and the minimum wall R-value shall be R-13.

Section 701.1 Scope (p.51)

Revise section 701.1 as follows:

701.1 Scope. Commercial buildings shall meet the requirements of ASHRAE/IESNA 90.1 including "Addendum g to the ASHRAE/IESNA Standard 90.1-2001".

Exception: Commercial buildings that comply with Chapter 8.

Table 802.2(1) Building Envelope Requirements Window and Glazed Door Area 10 Percent or Less of Above Grade Wall Area (p.54)

Revise Table 802.2(1) by adding the following information:

Table 802.2(1)
Building Envelope Requirements^{a through e}
Window and Glazed Door Area 10 Percent or Less of Above Grade Wall Area

Element	Condition/Value		
Skylight (U-factor)	1		
Slab or below-grade wall (R-value)	R-0		
Windows and glass doors	SHGC	U-factor	
PF < 0.25	Any	Any	
0.25 ≤ PF < 0.50	Any	Any	
PF ≥ 0.50	Any	Any	
Roof Assemblies (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-19	R-14	
Metal joist/truss	R-19	R-15	
Concrete slab or deck	NA	R-14	
Metal Purlin with thermal block	R-25	R-15	
Metal Purlin without thermal block	X	R-15	
Floor over outdoor air or unconditioned space (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-11	R-5	
Metal joist/truss	R-11	R-6	
Concrete slab or deck	NA	R-5	
Above-grade walls (R-value)	No Framing	Metal framing	Wood framing
Framed			
R-value cavity	NA	R-11	R-11
R-value continuous	NA	R-0	R-0
CMU, ≥ 8 in, with integral insulation			
R-value cavity	NA	R-0	R-0
R-value continuous	R-0	R-0	R-0
Other masonry walls			
R-value cavity	NA	R-0	R-0
R-value continuous	R-0	R-0	R-0

For SI: 1 inch = 25.4 mm

- For Climate Zones, other than 5B, refer to Tables 802.2(5) through 802.2(37).
- "NA" indicates the condition is not applicable.
- An R-value of zero indicates no insulation is required.
- "Any" indicates any available product will comply.
- "X" indicates no complying option exists for this condition.

Table 802.2(2) Building Envelope Requirements Window and Glazed Door Area Greater than 10 Percent But Not Greater Than 25 Percent or Less of Above Grade Wall Area (p. 55)

Revise Table 802.2(2) by adding the following information:

Table 802.2(2)

Building Envelope Requirements ^{a through e}

Window and Glazed Door Area Greater than 10 Percent But Not Greater Than 25 Percent or Less of Above Grade Wall Area

Element	Condition/Value		
Skylight (U-factor)	1		
Slab or below-grade wall (R-value)	R-0		
Windows and glass doors	SHGC	U-factor	
PF < 0.25	0.6	Any	
0.25 ≤ PF < 0.50	0.7	Any	
PF ≥ 0.50	Any	Any	
Roof Assemblies (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-25	R-19	
Metal joist/truss	R-25	R-20	
Concrete slab or deck	NA	R-19	
Metal Purlin with thermal block	R-30	R-20	
Metal Purlin without thermal block	X	R-20	
Floor over outdoor air or unconditioned space (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-11	R-5	
Metal joist/truss	R-11	R-6	
Concrete slab or deck	NA	R-5	
Above-grade walls (R-value)	No Framing	Metal framing	Wood framing
Framed			
R-value cavity	NA	R-11	R-11
R-value continuous	NA	R-0	R-0
CMU, ≥ 8 in, with integral insulation			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0
Other masonry walls			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0

For SI: 1 inch = 25.4 mm

- For Climate Zones, other than 5B, refer to Tables 802.2(5) through 802.2(37).
- "NA" indicates the condition is not applicable.
- An R-value of zero indicates no insulation is required.
- "Any" indicates any available product will comply.
- "X" indicates no complying option exists for this condition.

Table 802.2(3) Building Envelope Requirements Window and Glazed Door Area Greater than 25 Percent But Not Greater Than 40 Percent or Less of Above Grade Wall Area (p.56)

Revise Table 802.2(3) by adding the following information:

Table 802.2(3)
Building Envelope Requirements^{a through e}
Window and Glazed Door Area Greater than 25 Percent But Not Greater Than 40 Percent or Less of Above Grade Wall Area

Element	Condition/Value		
Skylight (U-factor)	1		
Slab or below-grade wall (R-value)	R-0		
Windows and glass doors	SHGC	U-factor	
PF < 0.25	0.4	0.7	
0.25 ≤ PF < 0.50	0.5	0.7	
PF ≥ 0.50	0.6	0.7	
Roof Assemblies (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-25	R-19	
Metal joist/truss	R-25	R-20	
Concrete slab or deck	NA	R-19	
Metal Purlin with thermal block	R-30	R-20	
Metal Purlin without thermal block	X	R-20	
Floor over outdoor air or unconditioned space (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-11	R-5	
Metal joist/truss	R-11	R-6	
Concrete slab or deck	NA	R-5	
Above-grade walls (R-value)	No Framing	Metal framing	Wood framing
Framed			
R-value cavity	NA	R-11	R-11
R-value continuous	NA	R-0	R-0
CMU, ≥ 8 in, with integral insulation			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0
Other masonry walls			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0

For SI: 1 inch = 25.4 mm

- For Climate Zones, other than 5B, refer to Tables 802.2(5) through 802.2(37).
- "NA" indicates the condition is not applicable.
- An R-value of zero indicates no insulation is required.
- "Any" indicates any available product will comply
- "X" indicates no complying option exists for this condition.

Table 802.2(4) Building Envelope Requirements Window and Glazed Door Area Greater than 40 Percent But Not Greater Than 50 Percent or Less of Above Grade Wall Area (p. 57)

Revise Table 802.2(4) by adding the following information:

Table 802.2(4)
Building Envelope Requirements^{a through e}
Window and Glazed Door Area Greater than 40 Percent But Not Greater Than 50 Percent or Less of Above Grade Wall Area

Element	Condition/Value		
Skylight (U-factor)	1		
Slab or below-grade wall (R-value)	R-0		
Windows and glass doors	SHGC	U-factor	
PF < 0.25	0.4	0.7	
0.25 ≤ PF < 0.50	0.5	0.7	
PF ≥ 0.50	0.6	0.7	
Roof Assemblies (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-25	R-19	
Metal joist/truss	R-25	R-20	
Concrete slab or deck	NA	R-19	
Metal Purlin with thermal block	R-30	R-20	
Metal Purlin without thermal block	R-38	R-20	
Floor over outdoor air or unconditioned space (R-value)	Insulation between framing	Continuous insulation	
All-wood joist/truss	R-11	R-5	
Metal joist/truss	R-11	R-6	
Concrete slab or deck	NA	R-5	
Above-grade walls (R-value)	No Framing	Metal framing	Wood framing
Framed			
R-value cavity	NA	R-13	R-11
R-value continuous	NA	R-3	R-0
CMU, ≥ 8 in, with integral insulation			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0
Other masonry walls			
R-value cavity	NA	R-11	R-11
R-value continuous	R-5	R-0	R-0

For SI: 1 inch = 25.4 mm

- For Climate Zones, other than 5B, refer to Tables 802.2(5) through 802.2(37)
- "NA" indicates the condition is not applicable.
- An R-value of zero indicates no insulation is required.
- "Any" indicates any available product will comply.
- "X" indicates no complying option exists for this condition.

Section 802.3.2 Curtain wall, storefront glazing and commercial entrance doors.
(p.58)

Revise section 802.3.2 by adding the following exception.

Section 802.3.2 Curtain wall, storefront glazing and commercial entrance doors. Curtain wall, storefront glazing and commercial-glazed swinging entrance doors and revolving doors shall be tested for leakage at 1.57 pounds per square foot (psf) (75 Pa) in accordance with ASTM E 283. For curtain walls and storefront glazing, the maximum air leakage rate shall be 0.3 cubic feet per minute per square foot (cfm/ft²) (5.5m³/h*m²) of fenestration area. For commercial glazed swinging entrance doors and revolving doors, the maximum air leakage rate shall be 1.00 cfm/ft² (18.3m³/h*m²) of door area tested in accordance with ASTM E 283.

Exception: Site constructed storefront glazing and commercial entrance doors that are weather-stripped or sealed in accordance with Section 802.3.3

Section 803.2.3.1 Temperature Controls (p. 59)

Revise section 803.2.3.1 to read as follows:

803.2.3.1 Temperature Controls. Each heating and cooling system shall have at least one solid state programmable thermostat or be connected to a Direct Digital Control system. The thermostat or Direct Digital Control system shall have the capability to set back or shut down the system based on the day of the week and time of day, and provide a readily accessible manual override that will return to the pre-setback or shutdown schedule without reprogramming.

Section 803.2.9 Piping insulation (p.64)

Revise section 803.2.9 by adding the following exception:

803.2.9 Piping insulation. All piping serving as part of a heating or cooling system shall be thermally insulated in accordance with Section 803.3.7.

Exception: Condensation lines for simple HVAC systems and supply/ drain lines for Evaporative Coolers where temperatures can not drop below freezing.

Section 805.2.2.2 Automatic lighting shutoff. (p.74)

Revise section 805.2.2.2 by adding the following exception:

805.2.2.2. Automatic lighting shutoff. Buildings larger than 5,000 square feet (456 m²) shall be equipped with an automatic control device to shut off lighting in those areas. This automatic control device shall function on either:

1. A scheduled basis, using time-of-day, with an independent program schedule that controls the interior lighting areas that do not exceed 25,000 square feet (2323 m²) and are not more than one floor; or
2. An unscheduled basis by occupant intervention.

Exception: In buildings where the nature of the business activity is to be open 24 hours, as determined by the Building Official, automatic lighting shutoff is not required.

Section 805.5.1 Total connected interior lighting power. (p.75)

Revise Section 805.5.1 by adding the following exceptions:

Section 805.5.1 Total connected interior lighting power. The total connected interior lighting power (watts) shall be the sum of the watts of all interior lighting equipment as determined in accordance with Section 805.5.1.1 through 805.1.1.4.

Exceptions: The connected power associated with the following lighting equipment is not included in calculating total connected lighting power.

1. Specialized medical, dental and research lighting.
2. Professional sports arena playing field lighting.
3. Display lighting for exhibits in galleries, museums and monuments.
4. Guestroom lighting in hotels, motels, boarding houses or similar buildings.
5. Emergency lighting automatically off during normal building operation.
6. Theatrical or stage lighting where live performances are held.
7. Gaming areas.
8. Interior signs with a source efficacy of at least 45 lumens per watt, LED, neon, or cold cathode sources.
9. Task lighting.

Section 805.6 Exterior Lighting. (p.75)

Revise Section 805.6 by adding the second exception:

805.6 Exterior lighting. When the power for exterior lighting is supplied through the energy service to the building, all exterior lighting other than low-voltage landscape lighting, shall have a source efficacy of at least 45 lumens per watt.

Exceptions:

1. Where approved because of historical, safety, signage or emergency considerations.
2. Light Emitting Diode (LED) neon and cold cathode are acceptable exterior lamp sources.

Section 805.7 Electrical energy consumption (p.75)

Revise section 805.7 by adding the following exception:

805.7 Electrical energy consumption. In buildings having individual dwelling units, provision shall be made to determine the electrical energy consumed by each tenant by separately metering individual dwelling units.

Exception: Dwelling units with a transient occupancy such as timeshares.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-20 - Amends the City's Administrative Code to authorize the implementation of a program for contractor verification regarding the proper installation of water heaters and water softeners. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

A significant number of water heaters and water softeners are installed in the City without the benefit of permits or inspections. This bill is intended to address that problem and reduce the number of unapproved installations by allowing contractors who have attended a City course on installation to verify the installation of water heaters and water softeners in lieu of the traditional permit and inspection program.

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. 2005-20

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-20 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

PAUL WILKINS, Director of Building and Safety, explained that this will fix a problem with water heaters being replaced in existing homes. Currently, the Code requires an inspection, which is burdensome on the homeowner and contractor. This innovative alternative is to train and certify plumbers to inspect at the time of the installation, and then report monthly or quarterly and pay the pertinent fees to the City.

DAVE BOLT, owner of Done Right Plumbing and President of Plumbing/Mechanical Association, KENNY CHRISTIAN, Quality Assurance representative for Interstate Plumbing and Air, DOUG WILLIAMS, The Plumber Inc., RICHARD KREZETSKI, owner of Universal Plumbing and Heating Company, ARTHUR WHITE, owner of Lakewood Plumbing, Aqua Plumbing and Railroad Plumbing, CRYSTAL JOHNSON, State Executive Director for Plumbing and Mechanical Contractors Association, SHAWN BUTTER, owner of Butter Plumbing, and JOE CASSARO, AA Cassaro Plumbing, all spoke in support of the bill. This allows a savings of money, time and effort for the homeowner and contractor and will also generate a lot of income for the City. It will also help people conform to the law.

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

MINUTES - Continued:

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed

(4:07 - 4:12)

1-161

1 **BILL NO. 2005-20**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE CITY'S ADMINISTRATIVE CODE TO AUTHORIZE THE
4 IMPLEMENTATION OF A PROGRAM FOR CONTRACTOR VERIFICATION REGARDING
5 THE PROPER INSTALLATION OF WATER HEATERS AND WATER SOFTENERS, AND TO
6 PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Amends the City's Administrative
Code to authorize the implementation of a
program for contractor verification regarding the
proper installation of water heaters and water
softeners.

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

11 SECTION 1: The document entitled "A Supplemental Document Amending The
12 Uniform Administrative Code, 1997 Edition," as adopted by Ordinance No. 5637 and as authorized
13 under Section 16.02.010 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
14 hereby amended as set forth in Sections 2 and 3 of this Ordinance.

15 SECTION 2: Section 301.1 of the Uniform Administrative Code, as modified in the
16 Supplemental Document, is hereby amended to read as follows:

17 301.1 Permits Required. Except as otherwise specified in this Section[,] or in Section 25 of
18 the document entitled "A Supplemental Document Amending The Uniform Administrative Code,
19 1997 Edition," as adopted by Ordinance No. 5637, no building, structure, building service equipment
20 or onsite improvement regulated by this Code or any of the technical codes shall be erected,
21 constructed enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless
22 a separate, appropriate permit for each building, structure, building service equipment or onsite
23 improvement has first been obtained from the Building Official. If work is commenced before a
24 necessary and appropriate permit for the work has been obtained, the Building Official is authorized
25 to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

26 SECTION 3: Section 25 of the Supplemental Document is hereby amended by adding
27 thereto, following Subsection (H) of that section, a new Subsection (I), reading as follows:

28 I. Notwithstanding anything to the contrary in Sections 301 through 309 of this Code, as adopted

1 by the City, the Building Official may authorize approved contractors to install, inspect and verify the
2 proper installation of water heaters and water softeners, without the need to obtain a permit prior to
3 the installation or to obtain an inspection of the work by the City following the installation. In such
4 cases, the Building Official may issue permits for the installation of water heaters and water softeners
5 after the work has been completed and charge an appropriate fee in connection therewith. Each
6 installation must be properly verified, tagged and documented in accordance with procedures set forth
7 by the Building Official. For purposes of this Subsection (I), an "approved contractor" is one who:

- 8 1. Is properly licensed for the type of work to be performed;
- 9 2. Has successfully completed a course on the installation of water heaters and water
10 softeners provided by the City; and
- 11 3. Has been approved by the City to participate in the program described in this
12 Subsection (I).

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

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1 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

5 APPROVED:

6
7 By _____
8 OSCAR B. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BARBARA JO RONEMUS, City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 3-23-05
14 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-21 - Amends the City's Fire Code to require the installation of automatic sprinkler systems in existing residential board and care facilities. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact:

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This bill will require the installation of automatic sprinkler systems in existing residential board and care facilities. The bill is in response to a fire event last year, in which two persons died in a board and care facility that was not equipped with sprinklers. The bill will allow such facilities a reasonable period of time, up to January 1, 2006, to make the installation. In accordance with State law, a business impact statement has been prepared for this bill, and approval to proceed has been granted by the State Board of Examiners.

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. 2005-21

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-21 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

DEPUTY FIRE MARSHAL ROBERT FASH, Las Vegas Fire and Rescue, stated that residential board and care facilities are more commonly known as group care homes. They house the elderly in a smaller, residential type setting with graduated levels of care. There are currently 73 such facilities within the City. In March 2004, two people died in a fire because there were no sprinklers. Ironically, a contractor was on site at the facility the day of the fire, but the sprinklers were not installed in time. State law requires new facilities include sprinklers. This will address the five or six group care homes that do not meet that requirement. All the facilities were notified of this bill and the City held informational meetings that were attended by four of the impacted facilities. The greatest concern for the operators is the cost, which is estimated at \$4 per square foot. Operators will have until January 1st to come into compliance.

No one appeared in opposition.

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

MINUTES - Continued:

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:12 - 4:17)

1-333

1 **BILL NO. 2005-21**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE CITY'S FIRE CODE TO REQUIRE THE INSTALLATION
4 OF AUTOMATIC SPRINKLER SYSTEMS IN EXISTING RESIDENTIAL BOARD AND CARE
FACILITIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: David L. Washington, Chief,
6 Department of Fire and Rescue

Summary: Amends the City's Fire Code to
require the installation of automatic sprinkler
systems in existing residential board and care
facilities.

7
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: The Supplemental Document Amending the NFPA 1, Uniform Fire
11 Code, 2003 Edition, adopted by Ordinance No. 5667 of the City of Las Vegas, replaced Sections
12 13.3.2.12 through 13.3.2.18.2 of the NFPA 1, Uniform Fire Code, 2003 Edition, with new sections
13 numbered 13.3.2.12 through 13.3.2.13.1. Certain of those sections are amended as set forth in
14 Sections 2 to 5, inclusive, of this Ordinance.

15 SECTION 2: Section 13.3.2.12 is amended to read as follows:

16 **13.3.2.12 New and Existing Residential Occupancies.**

17 SECTION 3: Section 13.3.2.12.3 is amended to read as follows:

18 **13.3.2.12.3 New [Residential] residential occupancies other than One- and Two-Family**
19 **Dwellings.** All new residential occupancies other than One- and Two-Family Dwellings shall be
20 protected throughout by an approved automatic sprinkler system in accordance with the following:

21 (A) Buildings three or more stories in height shall be protected by an automatic
22 sprinkler system in accordance with NFPA 13.

23 (B) Buildings up to and including two stories in height shall be protected by an
24 automatic sprinkler system in accordance with NFPA 13 when required by the International Building
25 Code.

26 (C) All other buildings may be protected by an automatic sprinkler system in
27 accordance with NFPA 13R.

28 SECTION 4: Section 13.3.2.12.4 is amended to read as follows:

1 **13.3.2.12.4 New One and Two-Family Dwellings.** New One- and Two-Family Dwellings shall meet
2 the following requirements.

3 (A) Buildings constructed under the International Building Code shall be protected
4 throughout by an automatic sprinkler system in accordance with NFPA 13, 13R, or 13D, as permitted
5 by the International Building Code. The automatic sprinkler system shall also meet the requirements
6 of section 13.3.2.12.5

7 (B) Buildings constructed under the International Residential Code shall be
8 protected throughout by an automatic sprinkler system when required by the International Residential
9 Code or the following:

10 (1) Where required by Chapter 18 – Fire Department Access and Water
11 Supply, or elsewhere by this code, sprinklers shall be installed in accordance with 13.3.2.12.5

12 (2) When the total area of the building exceeds 10,000 ft² (929 m²), an
13 automatic sprinkler system meeting the minimum requirements of NFPA 13D shall be installed.

14 13.3.2.12.5 Mitigation Matrix. When an automatic sprinkler system is being installed to mitigate the
15 minimum requirements for fire department access or water supply as required by Chapter 18, the
16 design requirements in Table 13.3.2.12.5 shall apply.

17 SECTION 5: Section 13.3.2.12.6 is deleted and replaced with the following:

18 **13.3.2.12.6 New and Existing Residential Board and Care Facilities.** Each new and existing
19 residential board and care facility that is required to be licensed by the State of Nevada shall be
20 provided with an automatic sprinkler system in accordance with NFPA 13R. Each existing facility
21 shall be brought into compliance within the time period established for that facility by the chief, which
22 shall in no case be later than January 1, 2006.

23 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared
4 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
5 required or the failure to do any act is made or declared to be unlawful or an offense or a
6 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
7 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
8 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
9 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

10 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

14 APPROVED:

15
16 By _____
17 OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 _____
20 BARBARA JO RONEMUS, City Clerk

21 APPROVED AS TO FORM:

22 Val Steel 3-23-05
23 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

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16 ATTEST:

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18 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-22 - Amends the City's Fire Code to update fire protection requirements for certain structures and occupancies. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This bill will update fire protection requirements for facilities providing board and care, for condominiums, and for certain high-rise structures. The updates are intended to conform to State-law requirements and to address current trends in condominium development and high-rise residential 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. 2005-22

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-22 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

DEPUTY FIRE MARSHAL ROBERT FASH, Las Vegas Fire and Rescue, stated that this bill addresses situations and challenges with fire suppression and evacuation associated with high-rise condominiums. The Code has been modified to expand beyond apartments to add condominiums as well. Structures over 250 feet or 25-stories will require a redundant fire pump. Provision is made for enhanced communication systems within the facility. All these measures provide better fire protection for the residents.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:17 - 4:19)

1-481

BILL NO. 2005-22

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S FIRE CODE TO UPDATE FIRE PROTECTION REQUIREMENTS FOR CERTAIN STRUCTURES AND OCCUPANCIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: David L. Washington, Chief,
Department of Fire and Rescue

Summary: Amends the City's Fire Code to update fire protection requirements for certain structures and occupancies.

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

SECTION 1: The document entitled "A SUPPLEMENTAL DOCUMENT AMENDING THE NFPA 1, UNIFORM FIRE CODE, 2003 EDITION," as adopted by Ordinance No. 5667 of the City of Las Vegas, Nevada, is amended by modifying certain sections thereof and adding new sections thereto, as set forth in Sections 2 to 15, inclusive, of this Ordinance. The asterisks that appear after NFPA 1 section numbers, and the bracketed numbers that appear at the end of certain provisions, reflect asterisks and bracketed numbers as they appear in the NFPA 1 (as amended), and have the significance described therein. Brackets otherwise appearing are bolded and indicate the deletion of material.

SECTION 2: Section 3.3.138.22 is amended to read as follows:
3.3.138.22* Residential Board and Care Occupancy. A building or portion thereof that is used for lodging and boarding of [four] three or more residents, not related by blood or marriage to the owners or operators, for the purpose of providing personal care services.

SECTION 3: Section 3.3.22.2 is amended to read as follows:
3.3.22.2* Apartment or Condominium Building. A building containing three or more dwelling units with independent cooking and bathroom facilities. [101:3.3]

SECTION 4: A new Section 13.3.2.3.5 is added as follows:
13.3.2.3.5 Alterations, renovations, tenant improvements, or any change in occupancy or use in any existing building with more than 10,000 square feet in total area, and containing an area greater than 5,000 square feet that is not separated by a 2-hr fire barrier, shall require the installation of an

1 automatic fire sprinkler system within the entire building.

2 SECTION 5: A new Section 13.3.2.22.3 is added as follows:

3 **13.3.2.22.3** Buildings greater than 250 feet in height (above grade) shall have redundant fire
4 protection water supply system feeding the standpipes and the fire sprinkler in the building. Two fire
5 pumps, one electric primary fire pump and one secondary diesel redundant fire pump shall be
6 installed. Secondary emergency power supply for the electric fire pump is not required.

7 SECTION 6: A new Section 13.7.1.4.10.6(B)(1) is added as follows:

8 **13.7.1.4.10.6(B)(1)** Multi-channel voice evacuation systems shall be installed in high-rise buildings
9 with large and complex floor plans, and in other complex structures with high occupant load, as
10 required by the AHJ.

11 SECTION 7: New Sections 13.7.2.9.3.1 and 13.7.2.9.3.1.1 are added as follows:

12 **13.7.2.9.3.1** In a structure classified as a high-rise building, in lieu of installing stand-alone type
13 smoke alarms, system-type smoke detectors with sounder-bases shall be installed in every guest room
14 and every living area and sleeping room within the guest suite.

15 **13.7.2.9.3.1.1** Activation of these devices shall send an alarm signal to the building fire alarm control
16 panel, but the alarm shall sound only within the individual dwelling unit, suite of rooms, or similar
17 area and shall not actuate the building fire alarm system, unless otherwise permitted by the AHJ.

18 SECTION 8: Section 13.7.2.11 is amended to read as follows:

19 **13.7.2.11 New Apartment or Condominium Buildings**

20 SECTION 9: Section 13.7.2.11.1 is amended to read as follows:

21 **13.7.2.11.1** Apartment or condominium buildings with more than three stories or with more than 11
22 dwelling units, other than those meeting 13.7.2.11.2 or 13.7.2.11.3, shall be provided with a fire alarm
23 system in accordance with 13.7.1.4, except as modified by 30.3.4.2 through 30.3.4.5.2 of NFPA 101.
24 [101:30.3.4.1.1]

25 SECTION 10: New Sections 13.7.2.11.4.1 and 13.7.2.11.4.1.1 are added as follows:

26 **13.7.2.11.4.1** In a structure classified as a high-rise building, in lieu of installing stand-alone type
27 smoke alarms, system-type smoke detectors with sounder-bases shall be installed outside every
28 sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit,

1 including basements.

2 **13.7.2.11.4.1.1** Activation of these devices shall send an alarm signal to the building fire alarm
3 control panel, but the alarm shall sound only within the individual dwelling unit and shall not actuate
4 the building fire alarm system, unless otherwise permitted by the AHJ.

5 SECTION 11: A new Section 13.7.2.11.6 is added as follows:

6 **13.7.2.11.6** Corridors, spaces open to corridors and common areas shall be provided with system
7 smoke detectors that comply with NFPA 72, National Fire Alarm Code.

8 SECTION 12: Section 13.7.2.12 is amended to read as follows:

9 **13.7.2.12 Existing Apartment or Condominium Buildings**

10 SECTION 13: Section 13.7.2.12.1 is amended to read as follows:

11 **13.7.2.12.1** Apartment or condominium buildings with more than three stories or with more than 11
12 dwelling units, other than those meeting 31.3.4.1.2 of NFPA 101, shall be provided with a fire alarm
13 system in accordance with 13.7.1.4, except as modified by 31.3.4.2 through 31.3.4.5 of NFPA 101.
14 [101:31.3.4.1.1]

15 SECTION 14: A new Section 13.7.2.27.2.4 is added as follows:

16 **13.7.2.27.2.4** Smoke detectors shall be installed in each mechanical equipment room, electrical room,
17 transformer room, telephone equipment room or similar room.

18 SECTION 15: A new Section 13.7.2.27.2.5 is added as follows:

19 **13.7.2.27.2.5** Fire alarm systems installed in high-rise buildings shall utilize peer-to-peer network
20 systems, and the network nodes shall be interfaced with each other utilizing either style 6 or style 7
21 wiring methods as described by the currently adopted version of NFPA 72.

22 SECTION 16: If any section, subsection, subdivision, paragraph, sentence, clause or
23 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
24 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
25 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
26 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
27 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
28 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

1 invalid or ineffective.

2 SECTION 17: Whenever in this ordinance any act is prohibited or is made or declared
3 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
4 required or the failure to do any act is made or declared to be unlawful or an offense or a
5 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
6 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
7 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
8 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

9 SECTION 18: All ordinances or parts of ordinances or sections, subsections, phrases,
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
11 1983 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

13 APPROVED:

14
15 By _____
OSCAR B. GOODMAN, Mayor

16 ATTEST:

17
18 BARBARA JO RONEMUS, City Clerk

19 APPROVED AS TO FORM:

20 Val Steed 3-23-05
21 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-23 - Levies Assessment for Special Improvement District No. 1501 - Downtown Street Rehabilitation Phase III (District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west. Sponsored by: Step Requirement

Fiscal Impact:

☐	No Impact	Amount:	\$58,767.02
☒	Budget Funds Available	Dept./Division:	Public Works/SID
☐	Augmentation Required	Funding Source:	Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Construction and installation of streetlights. The District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west. The assessments will be paid over a 5-year period.

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. 2005-23

MOTION:

COUNCILWOMAN TARKANIAN recommended Bill No. 2005-23 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED outlined this routine ordinance. MIKE THOMPSON, Supervisor, Special Improvement District Section, was present.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:19 - 4:20)

1-533

BILL NO 2005-23

ORDINANCE NO _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1501 – DOWNTOWN STREET REHABILITATION PHASE III; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS, ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH

Summary. Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III (hereinafter the "District"), for the purpose of acquiring a Street Project, as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District, and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$1,710,600 00, of which, \$1,651,832.98 is available from other sources and of which \$58,767.02 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project, and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll, and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk, and

WHEREAS, the City Council thereupon fixed a time and place, to wit. Wednesday, February 16, 2005, at 1:00 p.m , at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council, and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, February 16, 2005, at 1 00 p.m , at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on January 19, 2005 The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection, and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No 1501 Assessment Protest Resolution, and

WHEREAS, by the District No 1501 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency, and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271 306(2)(a) does exist with respect to the Project

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS

Section 1 This Ordinance shall be known as, and may be cited by, the short title "District No. 1501 Levy Ordinance" (hereinafter the "Ordinance")

Section 2 The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No 1501 Assessment Protest Resolution

Section 3. All actions, 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 Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special

benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed

Section 4 For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on January 19, 2005, and as modified and confirmed by the District No 1501 Assessment Protest Resolution duly adopted by the City Council on April 6, 2005.

Section 5 The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid In case of such election to pay in installments, the unpaid assessments shall be payable in ten (10) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i e , will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the

unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after June 7, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100th percent (7 57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus three percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire, (c) the property owner's application for renewal of the Hardship Determination is disapproved, (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner, or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6 The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e May 8, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes) The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs)

Section 7 Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271 425 The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien

Section 8 In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271 545 to NRS 271 630 Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in

making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9 The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10 In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by

mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11 The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO 1501 – DOWNTOWN STREET REHABILITATION PHASE III

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No 1501 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on May 4, 2005. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No 1501 – Downtown Street Rehabilitation Phase III," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance)

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before June 7, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in ten (10) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from May 8, 2005 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for

such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after June 7, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100th percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus three percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted, (b) the term of the bonds expires, (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271 380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 8, 2005, (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this May 4, 2005

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12 The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

Section 13 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 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 4, 2005, such publication to be in substantially the following form

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1501 – DOWNTOWN STREET REHABILITATION PHASE III; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 6th day of April, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 4th day of May, 2005

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2 110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO 1501 – DOWNTOWN STREET REHABILITATION PHASE III, PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS, ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS, RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN, PRESCRIBING DETAILS IN CONNECTION THEREWITH

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 6, 2005, and was passed at a regular meeting held on May 4, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada

Those Voting Aye

Oscar B Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Steve Wolfson
Lois Tarkanian

Those Voting Nay

Those Absent

This Ordinance shall be in full force and effect from and after May 8, 2005, i.e., the day after its publication by 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

This _____ day of _____, 2005

/s/ OSCAR B GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest
/s/ BARBARA JO RONEMUS
City Clerk

Section 16 That 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

Introduced April 6, 2005, PASSED, ADOPTED AND APPROVED May 4, 2005

OSCAR B GOODMAN, Mayor

Attest

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

23 MAR 05 W 7:14 PM

Date Deputy City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) SS
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter 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 City Council on April 6, 2005 and finally adopted and approved on May 4, 2005

2 The following members of the City Council were present at the April 6, 2005 Council meeting:

Mayor	Oscar B Goodman
Councilmembers	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3 The foregoing Ordinance was first proposed and read by title to the City Council on April 6, 2005, and referred to a committee composed of _____ and _____ for recommendation, thereafter the said committee reported favorably on said Ordinance on May 4, 2005, which was a regular meeting of said City Council, that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the May 4, 2005 meeting and voted upon the adoption of the Ordinance as follows.

Those Voting Aye	Oscar B Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

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 City 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 City Council were given due and proper notice of the meetings held on April 6, and May 4, 2005 Pursuant to § 241 020, Nevada Revised Statutes, 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 (3) working days before the meetings at the principal office of the City 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 City Council, to wit.

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on April 6, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on May 4, 2005, 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 May 4, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of April 6, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of May 4, 2005 Meeting)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

None.

(4:20)

1-576

THE MEETING ADJOURNED AT 4:20 P.M.

Respectfully submitted:

A handwritten signature in cursive script, reading "Gabriela Portillo-Brenner", written over a horizontal line.

GABRIELA PORTILLO-BRENNER, DEPUTY CITY CLERK

April 20, 2005