

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Tri-Source Inc., dba Solis Salon, 2227 South Rainbow Boulevard, Melody A. Liddle, 100% - Ward 1 (Tarkanian)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable investigation report or extend the temporary in the event the investigation is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

Map

Motion made by LOIS TARKANIAN to Approve the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

The applicant was present.

MARK VINCENT, Director of Finance and Business Services, explained that the beauty salon has been functioning as a day spa with massage since 2000. Staff could have administratively

CITY COUNCIL MEETING OF: JANUARY 17, 2007

transferred the beauty salon license to the new applicant, but not the massage establishment license.

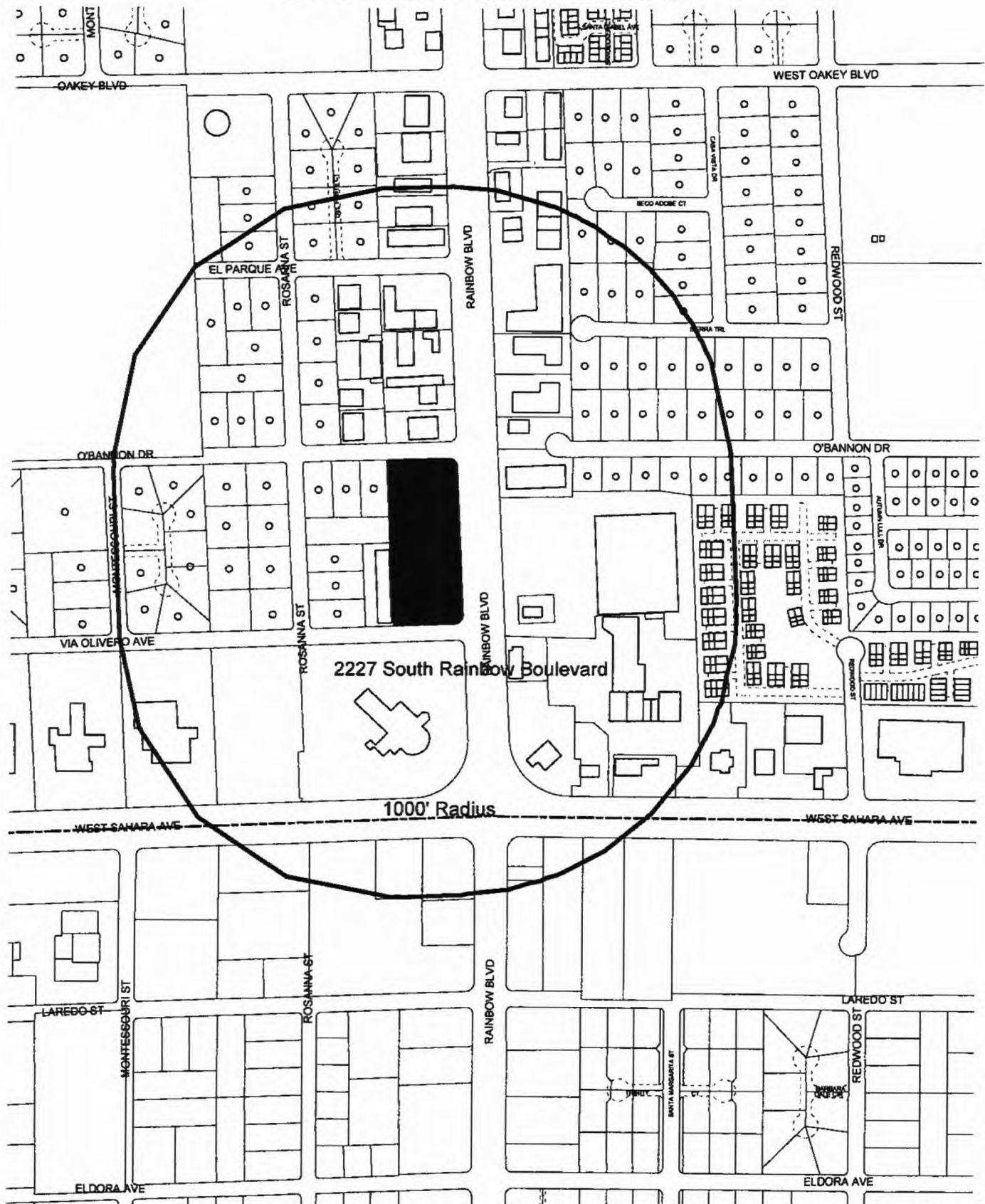
MS. LIDDLE remarked that she also runs an upper-class establishment.

COUNCILWOMAN TARKANIAN asked if the beauty salon has been in operation and MS. LIDDLE wishes to add the massage service. MS. LIDDLE clarified that both uses have been in operation. MR. VINCENT rejoined that the applicant is seeking approval of the transfer of the massage license. COUNCILWOMAN TARKANIAN noted that she wanted to make that clear, because her constituents always become concerned when it comes to massage establishments.

COUNCILMAN REESE confirmed that there are 26 licensed beauticians, with one of them also licensed as a massage therapist, and an additional massage therapist.



SOLIS SALON



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, From: Wuff, LLC, dba Andy Capz Pub, John R. Huff, Mgr, Mmbr, 57% and Todd P. Wellman, Mgr, Mmbr, 43%, To: Miklis Corp, dba Andy Capz Pub, 1631 North Decatur Boulevard, Michael L. Biegacz, Dir, Pres, 50% jointly with spouse and Lisa Biegacz, Dir, Secy, Treas, 50% jointly with spouse - Ward 5 (Weekly)

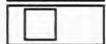
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License.

RECOMMENDATION:

Recommend approval with authority for the Director or Designee to issue a permanent license upon receipt of a favorable investigation report or extend the temporary license in the event the investigation is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

Map

Motion made by LAWRENCE WEEKLY to Approve the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

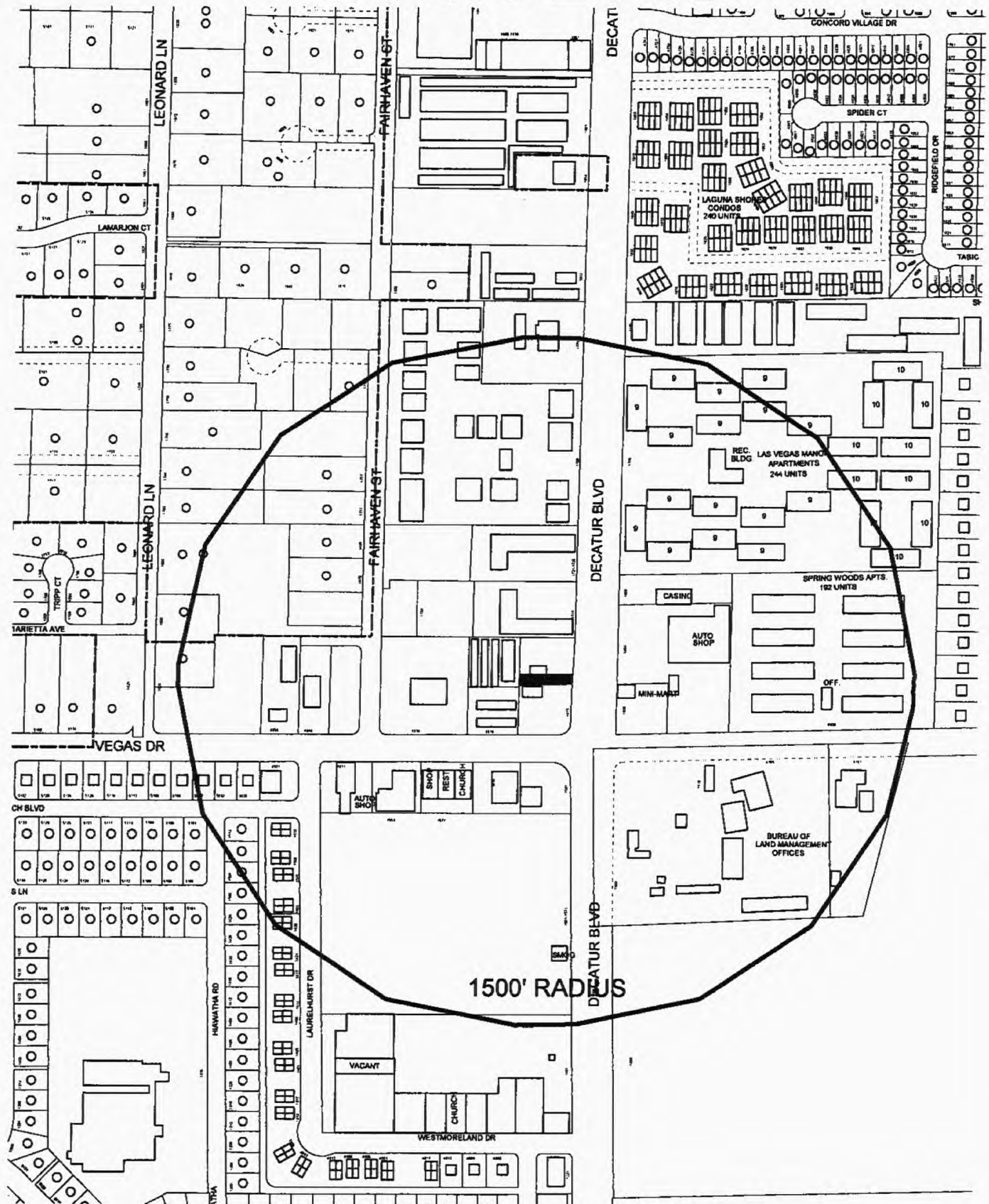
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

The applicants were present.

MARK VINCENT, Director of Finance and Business Services, noted that the subject should reflect the correct spouse name of Lisa Biegacz. He then reported that the applicants met the requirements to be considered for a temporary license. He suggested approval as recommended.

ANDY CAPZ PUB



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ Consent ☒ Discussion

SUBJECT:
RESOLUTIONS:

R-9-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and At Home Simplicity, LLC, d/b/a Uptown Motel, located at 813 East Ogden Avenue (APN 139-34-612-048), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to RDA Items 4 (RA-3-2007) and 5]

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This is a related item to discussion and possible action regarding assisting At Home Simplicity, LLC, d/b/a Uptown Motel, with the cost of visual improvements to the commercial building at 813 East Ogden Avenue. Approval will adopt findings that the Agreement is in compliance with and in furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-9-2007
2. Before and After Photos/Renderings of Project
3. Site Map

Motion made by LAWRENCE WEEKLY to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: JANUARY 17, 2007

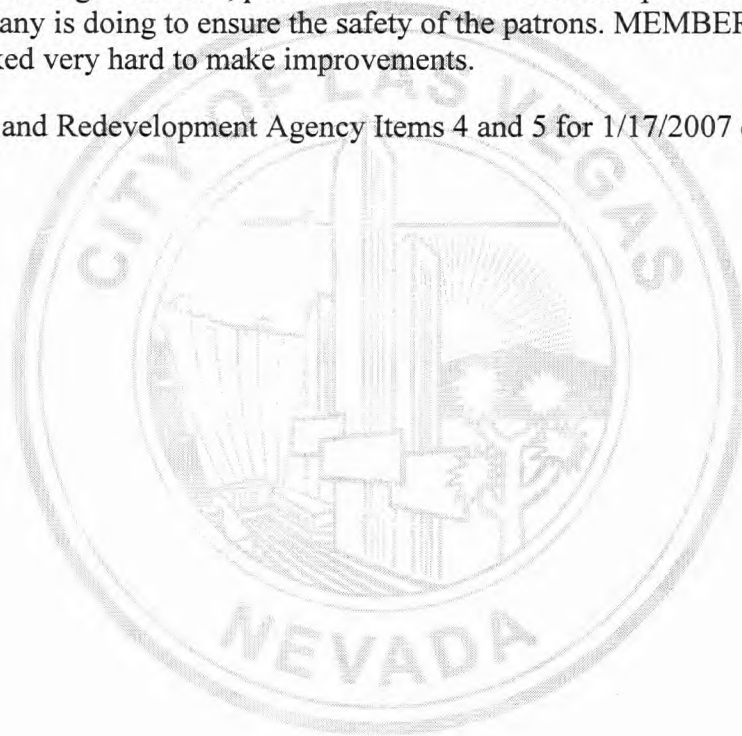
Minutes:

SCOTT ADAMS, Director of the Office of Business Development, stated that City Council Item 62 and Redevelopment Agency Items 4 and 5 pertain to a CVIP, of which he showed current facade photos and drawings of planned exterior improvements that will cost approximately \$100,000. Interior improvements were already made. Staff recommends approval of all three items.

JIM THOMPSON, representing At Home Simplicity, commended the City on the CVIP program, for it is helping to bring funds into the downtown area. CHAIRMAN GOODMAN said he was concerned about putting monies towards facades without seeing the interior. However, the photos show that interior improvements are remarkable. The money was well spent.

TOM MCGOWAN, Las Vegas resident, pointed out that a murder took place at this hotel. He asked what this company is doing to ensure the safety of the patrons. MEMBER WEEKLY said the owners have worked very hard to make improvements.

City Council Item 62 and Redevelopment Agency Items 4 and 5 for 1/17/2007 contain duplicate minutes.



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1 WHEREAS, the City Council of the City of Las Vegas has considered the
2 findings that the development of improvements to a building, facilities, structures or other
3 improvements to be located at the Site are of benefit to the Redevelopment Area or the
4 immediate neighborhood in which the Redevelopment Area is located; and
5

6 WHEREAS, the City Council of the City of Las Vegas has considered the
7 findings that no other reasonable means of financing the building, facilities or structures or
8 other improvements on the Site are available; and
9

10 WHEREAS, the City Council of the City of Las Vegas has considered the
11 undertakings of the Agency in connection with the Commercial Visual Improvement Program
12 Agreement (the "Agreement"), which provides for the contribution of funds to At Home
13 Simplicity, LLC d/b/a Uptown Motel for making physical, visual improvements to the building
14 located on the Site, all as more fully set forth in the Agreement.
15

16 NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of
17 the City of Las Vegas hereby finds and determines that the development of building, facilities,
18 structures or other improvements on the Site are of benefit to the Redevelopment Area or the
19 immediate neighborhood in which the Redevelopment Area is located; and
20

21 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
22 finds and determines there are no reasonable means of financing those building, facilities,
23 structural or other improvements on the Site; and
24

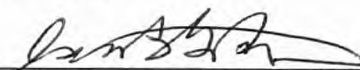
25 RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby
26 consents to the undertakings of the Agency in connection with the Agreement with At Home
27 Simplicity, LLC d/b/a Uptown Motel for the Project concerning the development on the Site.
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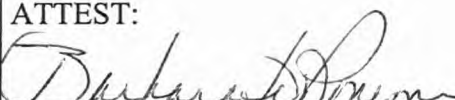
THE FOREGOING RESOLUTION was passed, adopted and approved this

17TH day of January, 2007.

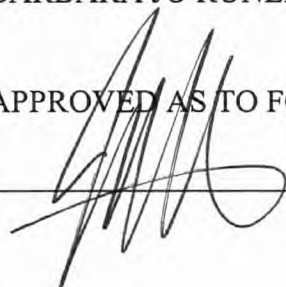
CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

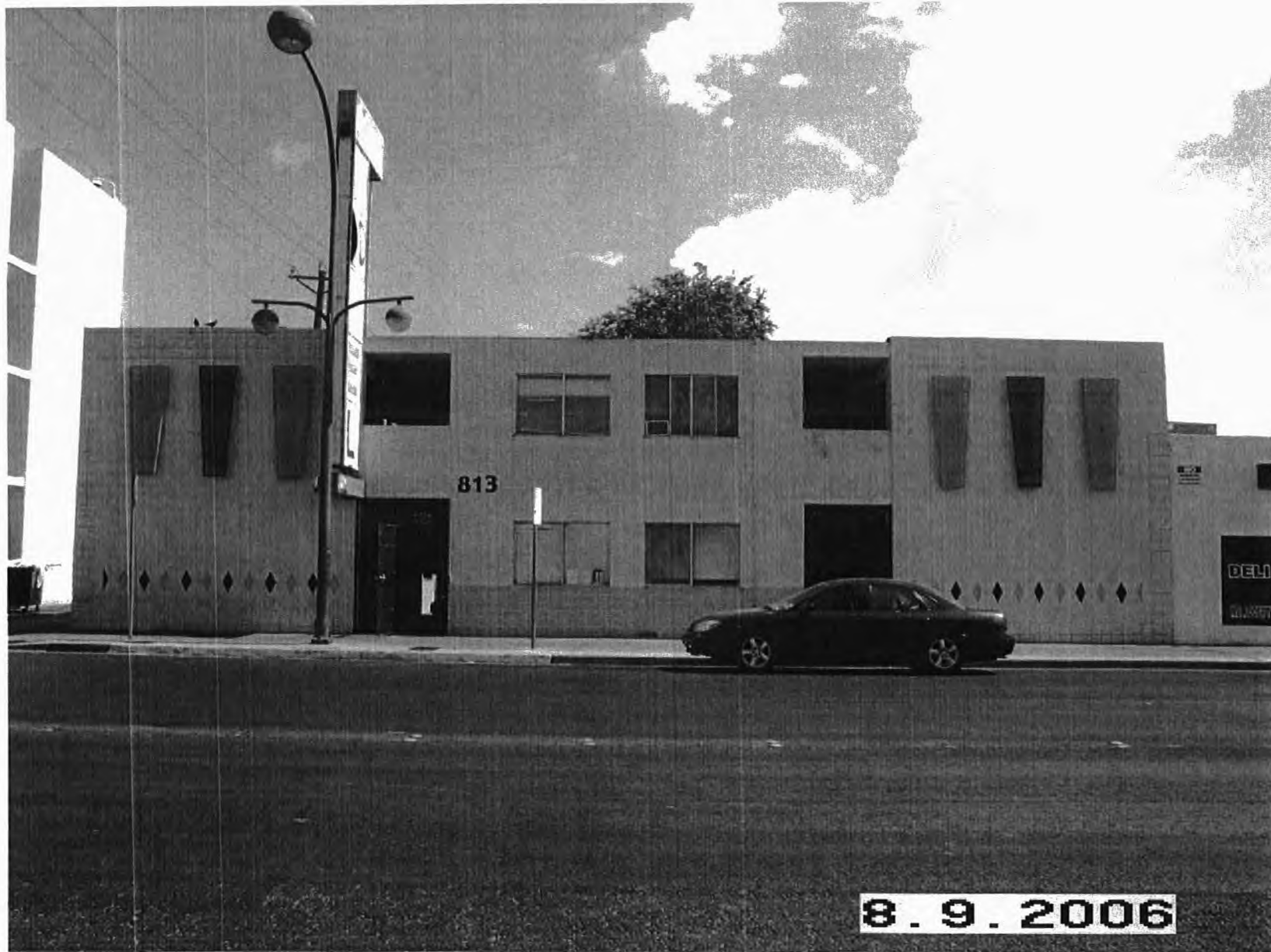
APPROVED AS TO FORM:

 1/2/07
Date

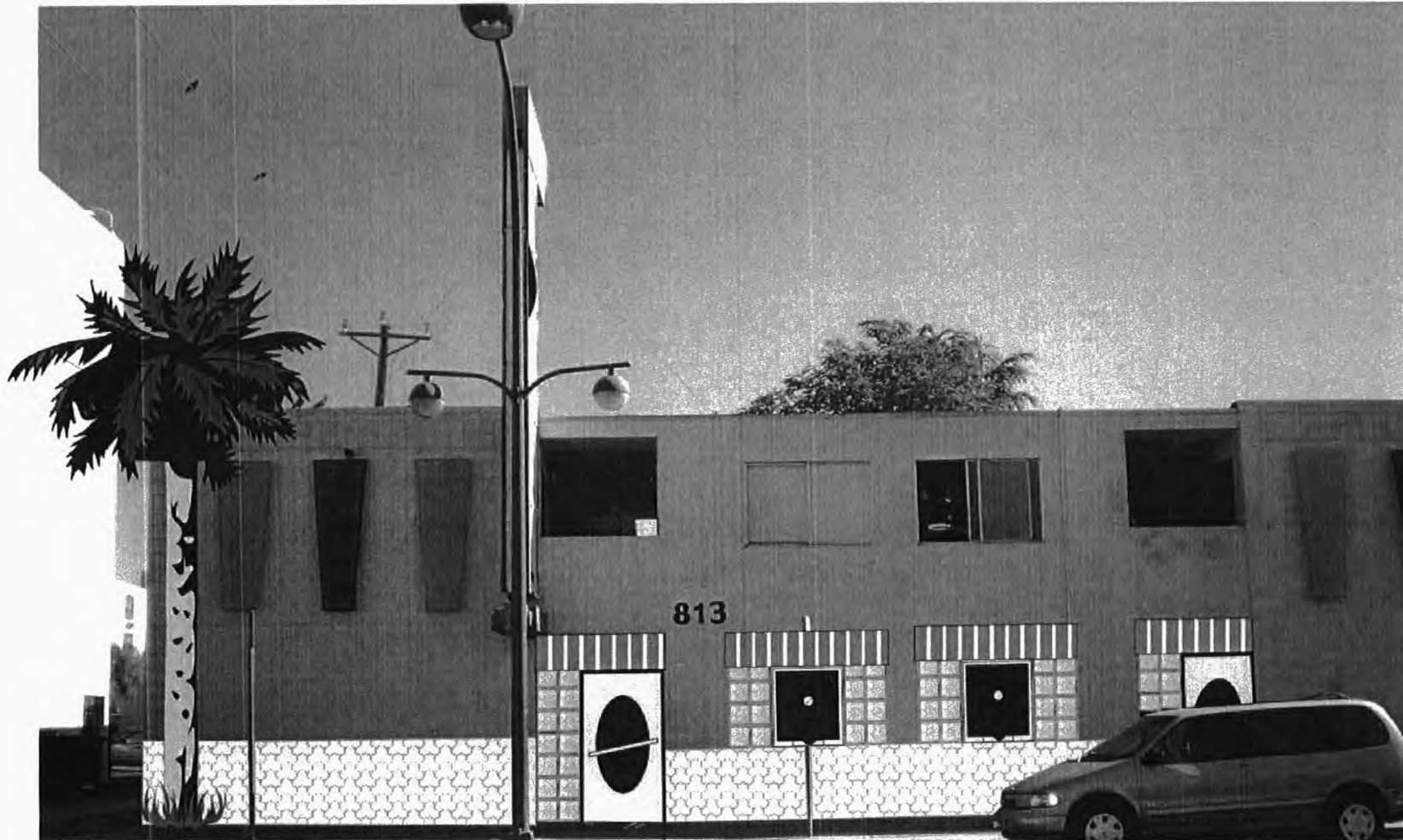
BEFORE & AFTER PICTURES/RENDERINGS
(Uptown Motel – 813 Ogden Avenue)



BEFORE & AFTER PICTURES/RENDERINGS
(Uptown Motel – 813 Ogden Avenue)



BEFORE & AFTER PICTURES/RENDERINGS
(Uptown Motel – 813 Ogden Avenue)



THOMPSON
DEVELOPMENT CO. INC.

GENERAL CONT.

CUSTOMER

UPTOWN MOTEL

ADDRESS

813 OGDEN AVE.

DESIGNER

J.A.T.

JOB #

06-416

DATE

9-14-06

DESCRIPTION

Upgrade Exterior Facia, new windows, doors, awnings, glass block, and metal siding.

NEVADA CONTRACTORS LICENSE #43337

BEFORE & AFTER PICTURES/RENDERINGS
(Uptown Motel - 813 Ogden Avenue)



**THOMPSON
NEON SIGN CO.**

THOMPSON
DEVELOPMENT CO. INC.

CUSTOMER

UPTOWN MOTEL

ADDRESS

813 E. OGDEN AVE.

DESIGNER

J.A.T.

DRAWING #

DATE

12-11-06

DESCRIPTION

Change existing internally
illuminated sign to exposed
neon channel letters.

SITE MAP
(813 East Ogden Avenue – Uptown Motel)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-10-2007 - Discussion and possible action of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

Fiscal Impact

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No Impact

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Augmentation Required

☒

Budget Funds Available

Amount: 245,052

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution directs the City Engineer to prepare the Final Assessment Roll for annual funding for the general maintenance of the Fremont Street Pedestrian Improvements. The property owners will be billed in four (4) quarterly installments each year for the actual cost of maintenance based on contractor bids. The cost of the initial SID is estimated to be \$245,052. The maintenance of the pedestrian improvement project is funded 100% by the property owners through this SID.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-10-2007

Motion made by LAWRENCE WEEKLY to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHARLIE KAJKOWSKI, Director of Public Works, went over the subject matter. The item is in order.

CITY COUNCIL MEETING OF: JANUARY 17, 2007

MIKE THOMPSON, Supervisor of the Special Improvement District Division, thought that Items 63 and 64 should be heard after approval of the related ordinance. MR. KAJKOWSKI indicated that was not necessary.

TOM McGOWAN, Las Vegas resident, stated that of the 18 medallions incorporated in this project only four relate to East Fremont. After not receiving an answer and feeling ignored by the Council, he indicated that the Council needs to start respecting the public.



RESOLUTION NO. R-10-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET); DETERMINING THE COST TO BE ASSESSED AND AUTHORIZING, ORDERING AND DIRECTING THE CITY ENGINEER TO PREPARE THE FINAL ASSESSMENT ROLL AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Roll Preparation

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (the "City Council" and the "City," respectively) pursuant to an ordinance heretofore adopted (the "Creation Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") and ordered the acquisition, improvement and maintenance of a Commercial Area Vitalization Project, as defined in NRS 271.063 (the "Project"), within the District; and

WHEREAS, the City Council has heretofore determined that 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; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the Project, and only the property which is so specially benefited, is to be included on the final assessment roll; and,

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project in the District (including all necessary incidentals, which either have been or will be incurred in connection with the District) is \$245,052, of which \$0.00 is available from other sources and \$245,052 is to be assessed upon the benefited lots, tracts and parcels of land in the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS IN THE COUNTY OF CLARK AND STATE OF NEVADA; THAT:

Section 1. All actions, proceedings, and matters heretofore taken, had and done by the City and the officers thereof, not inconsistent with the provisions of this Resolution, concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. The total cost of the Project to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the Project shall be apportioned and the amount to be assessed shall be as follows:

Total Cost	Estimated Amount of Special Assessment	Amount Available from Other Sources
\$245,052	\$245,052	\$0.00

Section 3. The City Engineer (the "Engineer") be, and he is hereby authorized, ordered and directed, with the assistance of the City Engineer Division, to make out and prepare, an assessment roll for the District containing, among other things:

(1) The name and address of each last known owner of each lot, tract, or parcel of land to be assessed.

(2) A description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment thereon, apportioned upon the basis for assessments heretofore determined by the City Council in the Creation Ordinance and as stated in the provisional order for the hearing on the Project.

Section 4. Immediately upon the adoption of this Resolution, the City Clerk shall cause a copy of this Resolution to be furnished to the Engineer. When the Engineer has made out and prepared the assessment roll, pursuant to Section 3 of this Resolution, he shall report the assessment roll to the City Council and shall cause the same to be filed in the office of the City Clerk and numbered. The Engineer shall submit an executed certificate in the form provided in Subsection 3 of NRS 271.375, which certificate, duly executed, shall accompany the assessment roll.

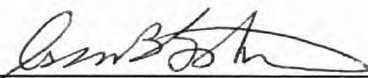
Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the preparation of all further necessary legal proceedings, assessment rolls and lists, supplemental report(s) on benefits, and other items necessary or desirable for the completion of the District.

Section 6. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 7. If any section, paragraph, clause or other provision of this Resolution 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 Resolution.

Section 8. The City Council has determined and declares, that this Resolution shall be in effect upon its passage in accordance with the law.

PASSED AND APPROVED on January 17, 2007.



OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to Form:

1-2-07 
Date Deputy City Attorney

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

I, Barbara Jo Ronemus, the duly chosen and qualified City Clerk of the City of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "City Council") at a meeting held on January 17, 2007.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

Those Voting Nay:	None
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Those Absent:	None
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting 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) Bulletin Board
City Hall Plaza (next door to Metro Records)
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

(b) By mailing a copy of the notice 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. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council 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 City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of the notice of the meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

7. A copy of such notice so given of the meeting of the City Council on January 17, 2007, is attached to this certificate as Exhibit "A."

IN WITNESS WHEREOF, I have hereunto set my hand on this January 17, 2007.

(SEAL)

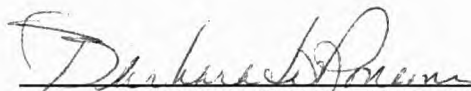

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

**COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. 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. The City's TDD number is 386-9108.

January 17, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – CHAPLAIN STEVE SANSON, VETERANS AND POLITICS INTERNATIONAL
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE SENIOR OF THE QUARTER
7. RECOGNITION OF NATIONAL MENTORING MONTH
8. RECOGNITION OF LE CORDON BLEU COLLEGE OF CULINARY ARTS FOR COMMUNITY SERVICE

BUSINESS ITEMS - MORNING

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the regular City Council meeting of December 6, 2006

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE

ADMINISTRATIVE - CONSENT

11. Approval of a Letter of Intent between City Parkway V, Inc., and the Nevada System of Higher Education for the development of academic and medical uses at the northeastern corner of Bonneville Avenue and Grand Central Parkway in Union Park (a portion of APN 139-34-110-003) - Ward 5 (Weekly)

ADMINISTRATIVE SERVICES - CONSENT

12. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Metropolitan Police Department for the transfer of U.S. Department of Homeland Security grant funds to support the Metro Volunteer Program (\$15,000 – Multipurpose Special Revenue Fund) - All Wards

FIELD OPERATIONS - CONSENT

13. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 8851 Vegas Drive commonly known as Bruce Trent Park, APNs 138-29-501-007 and 138-29-601-003 - Ward 4 (Brown)
14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 889 North Pecos Drive commonly known as Carlos L. Martinez and Darrio J. Hall Family Pool, Freedom Park, APN 139-25-701-002 - Ward 3 (Reese)
15. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 2901 Harris Avenue and 805 North Mojave Road commonly known as Early Childhood Development Center and Fire Station 8, APNs 139-25-303-015 and 139-25-303-014 - Ward 3 (Reese)
16. Approval of a Purchase and Sale Agreement whereby the Economic Opportunity Board of Clark County sells to the City of Las Vegas real property located at 951 E Street (\$835,000 plus closing costs - Affordable Housing/Acquisition Real Property) - Ward 5 (Weekly)
17. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 3951 East Bonanza Road commonly known as Mike Morgan Park, APN 140-31-102-002 - Ward 3 (Reese)
18. Approval of Easement and Rights-of-Way from the City of Las Vegas to Las Vegas Valley Water District to allow Las Vegas Valley Water District access to the site for maintenance and construction of water pipelines and appurtenances located at 3104 East Bonanza Road commonly known as East City Service Center, APN 139-25-802-006 - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

19. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and investments
20. Approval of renewal of City's required letter of credit in the amount of \$10,508,000 for workers compensation claims (\$52,204.33 - Employee Benefits Internal Service Fund)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

21. Approval of a Special Event Alcoholic Beverage License for Emerald Home Furnishings, Location: 475 South Grand Central Parkway, Suite 1350, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Kristina Kathman - Ward 5 (Weekly)
22. Approval of a Special Event Alcoholic Beverage License for The Howard Elliott Collection, Location: 495 South Grand Central Parkway, Suite 332, Dates: January 29, 2007 - February 2, 2007, Type: Special Event Beer/Wine/Cooler, Event: World Market Center Trade Show, Responsible Person in Charge: Alexis Baize - Ward 5 (Weekly)
23. Approval of a Special Event Alcoholic Beverage License for Roxana Pineda, Location: East Las Vegas Community Center, 250 North Eastern Avenue, Date: January 20, 2007, Type: Special Event Beer/Wine/Cooler, Event: Sweet 15th Birthday, Responsible Person in Charge: Julio Giron - Ward 3 (Reese)
24. Approval of a Special Event Alcoholic Beverage License for World Market Center LLC, Location: 495 South Grand Central Parkway, Floors 1 through 10, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Gerry Sawyer and Laurie Dorrough - Ward 5 (Weekly)
25. Approval of a Special Event Alcoholic Beverage License for World Market Center LLC, Location: 475 South Grand Central Parkway, Floors 1 through 16, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Gerry Sawyer and Laurie Dorrough - Ward 5 (Weekly)
26. Approval of a new Beer/Wine/Cooler On-sale License, Pei Wei Asian Diner, Inc., dba Pei Wei Asian Diner, 7175 West Lake Mead Boulevard, Suite 115, Russell G. Owens, Dir, Pres, Sec, Treas, CFO and Richard L. Federico, Dir, CEO - Ward 1 (Tarkanian)
27. Approval of Change of Name and Change of Type of Ownership for a Massage Establishment License, From: Sydney Houseal, dba Cipriani Day Spa, To: La Bella Day Spa & Salon, Inc., dba La Bella Day Spa & Salon, Inc., 7045 West Ann Road, # 130, Sydney Bales, Dir, Pres, Treas, Secy, 100% - Ward 6 (Ross)
28. Approval of a Special Event Alcoholic Beverage License for Eastern Accents, Location: World Market Center, 475 South Grand Central Parkway, Suite 370, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Cathy Bayliss - Ward 5 (Weekly)
29. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 15 slots, United Coin Machine Co., dba at Andy Capz Pub, 1631 North Decatur Boulevard - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

30. Approval of revision of Purchase Order No. 228957 for the Development, Administration and Scoring of Hiring Exams for Fire Captain and Fire Battalion Chief - Departments of Human Resources and Fire and Rescue - Award recommended to: HARGIS & ASSOCIATES (\$51,125.56 - General Fund)
31. Approval of Modification No. 1 to Contract No. 050645, Engineering Design Services for the Las Vegas Wash Trail, Phase II (Owens Avenue to Stewart Avenue) - Department of Public Works - Award recommended to: BERRYMAN & HENIGAR (\$113,560 - Road and Flood Capital Projects Fund) - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - CONSENT

32. Approval to amend and restate the Community Development Block Grant (CDBG) Rehabilitation Agreement between the city of Las Vegas and Economic Opportunity Board of Clark County (EOB) for the purpose of naming Lutheran Social Services as successor in interest and transferring title to the property located at 415 W. Adams and 618 W. Washington, Las Vegas, Nevada to Lutheran Social Services – Ward 5 (Weekly)
33. Approval of a Subordination Agreement placing Allied Irish Banks in first position as the Senior Deed of Trust and the city of Las Vegas in second position on the property located at 921 S. Main Street to support establishment of a \$24 million line of credit for the construction of Opportunity Village new campus at Patrick Lane and Jones Boulevard – Ward 1 (Tarkanian)

PUBLIC WORKS - CONSENT

34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Dwyer Engineering on behalf of Raymond L. Moore and Junie Moore, owners (southwest corner of Red Coach Avenue and Grand Canyon Drive, APNs 138-06-202-002 and -015) - County (near Ward 6 - Ross)
35. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Daniel Arnold, owner (southwest corner of Craig Road and Valadez Street, APN 138-04-701-004) - County (near Ward 4 - Brown)
36. Approval of an Encroachment Request from The Rogich Communications Group on behalf of the Las Vegas Valley Water District, owner (Valley View Boulevard between Charleston Boulevard and US-95) - Ward 1 (Tarkanian)
37. Approval of Supplemental No. 2 to Interlocal Contract 421b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for Washington Avenue, Durango Drive to Buffalo Drive - Ward 2 (Wolfson)
38. Approval of Supplemental No. 3 to Interlocal Contract 389c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Jones Boulevard, Beltway to Elkhorn Road project - Ward 6 (Ross)
39. Approval of Supplemental No. 5 to Interlocal Contract 401e between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Durango Drive, Westcliff Drive to Vegas Drive project - Ward 2 (Wolfson)
40. Approval of Supplemental No. 4 to Interlocal Contract 387d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Tenaya Way, Beltway to Elkhorn Road project - Ward 6 (Ross)
41. Approval of Second Supplemental Interlocal Contract LAS10X05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Ann Road Detention Basin Facilities (CAM 10 Detention Basin) - Ward 6 (Ross)
42. Approval of Third Supplemental Interlocal Contract LAS22A03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Decatur/Elkhorn/Rainbow System - Ward 6 (Ross)
43. Approval of Fifth Supplemental Interlocal Contract LAS10T02 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Gowan North System - Phase III - Ward 4 (Brown)

RESOLUTIONS - CONSENT

44. R-8-2007 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (\$1,850,000 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

45. Report from the City Manager on Emerging Issues
46. Report and possible action related to the Las Vegas Strategic Plan Priorities concerning "Aggressively attract and retain diverse businesses" and "Provide an open government which allows access, participation and respectful communication" - All Wards
47. Discussion and possible action on the 2007 Federal Legislative Agenda

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

48. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
49. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
50. ABEYANCE ITEM - Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, #250 - Ward 2 (Wolfson)
51. Discussion and possible action regarding a Three Month Review of a Tavern License, Nevada Receivership, LLC, dba Crazy Horse Too, 2476 Industrial Road, Michael J. Signorelli, Managing Mmbr, 100% - Ward 3 (Reese)
52. Discussion and possible action Temporary Approval of a new Tavern-limited License subject to Health Dept. regulations, Metro Relic, LLC, dba Kismet, 105 South Las Vegas Boulevard, Marianne Kain-Moran, Managing Mmbr and Jane Pike, Mmbr - Ward 5 (Weekly)
53. Discussion and possible action regarding Temporary Approval of a new Liquor Caterer License subject to the provisions of the planning and fire codes and Health Dept. regulations, Maria & Roman Enterprises, dba Sirena's Garden, 5243 West Charleston Boulevard, Suites 2 & 3, Maria Rodriguez, Dir, Secy, Pres, Treas, 50% jointly with spouse and Roman Rodriguez, Dir, Secy, 50% jointly with spouse - Ward 1 (Tarkanian)
54. Discussion and possible action regarding a Six Month Review of Change of Ownership and Change of Business Name for a Tavern License, Concorde Gaming, LLC, dba Concorde Gaming, LLC, 235 South Main Street, Michael R. Treanor, Managing Mmbr, 100% - Ward 3 (Reese)
55. Discussion and possible action regarding a Six Month Review of a Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire and planning codes, From: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino (Non-operational), Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mbr, 100%, Barrick Gaming Investments II, LLC, Managing Mbr, 100%, Barrick Gaming Corporation, Managing Mbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, To: Concorde Gaming, LLC, dba Concorde Gaming, LLC, 19 Lewis Avenue, Michael R. Treanor, Jr., Managing Mbr, 100% - Ward 3 (Reese)

56. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino (Non-operational), Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mbr, 100%, Barrick Gaming Investments II, LLC, Managing Mbr, 100%, Barrick Gaming Corporation, Managing Mbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, To: Rudolfco, LLC, dba Rudolfco, LLC, 19 Lewis Avenue, Stephen Malter, Managing Mmbr, 100% - Ward 3 (Reese)
57. Discussion and possible action regarding Temporary Approval of a new Gift Basket Limited License subject to the provisions of the planning and fire codes, Le Basket Rouge, dba Le Basket Rouge, 9440 West Sahara Avenue, Kelly L. DiCanio, Dir, Pres, 50% jointly with spouse and Leonardo M. DiCanio, Treas, Secy, 50% jointly with spouse - Ward 2 (Wolfson)
58. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Yue Dai, dba A Jade Garden, 6706 West Cheyenne Avenue, Yue Dai, 100% - Ward 4 (Brown)
59. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the fire codes, Aposseadesse II, LLC, dba Massage Envy, 7140 North Durango Drive, Suites 130 & 140, Franchesta Marbury-Hammonds, Mgr, Mmbr, 60% and Jay Coates, Mgr, Mmbr, 40% - Ward 6 (Ross)
60. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Tri-Source Inc., dba Solis Salon, 2227 South Rainbow Boulevard, Melody A. Liddle, 100% - Ward 1 (Tarkanian)
61. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, From: Wuff, LLC, dba Andy Capz Pub, John R. Huff, Mgr, Mmbr, 57% and Todd P. Wellman, Mgr, Mmbr, 43%, To: Miklis Corp, dba Andy Capz Pub, 1631 North Decatur Boulevard, Michael L. Biegacz, Dir, Pres, 50% jointly with spouse and Klodia I. Alkassyonan, Dir, Secy, Treas, 50% jointly with spouse - Ward 5 (Weekly)

RESOLUTIONS - DISCUSSION

62. R-9-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and At Home Simplicity, LLC, d/b/a Uptown Motel, located at 813 East Ogden Avenue (APN 139-34-612-048), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to RDA Items 4 (RA-3-2007) and 5]
63. R-10-2007 - Discussion and possible action of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)
64. R-11-2007 - Discussion and possible action of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

65. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
66. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly

67. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
70. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
71. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
73. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
74. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
75. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
76. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services [NOTE: This item will be trailed to be heard immediately following the public hearing (Item 84) in the afternoon session]

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

77. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
78. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
79. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
80. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

81. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

HEARINGS - DISCUSSION

82. Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 Fremont Street. PROPERTY OWNER: JOSE E. & AZALEA PERAL - Ward 3 (Reese)
83. Public hearing on local improvement district for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (\$1,970,000 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)
84. Public hearing to determine the advisability of granting an electrical distribution service franchise to Nevada Power Company, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement - All Wards

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE

85. EOT-18434 - APPLICANT: TANEY ENGINEERING - OWNER: ROBERT EHRLICH - Request for an Extension of Time of an approved Rezoning (ZON-4554) FROM R-E (RESIDENCE ESTATES) TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 15.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002), Ward 3 (Reese). Staff recommends APPROVAL
86. EOT-18350 - APPLICANT/OWNER: ARIZONA INVESTORS, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-5723) THAT ALLOWED A TAVERN at 7045 North Durango Drive (APN 125-20-114-007), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

87. DIR-18634 - APPLICANT: TRIPLE FIVE NEVADA DEVELOPMENT - OWNER: BOCA FASHION VILLAGE - Request TO ALLOW THE OPERATION OF FOUR WATER FEATURES WHICH TOTAL 1,354.9 SQUARE FEET at an existing retail development on 6.04 acres at 680 South Rampart Boulevard (APN 138-32-312-005 and 008), Ward 2 (Wolfson). Staff recommends APPROVAL
88. VAR-17998 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

89. SDR-17999 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Site Development Plan Review FOR A PROPOSED 2,227 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG INTERIOR LOT LINES WHERE 8 FEET IS REQUIRED AND A 5-FOOT LANDSCAPE BUFFER WHERE 15 FEET IS REQUIRED ALONG PUBLIC RIGHT-OF-WAY on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL
90. SUP-18001 - PUBLIC HEARING - APPLICANT/OWNER: LESLIE DIANE - Request for a Special Use Permit FOR A PROPOSED PACKAGE LIQUOR ESTABLISHMENT at 625 South Las Vegas Boulevard (APN 139-34-410-182), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-1 vote) and staff recommend APPROVAL
91. SUP-18032 - PUBLIC HEARING - APPLICANT/OWNER: VIOLET SAHAKYAN - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER at 5150 North Jones Boulevard (APN 125-36-301-001), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-0 vote) and staff recommend APPROVAL
92. GPA-16511 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request to Amend a portion of the Southwest Sector Plan of the Master Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL
93. ZON-16519 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) TO: R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL
94. VAR-16525 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Variance TO ALLOW 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED FROM 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED TO 33,226 SQUARE FEET OF OPEN SPACE WHERE 55,321 SQUARE FEET IS THE MINIMUM REQUIRED. The Planning Commission (7-0 vote) and staff recommend DENIAL
95. SDR-16522 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 77-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED TO INCLUDE PROPOSED THREE-STORY DEVELOPMENT. The Planning Commission (7-0 vote) and staff recommend DENIAL
96. ZON-13896 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
97. VAR-13900 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

98. SUP-13902 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED HELIPAD AND A WAIVER TO ALLOW A HELIPAD AS AN ACCESSORY USE TO A FACILITY OTHER THAN A HOSPITAL, MEDICAL FACILITY, OR MEDICAL OFFICE on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL
99. SUP-13903 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED 274-FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
100. SDR-13904 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Site Development Plan Review FOR A COMMERCIAL DEVELOPMENT CONSISTING OF A 3,000 SQUARE FOOT, A 1,500 SQUARE FOOT, AND A 4,500 SQUARE FOOT RETAIL PAD; A 20-STORY BUILDING CONSISTING OF 3,700 SQUARE FEET OF RESTAURANT SPACE, 10,000 SQUARE FEET OF RETAIL SPACE, 150,000 SQUARE FEET OF OFFICE SPACE, AND A 4,500 SQUARE FOOT CHILD CARE FACILITY; AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL
101. ZON-17740 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
102. VAR-17741 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
103. VAR-17742 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
104. VAR-17743 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

- 105.VAC-17744 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 106.SDR-17745 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 107.VAR-16165 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YONG H. JUNG - Request for a Variance TO ALLOW 7 PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.19 acres at 505 South Decatur Boulevard (APN 139-31-310-133), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
- 108.VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
- 109.VAR-14734 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - This is an Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW PROPOSED SIX FOOT HIGH BLOCK WALLS IN THE FRONT YARD WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 110.VAR-16769 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE FIVE FEET FROM THE SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 111.SUP-15027 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH AMATEUR RADIO ANTENNA TOWER on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U (Undeveloped) Zone [R (Rural) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (5-0 vote) and staff recommend DENIAL
- 112.SUP-17551 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 113.SUP-17729 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

- 114.SDR-17731 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 115.SDR-17717 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 116.SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 117.ROC-18341 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL
- 118.ZON-16179 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 119.VAR-16181 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 56.25 FEET WHERE 77.25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A TRASH ENCLOSURE TO BE PLACED 6 FEET FROM RESIDENTIAL PROPERTY WHERE 50 FEET IS THE MINIMUM REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (MEDIUM DENSITY RESIDENTIAL) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE AND TO REDUCE THE FRONT YARD SETBACK TO 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET AND TO REDUCE THE REAR SETBACK 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET IS REQUIRED. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 120.VAR-17191 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 87 FEET WHERE 100 FEET IS THE MINIMUM WIDTH REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL

- 121.SDR-16180 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Site Development Plan Review FOR A 3,000 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 122.ZON-17242 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 123.VAR-17244 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 2.86 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 124.SDR-17247 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Site Development Plan Review FOR A PROPOSED FIVE-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF THE STREETScape REQUIREMENTS on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 125.RQR-18663 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS ASSOCIATES, DBA WILSHIRE - Required Five Year Review of an approved Variance (V-0031-00) THAT ALLOWED THIRTY SEVEN (37) PARKING SPACES WHERE SIXTY FIVE (65) ARE THE MINIMUM PARKING SPACES REQUIRED FOR A PROPOSED BANQUET FACILITY at 5243 West Charleston Boulevard, Suites 2 and 3 (APN 163-01-501-007), C-1 (Limited Commercial), Ward 1 (Tarkanian). Staff recommends APPROVAL
- 126.VAR-17127 - PUBLIC HEARING - APPLICANT/OWNER: PICERNE PROVIDENCE II, LLC - Request for a Variance TO ALLOW 926 PARKING SPACES WHERE 937 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 18.98 acres at 6851 North Hualapai Way (APN 126-24-610-004), PD (Planned Development) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) Land Use Designation under Resolution of Intent to PD (Planned Development) Zone] [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Ross). NOTE: THIS APPLICATION IS BEING AMENDED FROM 926 PARKING SPACES TO 918 PARKING SPACES. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 127.SDR-17128 - PUBLIC HEARING - APPLICANT/OWNER: PICERNE PROVIDENCE II, LLC - Request for a Site Development Plan Review FOR A PROPOSED 124-UNIT ADDITION TO AN APPROVED APARTMENT COMPLEX on 18.98 acres at 6851 North Hualapai Way (APN 126-24-610-004), PD (Planned Development) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) Land Use Designation under Resolution of Intent to PD (Planned Development) Zone] [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 128.VAR-17871 - PUBLIC HEARING - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Variance TO ALLOW A PROPOSED 80-FOOT DOUBLE FACE 2,470 SQUARE-FOOT FREESTANDING SIGN WHERE 720 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 129.SDR-17312 - PUBLIC HEARING - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Site Development Plan Review FOR A PROPOSED 80-FOOT HIGH FREESTANDING SIGN on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

- 130.SUP-17739 - PUBLIC HEARING - APPLICANT: JL PARADISE, LLC - OWNER: MANIJEH DANESHFOROOZ - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS TO ALLOW A DISTANCE SEPARATION OF 180 FEET FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND TO ALLOW NO SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS THE MINIMUM SEPARATION REQUIRED at 2205 South Paradise Road (APN 162-03-413-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL
- 131.SUP-18037 - PUBLIC HEARING - APPLICANT: CAROLLO'S TROPICAL MOTORS, INC. - OWNER: EP DECATUR, LP - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT at 2025 South Decatur Boulevard (APNs 163-01-708-001 and 002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (4-1 vote) recommends DENIAL. Staff recommends APPROVAL
- 132.SDR-18034 - PUBLIC HEARING - APPLICANT: CAROLLO'S TROPICAL MOTORS, INC. - OWNER: EP DECATUR, LP - Request for a Site Development Plan Review FOR THE ADDITION OF A PROPOSED 1,680 SQUARE-FOOT OFFICE BUILDING TO AN EXISTING MOTOR VEHICLE SALES (NEW) ESTABLISHMENT AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO FOOT LANDSCAPE BUFFER WHERE 15 FOOT AND EIGHT FOOT LANDSCAPE BUFFERS ARE REQUIRED on 3.74 acres at 2025 South Decatur Boulevard (APNs 163-01-708-001 and 002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (4-1 vote) and staff recommend DENIAL
- 133.VAC-18045 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUITANIA CORPORATION - Petition to Vacate a 24-foot section of a public right-of-way radius corner generally located at the northeast corner of Main Street and Bonanza Road, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 134.SDR-18025 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUITANIA CORPORATION - Request for a Major Modification to an approved Site Development Plan Review (SDR-8649) FOR A PROPOSED ADDITION OF A 2,600 SQUARE-FOOT RESTAURANT AND AN ADDITION OF 40 FEET IN HEIGHT OF AN APPROVED MIXED-USE DEVELOPMENT AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 57 FEET WHERE 375 FEET IS THE MINIMUM REQUIRED on 2.87 acres at the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 135.ROC-18046 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUATANIA CORP. - Request for a Review of Condition Number 3 of an approved Rezoning (Z-0046-02) TO ALLOW A RADIUS OF 30 FEET WHERE 54 FEET WAS REQUIRED ON THE NORTHWEST CORNER OF BONANZA ROAD AND MAIN STREET (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008 and 139-27-712-046 through 051, C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL
- 136.ROC-18953 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SVS PROPERTIES, LTD, LLC - Request for a Review of Condition to delete Condition Number 4 of an approved Site Development Plan Review (SDR-17211) which stated that AN ADDITIONAL TWO LOADING SPACES SHALL BE ADDED TO THE SITE IN ACCORDANCE WITH TITLE 19.10 STANDARDS on 1.46 acres at 700 East Charleston Boulevard (APN 162-03-501-003), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). Staff recommends APPROVAL

SET DATE

- 137.Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

138. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL 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

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-11-2007 - Discussion and possible action of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: 245,052

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This resolution defines the time and place for a public hearing on the Final Assessment Roll for annual funding for the general maintenance of the Fremont Street Pedestrian Improvements. The property owners will be billed in four (4) quarterly installments each year for the actual cost of maintenance based on contractor bids. The cost of the initial SID is estimated to be \$245,052. The maintenance of the pedestrian improvement project is funded 100% by the property owners through this SID.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-11-2007

Motion made by LAWRENCE WEEKLY to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHARLIE KAJKOWSKI, Director of Public Works, said this matter sets the public hearing for February 21, 2007, at 1:00 p.m.

RESOLUTION NO. R-11-2007

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City," respectively) pursuant to an ordinance heretofore adopted (the "Creation Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") and ordered the acquisition, improvement and maintenance of a Commercial Area Vitalization Project, as defined in NRS 271.063 (the "Project"); and

WHEREAS, the City Council has heretofore determined that 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 Project; and

WHEREAS, NRS 271.360 provides that the City Council may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the City, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$245,052, of which \$0.00 is available from other sources and \$245,052 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 Project; and

WHEREAS, the City Council by resolution heretofore adopted, directed the City Engineer (with the assistance of the City Engineer Division) to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final assessment roll for the District which contains, 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 proposed assessment to be levied thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has prepared and filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the Project, and only that property which is so specially benefited, is included on the final assessment roll; and

WHEREAS, the City Council has also determined, and does hereby determine, that the notice for a hearing on the proposed final assessment roll, which is provided for herein, is reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS IN THE COUNTY OF CLARK, IN THE STATE OF NEVADA; THAT:

Section 1. 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 Resolution) concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. The total cost of the District to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the Project shall be apportioned and the amount to be assessed shall be as follows:

Total Cost	Estimated Amount of Special Assessment	Amount Available from Other Sources
\$245,052	\$245,052	\$0.00

Section 3. The proposed final assessment roll for the District has been examined by the City Council, is tentatively approved, and is ordered filed in the office of the City Clerk.

Section 4. Wednesday, February 21, 2007 at 1:00 P.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in the District and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City and a newspaper of general circulation in the District. Such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication in said newspaper to be at least 15 days prior to the date of the hearing. 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 in such newspaper and the last publication in the same newspaper. Such publication shall be verified by the affidavit of the publishers and filed with the City Clerk. In accordance with NRS 271.380 (2), the City Clerk or Deputy City Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mail, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last known owner or owners of each tract being assessed at his or their last known address or addresses. Proof of 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, provided however, that 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) appertaining thereto, have been paid in full, both principal and interest, or 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 registered or certified mail is reasonably calculated to inform the parties of the

proceedings concerning the District and the levying of assessments, which may directly and adversely affect their legally protected interests. Such notice shall be provided in NRS 271.380 and shall be substantially in the following form:

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN, that the final assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 17, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1516 Creation Ordinance heretofore adopted (the "Creation Ordinance"). The street to be improved by the improvements is:

Fremont Street (BOTH SIDES) from the center line of Las Vegas
Boulevard to the center line of 8th Street.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or Final assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessments against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said 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 Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 21, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 16, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct,

confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal without interest.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 16, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing 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, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 17, 2007.

BARBARA JO RONEMUS, City Clerk

(End of Form)

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such final assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three (3) days prior to the date set for the hearing, file with the office of the City Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

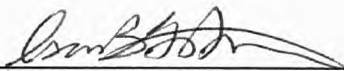
Section 8. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect any remaining provisions of this Resolution.

Section 11. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

PASSED and APPROVED on January 17, 2007.



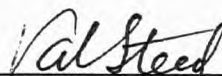
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:



Deputy City Attorney

1-2-07

Date

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

I, Beverly K. Bridges, the duly chosen and qualified Acting 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 a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on January 17, 2007.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Steve Wolfson Lois Tarkanian Steven D. Ross
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Those Voting Nay:	None
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Those Absent:	None
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting 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) Bulletin Board
City Hall Plaza (next door to Metro Records)
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

(b) By mailing a copy of the notice 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. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council 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 City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of the notice of the meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

7. A copy of such notice so given of the meeting of the City Council on January 17, 2007 is attached to this certificate as Exhibit "A." A copy of the affidavit of publication of the Notice of Public Hearing is attached hereto as Exhibit "B," and a copy of the minutes of the public hearing held on February 21, 2007, is attached hereto as Exhibit "C."

IN WITNESS WHEREOF, I have hereunto set my hand on this February 21, 2007.

(SEAL)


BEVERLY K. BRIDGES, CMC Acting City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) · COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. 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. The City's TDD number is 386-9108.

January 17, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – CHAPLAIN STEVE SANSON, VETERANS AND POLITICS INTERNATIONAL
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE SENIOR OF THE QUARTER
7. RECOGNITION OF NATIONAL MENTORING MONTH
8. RECOGNITION OF LE CORDON BLEU COLLEGE OF CULINARY ARTS FOR COMMUNITY SERVICE

BUSINESS ITEMS - MORNING

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the regular City Council meeting of December 6, 2006

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE

ADMINISTRATIVE - CONSENT

11. Approval of a Letter of Intent between City Parkway V, Inc., and the Nevada System of Higher Education for the development of academic and medical uses at the northeastern corner of Bonneville Avenue and Grand Central Parkway in Union Park (a portion of APN 139-34-110-003) - Ward 5 (Weekly)

ADMINISTRATIVE SERVICES - CONSENT

12. Approval of an Interlocal Agreement between the City of Las Vegas and the Las Vegas Metropolitan Police Department for the transfer of U.S. Department of Homeland Security grant funds to support the Metro Volunteer Program (\$15,000 - Multipurpose Special Revenue Fund) - All Wards

FIELD OPERATIONS - CONSENT

13. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 8851 Vegas Drive commonly known as Bruce Trent Park, APNs 138-29-501-007 and 138-29-601-003 - Ward 4 (Brown)
14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 889 North Pecos Drive commonly known as Carlos L. Martinez and Darrio J. Hall Family Pool, Freedom Park, APN 139-25-701-002 - Ward 3 (Reese)
15. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 2901 Harris Avenue and 805 North Mojave Road commonly known as Early Childhood Development Center and Fire Station 8, APNs 139-25-303-015 and 139-25-303-014 - Ward 3 (Reese)
16. Approval of a Purchase and Sale Agreement whereby the Economic Opportunity Board of Clark County sells to the City of Las Vegas real property located at 951 E Street (\$835,000 plus closing costs - Affordable Housing/Acquisition Real Property) - Ward 5 (Weekly)
17. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right-of-Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs located at 3951 East Bonanza Road commonly known as Mike Morgan Park, APN 140-31-102-002 - Ward 3 (Reese)
18. Approval of Easement and Rights-of-Way from the City of Las Vegas to Las Vegas Valley Water District to allow Las Vegas Valley Water District access to the site for maintenance and construction of water pipelines and appurtenances located at 3104 East Bonanza Road commonly known as East City Service Center, APN 139-25-802-006 - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

19. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and investments
20. Approval of renewal of City's required letter of credit in the amount of \$10,508,000 for workers compensation claims (\$52,204.33 - Employee Benefits Internal Service Fund)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

21. Approval of a Special Event Alcoholic Beverage License for Emerald Home Furnishings, Location: 475 South Grand Central Parkway, Suite 1350, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Kristina Kathman - Ward 5 (Weekly)
22. Approval of a Special Event Alcoholic Beverage License for The Howard Elliott Collection, Location: 495 South Grand Central Parkway, Suite 332, Dates: January 29, 2007 - February 2, 2007, Type: Special Event Beer/Wine/Cooler, Event: World Market Center Trade Show, Responsible Person in Charge: Alexis Baize - Ward 5 (Weekly)
23. Approval of a Special Event Alcoholic Beverage License for Roxana Pineda, Location: East Las Vegas Community Center, 250 North Eastern Avenue, Date: January 20, 2007, Type: Special Event Beer/Wine/Cooler, Event: Sweet 15th Birthday, Responsible Person in Charge: Julio Giron - Ward 3 (Reese)
24. Approval of a Special Event Alcoholic Beverage License for World Market Center LLC, Location: 495 South Grand Central Parkway, Floors 1 through 10, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Gerry Sawyer and Laurie Dorrough - Ward 5 (Weekly)
25. Approval of a Special Event Alcoholic Beverage License for World Market Center LLC, Location: 475 South Grand Central Parkway, Floors 1 through 16, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Gerry Sawyer and Laurie Dorrough - Ward 5 (Weekly)
26. Approval of a new Beer/Wine/Cooler On-sale License, Pei Wei Asian Diner, Inc., dba Pei Wei Asian Diner, 7175 West Lake Mead Boulevard, Suite 115, Russell G. Owens, Dir, Pres, Sec, Treas, CFO and Richard L. Federico, Dir, CEO - Ward 1 (Tarkanian)
27. Approval of Change of Name and Change of Type of Ownership for a Massage Establishment License, From: Sydney Houseal, dba Cipriani Day Spa, To: La Bella Day Spa & Salon, Inc., dba La Bella Day Spa & Salon, Inc., 7045 West Ann Road, # 130, Sydney Bales, Dir, Pres, Treas, Secy, 100% - Ward 6 (Ross)
28. Approval of a Special Event Alcoholic Beverage License for Eastern Accents, Location: World Market Center, 475 South Grand Central Parkway, Suite 370, Dates: January 29, 2007 - February 2, 2007, Type: Special Event General, Event: World Market Center Trade Show, Responsible Person in Charge: Cathy Bayliss - Ward 5 (Weekly)
29. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 15 slots, United Coin Machine Co., dba at Andy Capz Pub, 1631 North Decatur Boulevard - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

30. Approval of revision of Purchase Order No. 228957 for the Development, Administration and Scoring of Hiring Exams for Fire Captain and Fire Battalion Chief - Departments of Human Resources and Fire and Rescue - Award recommended to: HARGIS & ASSOCIATES (\$51,125.56 - General Fund)
31. Approval of Modification No. 1 to Contract No. 050645, Engineering Design Services for the Las Vegas Wash Trail, Phase II (Owens Avenue to Stewart Avenue) - Department of Public Works - Award recommended to: BERRYMAN & HENIGAR (\$113,560 - Road and Flood Capital Projects Fund) - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - CONSENT

32. Approval to amend and restate the Community Development Block Grant (CDBG) Rehabilitation Agreement between the city of Las Vegas and Economic Opportunity Board of Clark County (EOB) for the purpose of naming Lutheran Social Services as successor in interest and transferring title to the property located at 415 W. Adams and 618 W. Washington, Las Vegas, Nevada to Lutheran Social Services – Ward 5 (Weekly)
33. Approval of a Subordination Agreement placing Allied Irish Banks in first position as the Senior Deed of Trust and the city of Las Vegas in second position on the property located at 921 S. Main Street to support establishment of a \$24 million line of credit for the construction of Opportunity Village new campus at Patrick Lane and Jones Boulevard – Ward 1 (Tarkanian)

PUBLIC WORKS - CONSENT

34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Dwyer Engineering on behalf of Raymond L. Moore and Junie Moore, owners (southwest corner of Red Coach Avenue and Grand Canyon Drive, APNs 138-06-202-002 and -015) - County (near Ward 6 - Ross)
35. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Art Consulting Engineers on behalf of Daniel Arnold, owner (southwest corner of Craig Road and Valadez Street, APN 138-04-701-004) - County (near Ward 4 - Brown)
36. Approval of an Encroachment Request from The Rogich Communications Group on behalf of the Las Vegas Valley Water District, owner (Valley View Boulevard between Charleston Boulevard and US-95) - Ward 1 (Tarkanian)
37. Approval of Supplemental No. 2 to Interlocal Contract 421b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for Washington Avenue, Durango Drive to Buffalo Drive - Ward 2 (Wolfson)
38. Approval of Supplemental No. 3 to Interlocal Contract 389c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Jones Boulevard, Beltway to Elkhorn Road project - Ward 6 (Ross)
39. Approval of Supplemental No. 5 to Interlocal Contract 401e between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Durango Drive, Westcliff Drive to Vegas Drive project - Ward 2 (Wolfson)
40. Approval of Supplemental No. 4 to Interlocal Contract 387d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Tenaya Way, Beltway to Elkhorn Road project - Ward 6 (Ross)
41. Approval of Second Supplemental Interlocal Contract LAS10X05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Ann Road Detention Basin Facilities (CAM 10 Detention Basin) - Ward 6 (Ross)
42. Approval of Third Supplemental Interlocal Contract LAS22A03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Decatur/Elkhorn/Rainbow System - Ward 6 (Ross)
43. Approval of Fifth Supplemental Interlocal Contract LAS10T02 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion for the Gowan North System - Phase III - Ward 4 (Brown)

RESOLUTIONS - CONSENT

44. R-8-2007 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (\$1,850,000 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

45. Report from the City Manager on Emerging Issues
46. Report and possible action related to the Las Vegas Strategic Plan Priorities concerning "Aggressively attract and retain diverse businesses" and "Provide an open government which allows access, participation and respectful communication" - All Wards
47. Discussion and possible action on the 2007 Federal Legislative Agenda

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

48. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning codes, Bor Vada, LP, dba On The Border, 5630 Centennial Center Boulevard, GenBusiness Corporation, General Partner, 5%, John D. Gantes, Principal, Yanni Capital Business Partnership, LP, Limited Partner, 95%, John D. and Linda R. Gantes, Community Property Trust, Principal - Ward 6 (Ross)
49. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership, Change of Location and Change of Business Name for a Tavern License, From: Golden Wok Restaurant, Inc., dba Golden Wok Restaurant (Non-operational), 504 South Decatur Boulevard, Koon K. Chang, Pres, Yuk C. Chan, Secy and Kwok W. Cheng, Treas, To: Culture Club of Las Vegas, LLC., dba Polly Esther's, 2000 South Las Vegas Boulevard, Andrew W. Adelman, 33.3%, Robert M. Watman, 33.3% and Bamny, LLC., Timothy T. Ouellette, 33.3% - Ward 3 (Reese)
50. ABEYANCE ITEM - Discussion and possible action on an Appeal of Non-renewal of an Independent Massage Therapist License, David R. Silvaggio, 9330 West Sahara Avenue, #250 - Ward 2 (Wolfson)
51. Discussion and possible action regarding a Three Month Review of a Tavern License, Nevada Receivership, LLC, dba Crazy Horse Too, 2476 Industrial Road, Michael J. Signorelli, Managing Mmbr, 100% - Ward 3 (Reese)
52. Discussion and possible action Temporary Approval of a new Tavern-limited License subject to Health Dept. regulations, Metro Relic, LLC, dba Kismet, 105 South Las Vegas Boulevard, Marianne Kain-Moran, Managing Mmbr and Jane Pike, Mmbr - Ward 5 (Weekly)
53. Discussion and possible action regarding Temporary Approval of a new Liquor Caterer License subject to the provisions of the planning and fire codes and Health Dept. regulations, Maria & Roman Enterprises, dba Sirena's Garden, 5243 West Charleston Boulevard, Suites 2 & 3, Maria Rodriguez, Dir, Secy, Pres, Treas, 50% jointly with spouse and Roman Rodriguez, Dir, Secy, 50% jointly with spouse - Ward 1 (Tarkanian)
54. Discussion and possible action regarding a Six Month Review of Change of Ownership and Change of Business Name for a Tavern License, Concorde Gaming, LLC, dba Concorde Gaming, LLC, 235 South Main Street, Michael R. Treanor, Managing Mmbr, 100% - Ward 3 (Reese)
55. Discussion and possible action regarding a Six Month Review of a Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire and planning codes, From: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino (Non-operational), Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mbr, 100%, Barrick Gaming Investments II, LLC, Managing Mbr, 100%, Barrick Gaming Corporation, Managing Mbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, To: Concorde Gaming, LLC, dba Concorde Gaming, LLC, 19 Lewis Avenue, Michael R. Treanor, Jr., Managing Mbr, 100% - Ward 3 (Reese)

56. Discussion and possible action regarding Temporary Approval of Change of Ownership and Change of Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino (Non-operational), Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mbr, 100%, Barrick Gaming Investments II, LLC, Managing Mbr, 100%, Barrick Gaming Corporation, Managing Mbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, To: Rudolfco, LLC, dba Rudolfco, LLC, 19 Lewis Avenue, Stephen Malter, Managing Mmbr, 100% - Ward 3 (Reese)
57. Discussion and possible action regarding Temporary Approval of a new Gift Basket Limited License subject to the provisions of the planning and fire codes, Le Basket Rouge, dba Le Basket Rouge, 9440 West Sahara Avenue, Kelly L. DiCanio, Dir, Pres, 50% jointly with spouse and Leonardo M. DiCanio, Treas, Secy, 50% jointly with spouse - Ward 2 (Wolfson)
58. Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Yue Dai, dba A Jade Garden, 6706 West Cheyenne Avenue, Yue Dai, 100% - Ward 4 (Brown)
59. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the fire codes, Aposseadesse II, LLC, dba Massage Envy, 7140 North Durango Drive, Suites 130 & 140, Franchesta Marbury-Hammonds, Mgr, Mmbr, 60% and Jay Coates, Mgr, Mmbr, 40% - Ward 6 (Ross)
60. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Tri-Source Inc., dba Solis Salon, 2227 South Rainbow Boulevard, Melody A. Liddle, 100% - Ward 1 (Tarkanian)
61. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, From: Wuff, LLC, dba Andy Capz Pub, John R. Huff, Mgr, Mmbr, 57% and Todd P. Wellman, Mgr, Mmbr, 43%, To: Miklis Corp, dba Andy Capz Pub, 1631 North Decatur Boulevard, Michael L. Biegacz, Dir, Pres, 50% jointly with spouse and Klodia I. Alkassyonan, Dir, Secy, Treas, 50% jointly with spouse - Ward 5 (Weekly)

RESOLUTIONS - DISCUSSION

62. R-9-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and At Home Simplicity, LLC, d/b/a Uptown Motel, located at 813 East Ogden Avenue (APN 139-34-612-048), to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to RDA Items 4 (RA-3-2007) and 5]
63. R-10-2007 - Discussion and possible action of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)
64. R-11-2007 - Discussion and possible action of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

65. Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney
66. Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly

67. Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
68. Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
69. Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
70. Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
71. Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
72. Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety
73. Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety
74. Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross
75. Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
76. Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services [NOTE: This item will be trailed to be heard immediately following the public hearing (Item 84) in the afternoon session]

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

77. Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement
78. Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
79. Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross
80. Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

81. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

HEARINGS - DISCUSSION

82. Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 Fremont Street. PROPERTY OWNER: JOSE E. & AZALEA PERAL - Ward 3 (Reese)
83. Public hearing on local improvement district for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (\$1,970,000 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)
84. Public hearing to determine the advisability of granting an electrical distribution service franchise to Nevada Power Company, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement - All Wards

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION

PLANNING & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE

85. EOT-18434 - APPLICANT: TANEY ENGINEERING - OWNER: ROBERT EHRLICH - Request for an Extension of Time of an approved Rezoning (ZON-4554) FROM R-E (RESIDENCE ESTATES) TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 15.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002), Ward 3 (Reese). Staff recommends APPROVAL
86. EOT-18350 - APPLICANT/OWNER: ARIZONA INVESTORS, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-5723) THAT ALLOWED A TAVERN at 7045 North Durango Drive (APN 125-20-114-007), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

87. DIR-18634 - APPLICANT: TRIPLE FIVE NEVADA DEVELOPMENT - OWNER: BOCA FASHION VILLAGE - Request TO ALLOW THE OPERATION OF FOUR WATER FEATURES WHICH TOTAL 1,354.9 SQUARE FEET at an existing retail development on 6.04 acres at 680 South Rampart Boulevard (APN 138-32-312-005 and 008), Ward 2 (Wolfson). Staff recommends APPROVAL
88. VAR-17998 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

89. SDR-17999 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Site Development Plan Review FOR A PROPOSED 2,227 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG INTERIOR LOT LINES WHERE 8 FEET IS REQUIRED AND A 5-FOOT LANDSCAPE BUFFER WHERE 15 FEET IS REQUIRED ALONG PUBLIC RIGHT-OF-WAY on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL
90. SUP-18001 - PUBLIC HEARING - APPLICANT/OWNER: LESLIE DIANE - Request for a Special Use Permit FOR A PROPOSED PACKAGE LIQUOR ESTABLISHMENT at 625 South Las Vegas Boulevard (APN 139-34-410-182), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-1 vote) and staff recommend APPROVAL
91. SUP-18032 - PUBLIC HEARING - APPLICANT/OWNER: VIOLET SAHAKYAN - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER at 5150 North Jones Boulevard (APN 125-36-301-001), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-0 vote) and staff recommend APPROVAL
92. GPA-16511 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request to Amend a portion of the Southwest Sector Plan of the Master Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL
93. ZON-16519 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) TO: R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL
94. VAR-16525 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Variance TO ALLOW 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED FROM 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED TO 33,226 SQUARE FEET OF OPEN SPACE WHERE 55,321 SQUARE FEET IS THE MINIMUM REQUIRED. The Planning Commission (7-0 vote) and staff recommend DENIAL
95. SDR-16522 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 77-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED TO INCLUDE PROPOSED THREE-STORY DEVELOPMENT. The Planning Commission (7-0 vote) and staff recommend DENIAL
96. ZON-13896 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
97. VAR-13900 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

98. SUP-13902 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED HELIPAD AND A WAIVER TO ALLOW A HELIPAD AS AN ACCESSORY USE TO A FACILITY OTHER THAN A HOSPITAL, MEDICAL FACILITY, OR MEDICAL OFFICE on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL
99. SUP-13903 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED 274-FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
100. SDR-13904 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Site Development Plan Review FOR A COMMERCIAL DEVELOPMENT CONSISTING OF A 3,000 SQUARE FOOT, A 1,500 SQUARE FOOT, AND A 4,500 SQUARE FOOT RETAIL PAD; A 20-STORY BUILDING CONSISTING OF 3,700 SQUARE FEET OF RESTAURANT SPACE, 10,000 SQUARE FEET OF RETAIL SPACE, 150,000 SQUARE FEET OF OFFICE SPACE, AND A 4,500 SQUARE FOOT CHILD CARE FACILITY; AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL
101. ZON-17740 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
102. VAR-17741 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
103. VAR-17742 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
104. VAR-17743 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

- 105.VAC-17744 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 106.SDR-17745 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 107.VAR-16165 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YONG H. JUNG - Request for a Variance TO ALLOW 7 PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.19 acres at 505 South Decatur Boulevard (APN 139-31-310-133), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
- 108.VAR-16505 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
- 109.VAR-14734 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - This is an Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW PROPOSED SIX FOOT HIGH BLOCK WALLS IN THE FRONT YARD WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 110.VAR-16769 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE FIVE FEET FROM THE SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 111.SUP-15027 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH AMATEUR RADIO ANTENNA TOWER on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U (Undeveloped) Zone [R (Rural) General Plan Designation], Ward 2 (Wolfson). The Planning Commission (5-0 vote) and staff recommend DENIAL
- 112.SUP-17551 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THE CORRECT ADDRESS IS 6010 WEST CRAIG ROAD, SUITE #110. The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 113.SUP-17729 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

- 114.SDR-17731 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL
- 115.SDR-17717 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 116.SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 117.ROC-18341 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Review of Condition Number 11 of an approved Site Development Plan Review (SDR-2418) TO REMOVE THE CONDITION THAT REQUIRED ANY PROPERTY LINE WALL SHALL BE A DECORATIVE BLOCK WALL, WITH AT LEAST 20 PERCENT CONTRASTING MATERIALS. WALL HEIGHTS SHALL BE MEASURED FROM THE SIDE OF THE FENCE WITH THE LEAST VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, UNLESS OTHERWISE STIPULATED. ALL PERIMETER WALLS, INCLUDING A COMBINATION OF RETAINING AND SCREEN WALLS, SHALL NOT EXCEED EIGHT FEET IN HEIGHT, MEASURED FROM THE BASE OF THE RETAINING WALL, WITHOUT THE APPROPRIATE STEPBACKS for an approved residential subdivision on 10.80 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road (APN 138-08-116-020 and 021) R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL
- 118.ZON-16179 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 119.VAR-16181 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 56.25 FEET WHERE 77.25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A TRASH ENCLOSURE TO BE PLACED 6 FEET FROM RESIDENTIAL PROPERTY WHERE 50 FEET IS THE MINIMUM REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (MEDIUM DENSITY RESIDENTIAL) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE AND TO REDUCE THE FRONT YARD SETBACK TO 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET AND TO REDUCE THE REAR SETBACK 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET IS REQUIRED. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 120.VAR-17191 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 87 FEET WHERE 100 FEET IS THE MINIMUM WIDTH REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL

- 121.SDR-16180 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Site Development Plan Review FOR A 3,000 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL
- 122.ZON-17242 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 123.VAR-17244 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 2.86 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 124.SDR-17247 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Site Development Plan Review FOR A PROPOSED FIVE-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF THE STREETScape REQUIREMENTS on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 125.RQR-18663 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS ASSOCIATES, DBA WILSHIRE - Required Five Year Review of an approved Variance (V-0031-00) THAT ALLOWED THIRTY SEVEN (37) PARKING SPACES WHERE SIXTY FIVE (65) ARE THE MINIMUM PARKING SPACES REQUIRED FOR A PROPOSED BANQUET FACILITY at 5243 West Charleston Boulevard, Suites 2 and 3 (APN 163-01-501-007), C-1 (Limited Commercial), Ward 1 (Tarkanian). Staff recommends APPROVAL
- 126.VAR-17127 - PUBLIC HEARING - APPLICANT/OWNER: PICERNE PROVIDENCE II, LLC - Request for a Variance TO ALLOW 926 PARKING SPACES WHERE 937 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 18.98 acres at 6851 North Hualapai Way (APN 126-24-610-004), PD (Planned Development) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) Land Use Designation under Resolution of Intent to PD (Planned Development) Zone] [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Ross). NOTE: THIS APPLICATION IS BEING AMENDED FROM 926 PARKING SPACES TO 918 PARKING SPACES. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 127.SDR-17128 - PUBLIC HEARING - APPLICANT/OWNER: PICERNE PROVIDENCE II, LLC - Request for a Site Development Plan Review FOR A PROPOSED 124-UNIT ADDITION TO AN APPROVED APARTMENT COMPLEX on 18.98 acres at 6851 North Hualapai Way (APN 126-24-610-004), PD (Planned Development) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) Land Use Designation under Resolution of Intent to PD (Planned Development) Zone] [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 128.VAR-17871 - PUBLIC HEARING - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Variance TO ALLOW A PROPOSED 80-FOOT DOUBLE FACE 2,470 SQUARE-FOOT FREESTANDING SIGN WHERE 720 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
- 129.SDR-17312 - PUBLIC HEARING - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Site Development Plan Review FOR A PROPOSED 80-FOOT HIGH FREESTANDING SIGN on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

- 130.SUP-17739 - PUBLIC HEARING - APPLICANT: JL PARADISE, LLC - OWNER: MANIJEH DANESHFOROOZ - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS TO ALLOW A DISTANCE SEPARATION OF 180 FEET FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND TO ALLOW NO SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS THE MINIMUM SEPARATION REQUIRED at 2205 South Paradise Road (APN 162-03-413-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL
- 131.SUP-18037 - PUBLIC HEARING - APPLICANT: CAROLLO'S TROPICAL MOTORS, INC. - OWNER: EP DECATUR, LP - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT at 2025 South Decatur Boulevard (APNs 163-01-708-001 and 002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (4-1 vote) recommends DENIAL. Staff recommends APPROVAL
- 132.SDR-18034 - PUBLIC HEARING - APPLICANT: CAROLLO'S TROPICAL MOTORS, INC. - OWNER: EP DECATUR, LP - Request for a Site Development Plan Review FOR THE ADDITION OF A PROPOSED 1,680 SQUARE-FOOT OFFICE BUILDING TO AN EXISTING MOTOR VEHICLE SALES (NEW) ESTABLISHMENT AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO FOOT LANDSCAPE BUFFER WHERE 15 FOOT AND EIGHT FOOT LANDSCAPE BUFFERS ARE REQUIRED on 3.74 acres at 2025 South Decatur Boulevard (APNs 163-01-708-001 and 002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (4-1 vote) and staff recommend DENIAL
- 133.VAC-18045 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUITANIA CORPORATION - Petition to Vacate a 24-foot section of a public right-of-way radius corner generally located at the northeast corner of Main Street and Bonanza Road, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 134.SDR-18025 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUITANIA CORPORATION - Request for a Major Modification to an approved Site Development Plan Review (SDR-8649) FOR A PROPOSED ADDITION OF A 2,600 SQUARE-FOOT RESTAURANT AND AN ADDITION OF 40 FEET IN HEIGHT OF AN APPROVED MIXED-USE DEVELOPMENT AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 57 FEET WHERE 375 FEET IS THE MINIMUM REQUIRED on 2.87 acres at the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 135.ROC-18046 - PUBLIC HEARING - APPLICANT/OWNER: THE AQUATANIA CORP. - Request for a Review of Condition Number 3 of an approved Rezoning (Z-0046-02) TO ALLOW A RADIUS OF 30 FEET WHERE 54 FEET WAS REQUIRED ON THE NORTHWEST CORNER OF BONANZA ROAD AND MAIN STREET (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008 and 139-27-712-046 through 051, C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL
- 136.ROC-18953 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SVS PROPERTIES, LTD, LLC - Request for a Review of Condition to delete Condition Number 4 of an approved Site Development Plan Review (SDR-17211) which stated that AN ADDITIONAL TWO LOADING SPACES SHALL BE ADDED TO THE SITE IN ACCORDANCE WITH TITLE 19.10 STANDARDS on 1.46 acres at 700 East Charleston Boulevard (APN 162-03-501-003), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). Staff recommends APPROVAL

SET DATE

- 137.Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

138. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL 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

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

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

Exhibit "B"

(Attach Affidavit of Publication of Notice of Public Hearing)

Exhibit "C"

(Attach minutes of public hearing on February 21, 2007)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

Public hearing on local improvement district for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

Fiscal Impact

☐ No Impact

☐ Augmentation Required

☒ Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$245,052

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the general maintenance of the Fremont Street Pedestrian Improvements. Costs will be recovered through annual assessments, which shall be paid each year in four (4) substantially equal quarterly installments of principal without interest.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public hearing notice
2. Submitted after final agenda – Protest letter by John Kitchen

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLIE KAJKOWSKI, Director of Public Works Department, noted that this application is the companion to Special Improvement District (SID) 1506 and construction is underway; the project deals with the maintenance resources.

MAYOR GOODMAN informed JOHN KITCHEN, 515 Fremont Street, that the purpose of the meeting is to hear any public comments relative to the application. MR. KITCHEN believed the majority should rule but there should be a common ground to resolve the issues. He has had discussions with COUNCILMAN WEEKLY and has explored his legal options; however, he did not think the project would come into fruition. He felt that issues have not been resolved to date. He would like any forward progress on the project to be held so he can discuss these issues with a responsible Councilmember and continue to explore his legal options. MAYOR GOODMAN offered his assistance.

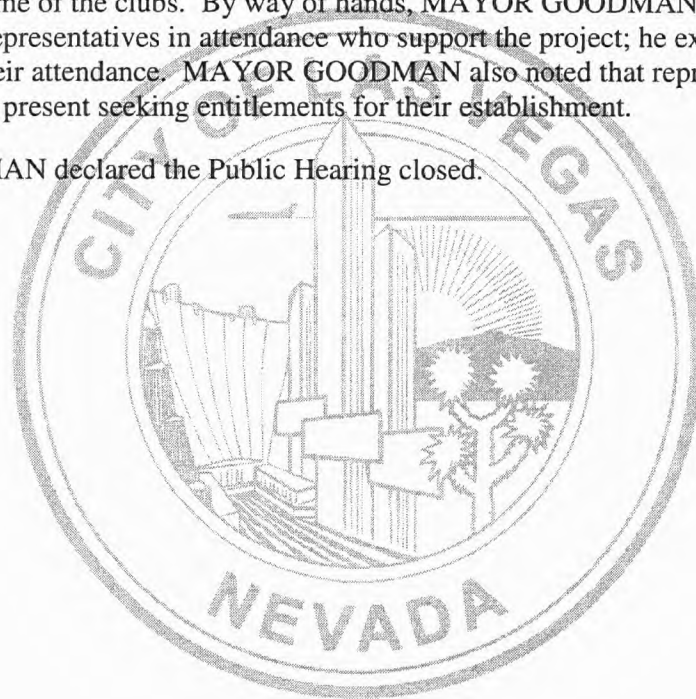
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

COUNCILMAN WEEKLY pointed out that MR. KITCHEN is the only individual in opposition. Even with the numerous meetings held, the Councilman did not believe that MR. KITCHEN has offered anything substantial that would negate the proposal. With that, COUNCILMAN WEEKLY could not support holding the item in abeyance, whether or not MR. KITCHEN continued to pursue his legal options.

MR. KITCHEN appreciated the previous comments; even though he was not in full agreement, ultimately he felt that he would have to join the 30 individuals who are in support of the project.

FRANK ELAM, President of the owner's association, 115 N. 7th, was glad to see MR. KITCHEN join the supporters. He noted that the downtown businesses are doing well, such as George's and some of the clubs. By way of hands, MAYOR GOODMAN confirmed that there were seven representatives in attendance who support the project; he expressed appreciation for their attendance. MAYOR GOODMAN also noted that representatives from the Canyon Club were present seeking entitlements for their establishment.

MAYOR GOODMAN declared the Public Hearing closed.



STATE OF NEVADA)
) ss. AFFIDAVIT OF MAILING
CITY OF LAS VEGAS) NOTICE OF HEARING

I, Beverly K. Bridges, do hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn
Acting City Clerk of the City of Las Vegas, Nevada.

2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on February 1, 2007, being at least twenty (20) days prior to the hearing on February 21, 2007, to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department, deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Final Assessment Roll."

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

Further Affiant sayeth naught.


BEVERLY K. BRIDGES, CMC Acting City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this
May 27, 2007.

My commission expires 10-14-08.



(NOTARIAL STAMP)


Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2007 FEB 28 A 11:09

Stacey M Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

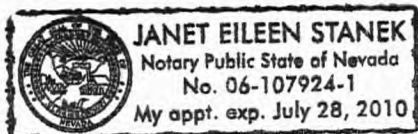
1425446

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 02/05/2007 to 02/19/2007, on the following days:

02/05/2007

02/12/2007

02/19/2007



Signed: _____

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

23rd day of February, 2007.

Janet E. Stanek

Notary Public

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN, that the final assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 17, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1516 Creation Ordinance heretofore adopted (the "Creation Ordinance"). The street to be improved by the improvements is:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The costs to be assessed against the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or Final assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessments against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said 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 Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 21, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 16, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal without interest.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 16, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing 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, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this February 5, 2007.

/s/ Beverly K. Bridges BEVERLY K. BRIDGES, Acting City Clerk
PUB: February 5, 12, 19, 2007 LV Review-Journal

CITY OF LAS VEGAS
****FINAL ASSESSMENT ROLL NO. 2007-2****
SPECIAL IMPROVEMENT DISTRICT 1516
FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET)

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	APN ACRES	TOTAL OWNER ACRES	MARKET VALUE	ESTIMATED MAXIMUM BENEFIT	APN TOTAL	ASSESSMENT TOTAL
139-34-601-002	PARCEL MAP FILE 111 PAGE 66 LOT 1	MELE PONO HOLDING CO 515 S FLORENCE AVE SANDPOINTE ID 83864-1142	0.45	0.45	\$ 3,120,000	\$ 309,254	\$ 7,930	\$ 7,930
139-34-611-002	HAWKINS ADD	EXBER INC	0.15	0.61	\$ 4,800,000	\$ 237,888	\$ 1,762	\$ 7,166
139-34-611-003	PLAT BOOK 1 PAGE 40	107 N 6TH ST 3RD FLOOR	0.14				\$ 1,645	
139-34-611-010	BLOCK 2, LOTS 7-10, 23-26, & VAC ALLEY	LAS VEGAS NV 89101-4239	0.32				\$ 3,759	
139-34-611-004	HAWKINS ADD	HAM ARTEMUS W III	0.23	0.30	\$ 2,080,000	\$ 206,170	\$ 4,053	\$ 5,286
139-34-611-005	PLAT BOOK 1 PAGE 40 BLOCK 2, LOTS 11-14	2008 GRAY EAGLE WY LAS VEGAS NV 89117-5738	0.07				\$ 1,233	
139-34-611-006	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 2, LOT 15	PREMIER TRUST TRS HECHT MARTIN D REVOCABLE TRUST 2700 W SAHARA AVE #300 LAS VEGAS NV 89102-1714	0.08	0.08	\$ 470,000	\$ 46,586	\$ 1,410	\$ 1,410
139-34-611-007	HAWKINS ADD	HAM A W III TRUST	0.15	0.28	\$ 1,790,000	\$ 177,425	\$ 2,643	\$ 4,934
139-34-611-008	PLAT BOOK 1 PAGE 40 BLOCK 2, LOTS 16-18 & PT LOT 19	HAM A W III TRS 2008 GRAY EAGLE WY LAS VEGAS NV 89117-5738	0.13				\$ 2,291	
139-34-611-009	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 2, PT LOT 19 & LOTS 20-22	EXBER INC 107 N 6TH ST 3RD FLOOR LAS VEGAS NV 89101-4239	0.23	0.23	\$ 1,500,000	\$ 148,680	\$ 4,053	\$ 4,053
139-34-611-015	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 3, LOT 7	NATIONWIDE CHECK SERVICE INC 515 FREMONT ST LAS VEGAS NV 89101-5611	0.07	0.07	\$ 470,000	\$ 46,586	\$ 1,233	\$ 1,233

CITY OF LAS VEGAS
****FINAL ASSESSMENT ROLL NO. 2007-2****
SPECIAL IMPROVEMENT DISTRICT 1516
FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET)

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	APN ACRES	TOTAL OWNER ACRES	MARKET VALUE	ESTIMATED MAXIMUM BENEFIT	APN TOTAL	ASSESSMENT TOTAL
139-34-611-016	HAWKINS ADD	T-BREO II L L C	0.14	0.34	\$ 2,360,000	\$ 233,923	\$ 2,467	\$ 5,991
139-34-611-017	PLAT BOOK 1 PAGE 40 BLOCK 3, LOTS 8-12	1 MAIN ST LAS VEGAS NV 89101-6370	0.20				\$ 3,524	
139-34-611-018	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 6, LOTS 1-5, 13-22 & VAC ALLEY	CITY OF LAS VEGAS C/O OFFICE BUSINESS DEV 400 STEWART AVE 2ND FLOOR LAS VEGAS NV 89101-2913	1.24	1.24	\$ 10,780,000	\$ 534,257	\$ 21,850	\$ 21,850
139-34-611-019	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 6, LOTS 6 & 7	STURMAN RICHARD & BEATRICE 114 N 3RD ST LAS VEGAS NV 89101-2926	0.15	0.15	\$ 940,000	\$ 93,173	\$ 2,643	\$ 2,643
139-34-611-020	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 6, LOTS 8-12	EXBER INC 107 N 6TH ST 3RD FLOOR LAS VEGAS NV 89101-4239	0.37	0.37	\$ 2,360,000	\$ 233,923	\$ 6,520	\$ 6,520
139-34-611-021	HAWKINS ADD	PINI DARIO	0.25	1.70	\$ 10,660,000	\$ 704,413	\$ 2,937	\$ 27,548
139-34-611-022	PLAT BOOK 1 PAGE 40	1335 MISSION RIDGE RD	0.16				\$ 1,880	
139-34-612-005	BLOCK 6, LOTS 28-32 & PLAT BOOK 1 PAGE 15 BLOCK 13, LOTS 1-5 & PT SW4 NE4 34 20 61 .39A	SANTA BARBARA CA 93103-2056	1.29				\$ 22,731	
139-34-611-023	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 6, LOTS 26 & 27	RAMIREZ GENEVIEVE S TRUST 4129 ANNIE OAKLEY DR LAS VEGAS NV 89121-6301	0.16	0.16	\$ 1,020,000	\$ 50,551	\$ 1,880	\$ 1,880
139-34-611-024	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 6, LOTS 23-25	SEARS ROBERT M WIEDBUSCH JOAN LYNN C/O H & L REALTY & MGT P O BOX 7440 LAS VEGAS NV 89125-7440	0.25	0.25	\$ 1,520,000	\$ 75,331	\$ 2,937	\$ 2,937

CITY OF LAS VEGAS
****FINAL ASSESSMENT ROLL NO. 2007-2****
SPECIAL IMPROVEMENT DISTRICT 1516
FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET)

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	APN ACRES	TOTAL OWNER ACRES	MARKET VALUE	ESTIMATED MAXIMUM BENEFIT	APN TOTAL	ASSESSMENT TOTAL
139-34-611-051	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 3, LOTS 23-26	MELE PONO HOLDING CO C/O VEGAS VALLEY COMMERCIAL 1023 WHITNEY RANCH DR HENDERSON NV 89014-3073	0.33	0.33	\$ 2,030,000	\$ 100,607	\$ 3,877	\$ 3,877
139-34-611-052	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 3, LOTS 27-30	EDEN L P C/O K GRAVES 1216 S 17TH ST LAS VEGAS NV 89104-1833	0.33	0.33	\$ 2,030,000	\$ 100,607	\$ 3,877	\$ 3,877
139-34-611-053	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 3, LOTS 31 & 32	AT&T COMMUNICATONS NV INC 8545 126TH AVE N P O BOX 2826 LARGO FL 33779-2826	0.16	0.16	\$ 1,020,000	\$ 50,551	\$ 1,880	\$ 1,880
139-34-611-055	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 3, LOTS 13-22	CENTRAL TELEPHONE CO C/O PPTY TAX DEPT P O BOX 7909 OVERLAND PARK, KS 66207-0909	0.78	0.78	\$ 5,600,000	\$ 277,536	\$ 9,163	\$ 9,163
139-34-611-056	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK 2, LOTS 1-6, 27-32 & VAC ALLEY	STREAMLINE TOWER LLC 717 S 8TH ST LAS VEGAS NV 89101-7006	0.97	0.97	\$ 9,490,000	\$ 470,324	\$ 11,395	\$ 11,395
139-34-612-004	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 3, LOTS 1-6, C & PLAT BOOK 1 PAGE 40 BLOCK 7, LOTS 1-17 & VAC ALLEY	EXBER INC 107 N 6TH ST 3RD FLOOR LAS VEGAS NV 89101-4239	2.77	2.77	\$ 36,000,000	\$ 1,784,160	\$ 48,811	\$ 48,811

CITY OF LAS VEGAS
****FINAL ASSESSMENT ROLL NO. 2007-2****
SPECIAL IMPROVEMENT DISTRICT 1516
FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET)

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	APN ACRES	TOTAL OWNER ACRES	MARKET VALUE	ESTIMATED MAXIMUM BENEFIT	APN TOTAL	ASSESSMENT TOTAL
139-34-612-006	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOTS 4-8	SHREE GANESHA INC 700 E FREMONT ST LAS VEGAS NV 89101-5616	0.82	0.82	\$ 5,080,000	\$ 503,530	\$ 14,449	\$ 14,449
139-34-612-007	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOT 3	7TH STREET PROPERTIES L L C C/O F ELAM 2468 PING DR HENDERSON NV 89074-8315	0.16	0.16	\$ 1,020,000	\$ 50,551	\$ 1,880	\$ 1,880
139-34-612-008	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOT 2	FERGUSON FAMILY TRUST FERGUSON PAUL & KATHERINE CO-TRS 2117 SILVER AVE LAS VEGAS NV 89102-2221	0.16	0.16	\$ 1,020,000	\$ 50,551	\$ 1,880	\$ 1,880
139-34-612-009 139-34-612-018	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOTS 1 & 13	DOWNTOWNER 1999 TRUST KOVAK-COHEN 1989 TRUST 129 N 8TH ST LAS VEGAS NV 89101-4207	0.15 0.17	0.32	\$ 2,030,000	\$ 100,607 \$ 1,997	\$ 1,762 \$ 1,997	\$ 3,759
139-34-612-017	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOTS 14-16	PINJUV MATTHEW ETAL 2908 SARINA AVE HENDERSON NV 89074-2848	0.50	0.50	\$ 3,050,000	\$ 151,158	\$ 5,874	\$ 5,874
139-34-612-019	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 12, LOTS 9-12	750 FREMONT L L C 770 N. LASALLE ST #414 CHICAGO IL 60610-3740	0.70	0.70	\$ 5,600,000	\$ 277,536	\$ 12,335	\$ 12,335
139-34-612-084	BUCKS SUB PLAT BOOK 1 PAGE 15 BLOCK 13, LOTS 6 & 7-13	MARTINEZ DAN & STEPHANY C/O J MARTINEZ 1729 WANDERING WINDS WY LAS VEGAS NV 89128-7978	1.39	1.39	\$ 11,200,000	\$ 555,072	\$ 24,493	\$ 24,493
REPORT TOTALS			15.62	15.62			\$ 245,052	\$ 245,052

DATE: 1/17/07

PAGE 5

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN, that the final assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 17, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1516 Creation Ordinance heretofore adopted (the "Creation Ordinance"). The street to be improved by the improvements is:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or Final assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessments against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said 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 Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 21, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City

Clerk, on or before Friday, February 16, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal without interest.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 16, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing 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, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 17, 2007.



BARBARA JO RONEMUS, City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-70 – Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney

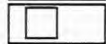
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The boundaries of the City's Pedestrian Mall are described by ordinance. This bill will amend the description of the Pedestrian Mall to reflect certain street vacation actions that have taken place.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting as a First Amendment pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

1. Bill No. 2006-70 – First Amendment
2. Business Impact Statement

Motion made by LOIS TARKANIAN to Approve as a First Amendment

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as a First Amendment as Ordinance No. 5876. City Clerk to proceed with second publication.

1 FIRST AMENDMENT

2 BILL NO. 2006-70

3 ORDINANCE NO. _____

4 AN ORDINANCE TO AMEND THE LEGAL DESCRIPTION AND MAP DESCRIBING AND
5 DEPICTING THE BOUNDARIES OF THE PEDESTRIAN MALL TO REFLECT CERTAIN
STREET VACATION ACTIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends the legal description and
map describing and depicting the boundaries of
the Pedestrian Mall to reflect certain street
vacation actions.

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

11 SECTION 1: The legal description and the boundaries of the area constituting and
12 comprising the Pedestrian Mall, as described in Chapters 11.68 and 11.68A of the Municipal Code
13 of the City of Las Vegas, Nevada, 1983 Edition, are as set forth respectively in Exhibits A and B,
14 which are attached to and incorporated into this Ordinance.

15 SECTION 2: Title 11, Chapter 68, Section 40, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **11.68.040:** (A) The following area constituting and comprising the Pedestrian Mall is legally
18 described in Exhibit A attached to Ordinance No. [3941,] _____, which is codified in this Chapter
19 and adopted herein as a part of this Chapter.

20 (B) The area legally described in Subsection (A) of this Section is indicated on the
21 map attached as Exhibit B to Ordinance No. [3941,] _____, which is codified in this Chapter and
22 adopted herein as a part of this Chapter.

23 SECTION 3: Title 11, Chapter 68A, Section 40, of the Municipal Code of the City
24 of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **11.68A.040:** (A) The following area constituting and comprising the Pedestrian Mall is legally
26 described in Exhibit A attached to Ordinance No. [5046,] _____, which is codified in this Chapter
27 and adopted herein as a part of this Chapter.

28 (B) The area legally described in Subsection (A) of this Section is indicated on the

1 map attached as Exhibit B to Ordinance No. [5046,] _____, which is codified in this Chapter
2 and adopted herein as a part of this Chapter.

3 SECTION 4: Following the adoption of this Ordinance, the City Clerk is authorized
4 and directed to insert into the blanks appearing in Sections 2 and 3 of this Ordinance the ordinance
5 number that has been assigned to this Ordinance.

6 SECTION 5: Any reference in the Las Vegas Municipal Code to Ordinance Nos.
7 3941 and 5046 as sources of the description of the boundaries of the Pedestrian Mall shall be
8 deemed to refer to the description contained in this Ordinance, and the codifier is authorized and
9 directed to substitute the number of this Ordinance for any such reference.

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

18 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
19 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
20 1983 Edition, in conflict herewith are hereby repealed.

21 PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

22 APPROVED:

23
24 By _____
OSCAR B. GOODMAN, Mayor

25 ATTEST:

26 BARBARA JO RONEMUS, City Clerk

27 APPROVED AS TO FORM:

28 Val Hied 1-4-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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 amended 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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EXHIBIT "A"
FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE
A.P.N. 139-34-199-, 299, 599- & 699- (020-400- & 020-410-)

Those portions of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the city of Las Vegas, County of Clark, State of Nevada, being those portions of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Right-of-Way of FREMONT STREET (80 feet wide) from the Southeasterly Right-of-Way line of MAIN STREET (80 feet wide) to the Northwesterly Right-of-Way line of LAS VEGAS BOULEVARD (formerly FIFTH STREET, 80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE.

The Right-of-Way of FIRST STREET (80 feet wide) from a line that is parallel with and distant approximately 130 feet Southwesterly from the Southwesterly Right-of-Way line of OGDEN AVENUE (80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE to a line that is parallel with and distant 40 feet Northeasterly from the centerline of the PEDESTRIAN MALL (formerly FREMONT STREET 80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE.

EXCEPT THEREFROM that portion of the FIRST STREET cul-de-sac, lying Northeasterly of said PEDESTRIAN MALL, the cul-de-sac exception will include the curb, gutter and street paving only as existing until such time that new curb, gutter and street paving is constructed in the future.

The Right-of-Way of CASINO CENTER BOULEVARD (formerly SECOND STREET, 80 feet wide) from a line that is parallel with and distant 170 feet Northeasterly from the centerline of the PEDESTRIAN MALL (formerly FREMONT STREET 80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE to a line that is parallel with and distant 170 feet Southwesterly from said centerline of the PEDESTRIAN MALL.

The Right-of-Way of THIRD STREET (80 feet wide) from the Southwesterly Right-of-Way line of OGDEN AVENUE (80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE to a line that is parallel with and distant 170 feet Southwesterly from the centerline of the PEDESTRIAN MALL (formerly FREMONT STREET 80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE.

EXHIBIT "A"
FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE
A.P.N. 139-34-199-, 299, 599- & 699- (020-400- & 020-410-)

Together with that portion of said THIRD STREET from said Southwesterly Right-of-Way line of OGDEN AVENUE to the existing Southwesterly back of curb of said OGDEN AVENUE, said existing back of curb lying 9.5 feet, more or less, Northeasterly from said Southwesterly Right-of-Way line.

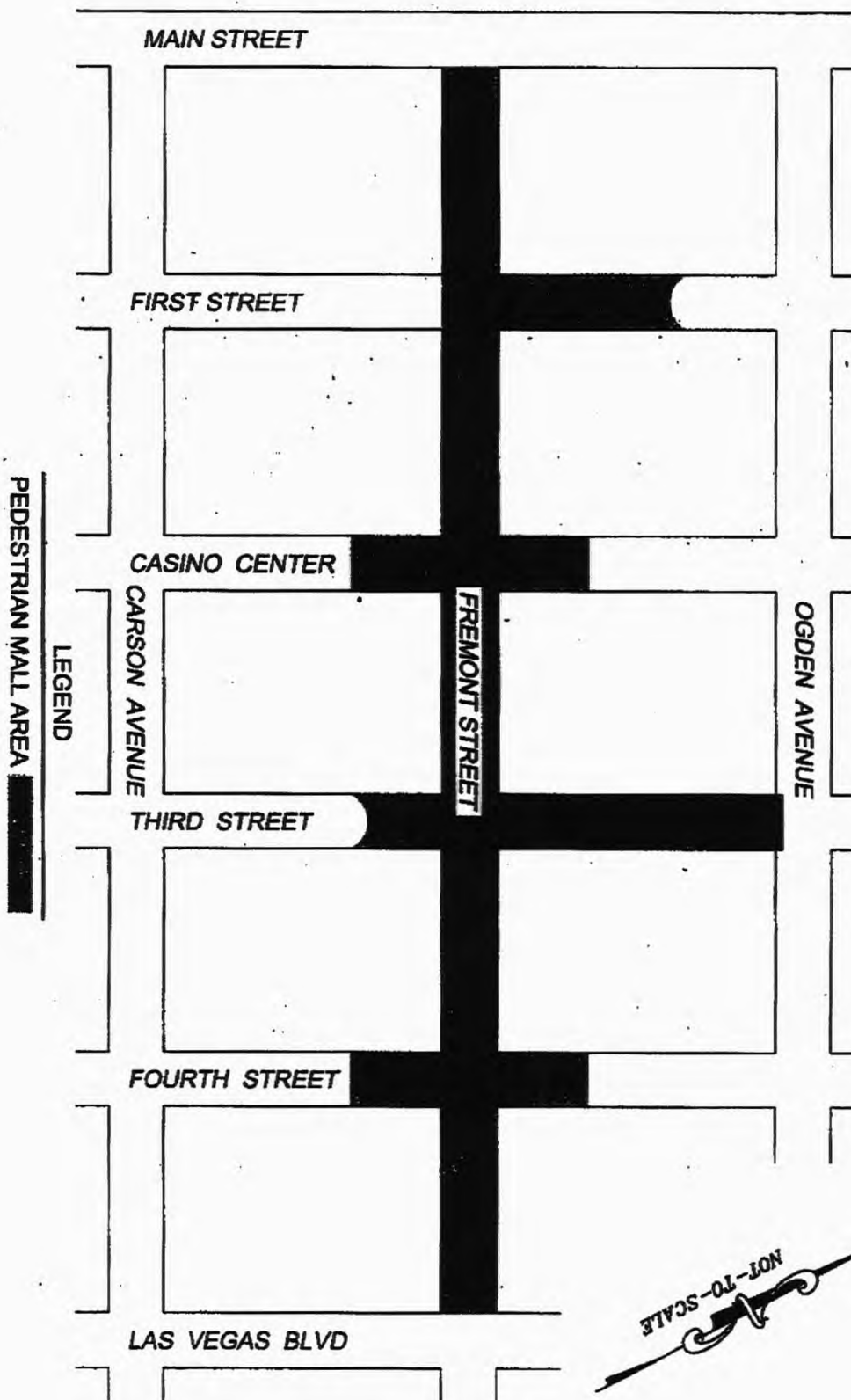
EXCEPT THEREFROM that portion of the THIRD STREET cul-de-sac, constructed Southwesterly of said PEDESTRIAN MALL, the cul-de-sac exception will include the curb, gutter and street paving only.

The Right-of-Way of FOURTH STREET (80 feet wide) from a line that is parallel with and distant 170 feet Northeasterly from the centerline of the PEDESTRIAN MALL (formerly FREMONT STREET, 80 feet wide) as shown on said plat of CLARK'S LAS VEGAS TOWNSITE to a line that is parallel with and distant 170 feet Southwesterly from said centerline of the PEDESTRIAN MALL.

RESERVING UNTO THE CITY OF LAS VEGAS all City owned utilities located within the above described Rights-of-Way, together with the rights of ingress and egress to maintain all existing City owned utility systems and the rights to add to, remove, repair or replace any City owned utility system.

City owned utility systems are to include but are not limited to: fire alarm, sewer, street light and traffic control systems.

FREMONT STREET EXPERIENCE PEDESTRIAN MALL



BUSINESS IMPACT STATEMENT

BILL NO. 2006-70

(Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2006-70, that will amend the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions.

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

Not applicable

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

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

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

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

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

Not applicable

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

Not applicable

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

Not applicable

Date: December 6, 2006

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-71 – Adopts provisions regarding the use of public streets for motorized racing events. Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Last July the City Council approved an agreement with Vegas Grand Prix, LLC, to allow a Champ Car World Series road race to be held on City streets in the downtown area. This bill will establish the process and guidelines for the issuance of an appropriate permit to authorize and govern the event.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

1. Bill No. 2006-71
2. Business Impact Statement

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5877. City Clerk to proceed with second publication.

CITY COUNCIL MEETING OF: JANUARY 17, 2007

TOM McGOWAN, Las Vegas resident, requested the bus routes map to accommodate the residents during the race.

ANTHONY HODGES, 123 Sir David Way, expressed full support of this matter, noting that racing is a great sport for people of all ages, especially for children and families.



1 **BILL NO. 2006-71**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE TO ADOPT PROVISIONS REGARDING THE USE OF PUBLIC STREETS**
4 **FOR MOTORIZED RACING EVENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.**

5 Sponsored by:
6 Councilman Gary Reese
7 Councilman Lawrence Weekly

Summary: Adopts provisions regarding the use
of public streets for motorized racing events.

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

10 **SECTION 1:** Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983
11 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 57, consisting of
12 Sections 10 and 20, reading as follows:

13 **11.57.010:** For purposes of this Chapter:

14 "Metro" means the Las Vegas Metropolitan Police Department.

15 "Motorized racing event" mean a race involving motorized vehicles that is held:

16 (1) Pursuant to a written agreement between the sponsor or promoter and the City;

17 and

18 (2) Under the auspices or with the approval of a statewide, national or international
19 organization that regularly engages in the governance, supervision or sanctioning of such events.

20 **11.57.020:** (A) In order to stage a motorized racing event on any public street within the City,
21 the applicant must first obtain a permit approved by Metro and the City Manager. The application for
22 a permit must be filed at least sixty days prior to the date scheduled for the racing event.

23 (B) At the time an application for a permit is submitted pursuant to Subsection (A),
24 the applicant must submit a traffic control plan to Metro and to the City Traffic Engineer. The traffic
25 control plan shall describe the proposed placement of any temporary barricades, temporary traffic
26 signs or similar traffic control devices. The approval of a permit shall be contingent on:

27 (1) The approval of the traffic control plan by Metro and the City Traffic
28 Engineer;

(2) The provision of liability insurance in accordance with LVMC

1 11.56.030, subject to the minimum policy limits listed therein or such higher limits as Metro and the
2 City may require; and

3 (3) Compliance with any special requirements imposed by Metro, the City
4 Manager or the City Traffic Engineer.

5 (C) The City may close public streets in connection with the staging of a motorized
6 racing event for which a permit has been approved under this Section. Such action may take the form
7 of a resolution adopted by the City Council, or the Council may delegate to the City Traffic Engineer
8 the authority to close such streets by means of a street closure order.

9 (D) In connection with a motorized racing event for which a permit has been
10 approved and streets have been closed pursuant to this Section, certain provisions of City ordinances
11 and the Municipal Code which otherwise would prohibit, or be violated by, the motorized racing event
12 shall be deemed suspended for the period of time specified in the street closure resolution or order.
13 The suspension shall include the following regulations, as well as any others specified in the resolution
14 or order:

15 (1) Any traffic regulations set forth in LVMC Title 11 that would prohibit
16 or unduly interfere with conducting the event.

17 (2) Any noise regulations set forth in LVMC Chapter 9.16 that would
18 prohibit or limit the noise emanating from the vehicles participating in the event.

19 (3) Any fueling regulations set forth in the Fire Code adopted pursuant to
20 LVMC Chapter 16.16 that would prohibit the outdoor fueling activities, including the storage and
21 dispensing of methanol and other fuels at the racing track, paddock area, pit row or any other fueling
22 site required for the racing event, provided that event participants and sponsors have complied with
23 the conditions and requirements imposed by the Fire Chief for the safety of spectators, event
24 participants and owners of neighboring properties.

25 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
26 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
27 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
28 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

9 APPROVED:

10
11 By _____
12 OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 BARBARA JO RONEMUS, City Clerk

15 APPROVED AS TO FORM:

16
17 Val Steed 12-7-06
18 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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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BARBARA JO RONEMUS, City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2006-71

(Adopts provisions regarding the use of public streets for motorized racing events)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2006-71, that will adopt provisions regarding the use of public streets for motorized racing events.

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

The ordinance itself will not affect any identifiable businesses or types of businesses in particular. The immediate purpose of the ordinance is to facilitate motorized racing events that will occur in the downtown area. Discussions have been had with a number of businesses who might be affected about the potential impacts of the racing events themselves

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

Adverse effects:

The ordinance is not anticipated to produce any adverse effects. Any such effects would be the result of the events themselves

Beneficial effects:

The ordinance is not anticipated to produce any beneficial effects. Any such effects would be result of the events themselves

Direct effects:

The ordinance is not anticipated to produce any adverse effects. Any such effects would be the result of the events themselves

Indirect effects:

The ordinance is not anticipated to produce any adverse effects. Any such effects would be the result of the events themselves

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

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

Any costs of enforcement will be tied to the events themselves and will be the responsibility of those staging the events

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

Not applicable

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

Not applicable

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

Not applicable

Date: December 6, 2006

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-72 – Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety

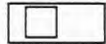
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt the 2005 Edition of the National Electrical Code, together with amendments agreed upon by local governments within the Southern Nevada area.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting as a First Amendment pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-72 - First Amendment

Motion made by LOIS TARKANIAN to Approve as a First Amendment

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as a First Amendment as Ordinance No. 5878. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

FIRST AMENDMENT

BILL NO. 2006-72

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THE 2005 EDITION OF THE NATIONAL ELECTRICAL CODE, TOGETHER WITH AMENDMENTS AND SUPPLEMENTARY MATERIAL, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 16, Chapter 12, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16.12.010: Those certain documents, three copies of which are on file in the Office of the City Clerk, and being marked and designated as follows, are adopted by reference as and for the City's Electrical Code:

(A) National Electrical Code, [2002] 2005 Edition, hereby designated as Part 1 of this Chapter;

(B) A document entitled "A Supplemental Document Amending the National Electrical Code, [2002] 2005 Edition," deleting from and adding to the National Electrical Code, [2002] 2005 Edition, hereby designated as Part 2 of this Chapter; and

(C) The Southern Nevada Amendments to the [2002] 2005 National Electrical Code, hereby designated as Part 3 of this Chapter.

SECTION 2: The document entitled the "Southern Nevada Amendments to the 2005 National Electrical Code," which is attached hereto, is modified as set forth in Section 3 of this Ordinance.

SECTION 3: Where necessary for the sake of consistency, references in the Southern Nevada Amendments to the 2005 National Electrical Code to "Article" numbers shall be deemed to refer to "Section" numbers as contemplated in the National Electrical Code.

SECTION 4: The National Electrical Code, 2002 Edition, the supplemental document

1 amending that edition, and the Southern Nevada Amendments to the 2002 National Electrical Code,
2 are hereby repealed in their entirety.

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

11 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

15 APPROVED:

16
17 By _____
OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 BARBARA JO RONEMUS, City Clerk

20 APPROVED AS TO FORM:

21 Val Steed 1-3-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2006, 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 ____, 2007, 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 amended 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

16 ATTEST:

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18 BARBARA JO RONEMUS, City Clerk

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Southern Nevada Amendments

To The

2005

National Electrical Code

Published: October 12, 2006

Clark County 4701 W. Russell Road Las Vegas, NV 89118 (702) 455-3030 Inspections: 455-8040	City of Las Vegas 731 S. 4 th Street Las Vegas, NV 89101 (702) 229-6251 Inspections: 229-2071
Boulder City 401 California Ave. Boulder City, NV 89005 (702) 293-9282	City of Mesquite 10 East Mesquite Blvd. Mesquite, NV 89027 (702) 346-2835
North Las Vegas 2240 Civic Center Drive North Las Vegas, NV 89030 (702) 633-1577 Inspections: 633-1576	City of Henderson 240 Water Street Henderson, NV 89015 (702) 267-3600 Inspections: 267-3900
Pahrump Regional Planning District 1210 E. Basin Suite 1 Pahrump, NV 89060 (775) 751-3773	

Preface

This document comprises the Southern Nevada Amendments to the 2005 National Electrical Code as published by the National Fire Protection Association. It was developed by the jurisdictions listed on the cover page 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 alternate has been approved and its use authorized by the Building Official (Authority Having Jurisdiction). This document is available to be adopted as code by any jurisdiction without permission or approval from the jurisdictions listed.

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Article 100

100 Definitions.

Add a new Definition to Article 100 to read:

Bedroom. A room or area which may be used for sleeping with clothes storage, provisions for privacy and meeting Building Code requirements for emergency escape and rescue.

Chapter 1 General

110.12 Mechanical Execution of Work.

Add a new Sentence to the end of 110.12 to read as follows:

Every contractor shall provide qualified supervision while performing electrical installations. To meet this requirement, the individual leading or directing the installation shall have a current approved Clark County Journeyman electrical certification.

Add a new Subsection (D) to Article 110.12 to read as follows:

(D) Abandoned Conductors and Cables. No electrical conductors or cables shall be abandoned in place. Such conductors or cables shall be removed from the building or structure back to the panelboard unless otherwise approved by the Building Official or designated representative based upon consideration of safety and combustibility.

Add a new Subsection (E) to Article 110.12 to read as follows:

(E) Old, Used or Damaged Material and Equipment. Old, used or damaged materials or equipment shall not be installed or used in any work without the prior approval of the Building Official or designated representative.

110.26 Spaces About Electrical Equipment

Add a new Sentence to the end of 110.26(C)(2) to read as follows:

When more than one entrance is required by this section both entrances shall open to the exterior of the building or into an approved means of egress that is not under the control of an individual tenant.

110.33 Entrance and Access to Work Space

Add a new Sentence to the end of 110.33(A)(1) to read as follows:

When more than one entrance is required by this section both entrances shall open to the exterior of the building or into an approved means of egress that is not under the control of an individual tenant.

Chapter 2 Wiring and Protection

210.8 Ground-Fault Circuit-Interrupter Protection for Personnel.

The introductory language of Section 210.8(B), following the heading and ending with the colon, is amended to read as follows:

All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified in (1) through (6) shall have ground fault circuit-interruptor protection for personnel:

Add a new Subsection (6) to Section 210.8(B) to read as follows:

(6) Commercial Bars — Where the receptacles are installed to serve the countertop surfaces

Add a new Subsection (D) to Article 210.8 to read as follows:

(D) All Occupancies.

- (1) All 125-volt, single-phase, 15-and 20-ampere receptacles installed within 1.8 m (6 ft) of sinks or basins shall have ground-fault circuit-interrupter protection for personnel.
- (2) All luminaires (lighting fixtures) permitted to be installed within the zone defined in Article 410.4(D) shall be ground-fault circuit-interrupter protected.

210.23 Permissible Loads.

Add a new Subsection (E) to Article 210.23 to read as follows:

(E) Dwelling Branch Circuits.

- (1) **Maximum Number.** The maximum number of outlets on a 15-ampere, 125-volt (nominal) lighting fixture circuit shall be twelve (12) and shall not contain general purpose outlets.

Exception No 1: Dedicated branch circuits feeding only IC rated recessed fixtures may use Article 220.14(D) for maximum number of lighting outlets.

Exception No 2: In branch circuits serving smoke detectors the smoke detectors outlets need not be counted with the other lighting outlets

- (2) **Maximum Number.** The maximum number of outlets on a 20-ampere, 125-volt (nominal) circuit used either exclusively for receptacles, for lighting outlets or for any combination of receptacles and lighting outlets shall be twelve (12).

Exception No 1: Dedicated branch circuits feeding only IC rated recessed fixtures may use Article 220.14(D) for maximum number of lighting outlets.

Exception No 2: In branch circuits serving smoke detectors the smoke detectors outlets need not be counted with the other lighting outlets.

- (3) **Counter Receptacles.** No more than five (5) duplex receptacle outlets serving the required counter top receptacles shall be installed on any small appliance branch circuit.

Exception: Receptacles installed to provide power for electric ignition systems or clock timers for gas-fired ranges, ovens or counter-mounted cooking units.

- (4) **Individual Branch Circuits.** The following fastened-in-place appliances are required to have a separate minimum 20-ampere circuit: dishwasher, trash compactor, microwave oven, and hydromassage bathtub. The required laundry circuit may serve one (1) additional outlet in the laundry area.

210.52 Dwelling Unit Receptacle Outlets.

Add a new sentence to the end of Subsection 210.52(A)(2) (2) to read as follows:

Where panels consist of multiple sliding panels only the first panel in each direction may be excluded.

Add a new sentence to the end of Subsection 210.52(A)(2) (3) to read as follows:

Where room dividers consist of multiple moving panels only the first moving panel in each direction may be excluded as a wall space.

Delete the exception to 210.52(C)(1) and Figure 210.52:

Add a new statement to the end of Subsection 210.52(C)(2) to read as follows:

This outlet shall serve the first 1.22 m (4 ft) of counter space, measured horizontally, in the long dimension. An additional outlet shall be required to serve each additional 1.22 m (4 ft) or fraction thereof, of counter space in the long dimension.

Add a new statement to the end of Subsection 210.52(C)(3) to read as follows:

This outlet shall serve the first 1.22 m (4 ft) of counter space, measured horizontally, in the long dimension. An additional outlet shall be required to serve each additional 1.22 m (4 ft) or fraction thereof, of counter space in the long dimension.

Add a new Exception No. 3 to Subsection 210.52(F) to read as follows:

Exception No. 3: In structures more than four (4) stories in height where the configuration of a laundry area is such that only an electrically heated stackable type washer/dryer unit utilizing 208 volt or 240 volt power can be accommodated, the receptacle may be considered as meeting the laundry circuit requirement.

Add a new Subsection (I) to Article 210.52 to read as follows:

(I) Stairwell Landings. Stairwell landings, which are 3.66 m (12 ft) or more from a receptacle outlet, shall have at least one receptacle.

210.62 Show Windows.

Add a new statement to the end of 210.62 to read as follows:

The receptacle outlet shall be located within 450mm (18 inches) of the top of the show window. Show windows that exceed 3.0 m (10 feet) in height shall require a receptacle at the first available structural member above the height of 3.0 m (10 feet) measured from the floor.

210.70 Lighting Outlets Required.

Add a new statement to the end of Article 210.70(A)(1), but before the exceptions, to read as follows:

Unless prohibited by structural design a wall switch shall be located within 1.8 m (6 ft) of the point of entry, and shall not be located behind an active door in the fully open position.

Add a new statement to the end of Article 210.70(A)(2)(a) to read as follows:

Hallways of 3.0 m (10 ft) or more in length shall have wall switches at every end. There shall be a wall switch within 1.8 m (6 ft) of each bedroom door unless prohibited by structural design.

Add a new statement to the end of 210.70(A)(2)(b) to read as follows:

At least one wall switch that controls an interior lighting outlet shall be located at each keyed exterior entry. This switch shall be located within 1.8 m (6 ft) of the latching jamb side, unless prohibited by structural design, and not behind an active door in the fully open position.

Add a new Subsection (A)(4) to Article 210.70 to read as follows:

- (4) **Closet.** All walk-in closets or storage areas of 1.86 sq. m (20 square feet) or more in floor area shall contain a light fixture controlled by a wall switch.

Add a new Subsection (D) to Article 210.70 to read as follows:

- (D) **Mini Storage.** All mini storage units shall have illumination as required in the Building Code for egress illumination.

220.5 Calculations.

Add a new Subsection (C) to Article 220.5 to read as follows:

- 220.5 (C) Calculated Loads.** The calculated load of a new single family dwelling service shall allow a minimum of 4800 volt-amperes for future expansion. These 4800 volt-amperes shall be added to the total net computed load.

220.84 Optional Calculations – Multifamily Dwelling.

Delete 220.84(C)(5) and add a new Subsection (D) to read as follows:

- (D) **Heating and Air Conditioning Load.** The largest of the following six selections (load in kVA) shall be included:

- (1) 100 percent of the nameplate rating(s) of the air conditioning and cooling.
- (2) 100 percent of the nameplate rating(s) of the heating when a heat pump is used without any supplemental electric heating.
- (3) 100 percent of the nameplate ratings of electric thermal storage and other heating systems where the usual load is expected to be continuous at the full nameplate value. Systems qualifying under this selection shall not be calculated under any other selection in 220.84(D).
- (4) 100 percent of the nameplate rating(s) of the heat pump compressor and 65 percent of the supplemental electric heating for central electric space heating systems. If the heat pump compressor is prevented from operating at the same time as the supplementary heat, it does not need to be added to the supplementary heat for the total central space heating load.
- (5) 65 percent of the nameplate rating(s) of electric space heating if less than four separately controlled units.
- (6) 40 percent of the nameplate rating(s) of electric space heating if four or more separately controlled units.

225.32 Location.

Delete Article 225.32 and add a new Article 225.32 to read as follows:

- 225.32 Location.** The disconnecting means shall be installed as described in 230.70 of these amendments. For the purposes of this section the requirements in 230.6 shall be utilized.

Exception No. 5: For accessory buildings to one and two-family dwellings the disconnecting means may be installed either inside or on the exterior of the accessory structure.

230.11 Location of Customer Owned Service Lateral or Drop.

Add a new Article 230.11 to read as follows:

230.11 Location of Customer Owned Service Lateral or Drop. All conductors shall traverse only the property to be served except through recorded power easements.

230.70 General.

Delete Article 230.70 and add a new Article 230.70 to read as follows:

230.70 General. Means shall be provided to disconnect all ungrounded service entrance conductors to a building or structure.

(A) Location. The service disconnecting means shall be installed in accordance with 230.70(A)(1), (2), (3), (4) and (5).

- (1) **Exterior of the Building.** The service disconnecting means shall be installed in a readily accessible exterior location and within 3.7 m (12 ft.) of the building or structure. Where the distance is greater than 3.7 m (12 ft.) from the building or structure the service disconnecting means shall be considered as a separate structure.

Exception No1: A fire pump and its associated electrical equipment.

- (2) **Electrical Equipment Room.** The service disconnecting means may be installed within a dedicated electrical equipment room with a readily accessible direct access on the exterior of a building or structure. Such rooms shall be separated from all other rooms or spaces within the building by a minimum of one (1) hour fire resistive construction and shall have approved Fire Department access.

FPN: A recessed 3200 series Knox Box may serve as the approved Fire Department access in some jurisdictions.

- (3) **Bathrooms.** Service disconnecting means shall not be installed in bathrooms.
- (4) **Remote Control.** Where a remote control device(s), required by another code such as in a fire command center, is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with 230.70(A)(1) or (2).
- (5) **Emergency Systems, Information Technology Equipment and Uninterruptible Power Supplies (UPS).** Emergency Systems driven by prime movers and UPS Systems shall have separate disconnecting means with separate identification. Information Technology Equipment rooms complying with Article 645.2 shall be permitted to have their disconnecting means installed per article 645.10 and 645.11 if identified at the same location as the "Service Disconnect."

(B) Marking. Each service disconnecting means shall be marked with a sign(s). When located in an dedicated electrical room the exterior door(s) providing access to the disconnecting means located in a dedicated electrical room shall be permanently marked with a sign(s). Each sign shall be a minimum 0.093sq.m (1 sq. foot), colored yellow with 25.4mm (1 inch) high, 6.35 mm (¼ inch) stroke raised or engraved letters and/or numbers indicating the address or unit it serves and be identified as the "Electrical Service Disconnect(s)" and/or "Electrical Service Disconnect(s) Inside." Emergency Systems disconnects shall be permanently marked with sign(s), identified as "Emergency Electrical Disconnect(s)" and/or "Main Emergency Electrical Disconnect(s) Inside." When the service disconnecting means is located inside a dedicated electrical room and it is not the first service disconnect encountered or there are multiple service disconnects there shall be a directional 75mm (3inch) wide painted yellow stripe on the floor from the entry door(s) to each service disconnect. Other durable means of identification may be used with prior approval by The Authority Having Jurisdiction.

Exception: One and two family dwelling units and their associated accessory structures.

(C) **Suitable for Use.** Each service disconnecting means shall be suitable for the prevailing conditions. Service equipment installed in hazardous (classified) locations shall comply with the requirements of Articles 500 through 517.

240.6 Standard Ampere Ratings.

Delete "not meeting the requirements of 240.6(C)," from Subsection (B) of Article 240.6.

Delete Subsection (C) from Article 240.6.

250.32 Building or Structures Supplied by Feeder(s) or Branch Circuit(s).

Add a new statement at the end of Article 250.32 to read as follows:

For the purposes of this section all residential buildings or structures not joined by a continuous concrete foundation or footing and roof shall be considered as separate buildings or structures.

250.50 Grounding Electrode System.

Add a new sentence at the end the first paragraph of Article 250.50 to read as follows:

The concrete-encased electrode described in Article 250.52(A)(3) shall be required for new buildings and structures that are supplied with electrical power and have concrete foundations or footings.

250.52 Grounding Electrodes.

Delete Subsections (A)(5) and (A)(6) of Article 250.52 and add a new Subsection (A)(5) to read as follows:

- (5) **Rod Electrodes.** Rod electrodes shall not be less than 2.44 m (8 ft) in length and shall consist of the following materials and shall be installed according to Article 250.53 (G). Electrodes shall be copper clad or their equivalent and shall not be less than 15.875 mm (5/8 inch) in diameter, or listed non-ferrous rods or their equivalent and not less than 12.7 mm (inch) in diameter.

250.53 Grounding Electrode System Installation.

Delete ", Pipe and Plate" from the title and both sentences in Subsection (A) of Article 250.53 and from Subsection (D)(2).

Delete "or (A)(6)" from the first sentence in Subsection (B) of Article 250.53.

Delete "and Pipe" from the title of Subsection (G) of Article 250.53.

Delete Subsection (H) of 250.53

250.56 Resistance of Rod, Pipe, and Plate Electrodes

Delete "Pipe, and Plate" from the title and in both sentences in Article 250.56.

250.118 Types of Equipment Grounding Conductors.

Delete Subsection (5), (6) and (8) of Article 250.118.

250.120 Equipment Grounding Conductor Installation.

Add a new Subsection (D) to Article 250.120 to read as follows:

(D) Equipment Grounding Conductor. All raceways installed on roofs with a slope less than 102 mm per 306 mm (4 inches per 12 inches) shall contain an equipment grounding conductor sized per Table 250.122 installed with the circuit conductors.

Exception No. 1: Low voltage, communication and similar type systems unless required elsewhere in the Code.

Exception No. 2: As permitted by Article 250.86 for short sections of metal enclosures or raceways.

Chapter 3 Wiring Methods and Materials

300.1 Scope.

Add a new Subsection (D) to Article 300.1 to read as follows:

(D) Wiring of Buildings.

- (1) Wiring installed in the construction of buildings and structures shall be contained in a raceway or cable tray system.

Exception No. 1: AC cable, MC cable and MI cable. Articles 320, 330, and 332 respectively.

Exception No. 2: Special alarm sensing cable.

Exception No. 3: Where NM, NMC or NMS cable is permitted by this code. Article 334.

Exception No. 4: Low voltage wiring when installed exposed on walls and ceilings. Limited to Articles 725, 760, 770, 800, 810, 820 and 830.

Exception No. 5: Any listed under-carpet system. Article 324.

Exception No. 6: Per Article 645.

Exception No. 7: Listed Neon Cable Assemblies providing the equivalent mechanical protection of Liquid Tight Flexible Conduit.

- (2) Raceway systems for buildings and structures of Type I or Type II A construction as defined in the Building Code shall be of metallic non-combustible materials and cable trays shall be of the fully enclosed type.

Exception No. 1: Non-metallic raceways encased in concrete, or masonry, or underground or solid grouted building components that are in compliance with the Building Code.

Exception No. 2: Liquid-tight flexible conduit in lengths of 1.8 m (6 ft) or less which comply with NEC Articles 350 and 356.

310.5 Minimum Size of Conductors.

Add a new sentence to Article 310.5 to read as follows:

Aluminum and copper clad aluminum conductors smaller than No. 6 AWG shall not be used.

314.24 Depth of Outlet Boxes.

Add the following to the end of Article 314.24 to read as follows:

All outlet, switch or junction boxes less than 200 mm (8 inches) in any dimension, shall have no more than any combination of two extension boxes and/or plaster rings.

Exception: Listed unit(s) or assembly(s).

334.10 Uses Permitted.

Delete Subsection (3) of Article 334.10 and add a new Subsection (3) to read as follows:

- (3) Group R-1, R-2, R-3 and R-4 occupancies permitted to be Types III, IV, and V construction as defined in the Building Code and in buildings with accessory uses, such as: pool houses, recreation buildings, guard houses, garages, laundry rooms and offices except as prohibited in Article 334.12.

Conversions from R-3 to B occupancy as defined by the Building Code, Type NM and NMC cables may remain, provided the equipment grounding conductors are sized in accordance with Table 250.122 and are installed in accordance with this Code, or meet the requirements of Article 406.3(D).

334.12 Uses Not Permitted.

Add a new Subsection (11) to Article 334.12(A) to read as follows:

- (11) In Type I or Type II construction as defined in the Building Code.

352.10 Uses Permitted.

Add a new Subsection (I) to Article 352.10 to read as follows:

- (I) **Exposed to Direct Sunlight.** Rigid non-metallic conduit shall be a minimum Schedule 80 and identified for such use.

358.12 Uses Not Permitted.

Add new Subsections (7), (8) and (9) to Article 358.12, before the exception, to read as follows:

- (7) In concrete or masonry in contact with earth.
(8) Underground.
(9) In earth fills.

Chapter 4 Equipment for General Use

408.35 Number of Overcurrent Devices on One Panelboard.

Add the following paragraph to the end of Article 408.35 to read as follows:

Each panelboard or load center installed in a new one or two-family dwelling shall have a capacity for a minimum of two (2) additional full-size single pole overcurrent devices on adjacent opposite poles for expansion. All available overcurrent device spaces shall comply with Article 404.8(A).

410.4 Fixtures in Specific Locations.

Add the following sentence to the end of Subsection (D) of Article 410.4 to read as follows:

All luminaires (lighting fixtures) permitted to be installed in this zone shall be ground-fault circuit-interrupter protected.

Chapter 5 Special Occupancies

514.11 Circuit Disconnects.

Add the following to the end of Subsection (A) of Article 514.11 to read as follows:

The switch shall be a momentary contact type. The disconnect station sign shall be 0.093 sq. m (1 ft square), colored yellow and have black, 25.4 mm (1 inch) high, 6.35 mm (¼ inch) stroke permanent lettering describing it as "Emergency Pump Shutoff."

Delete Subsection (B) in its entirety.

Delete the words "Unattended Self-Service" from the title of Subsection (C).

550.30 Distribution System.

Add the following to the end of Article 550.30 to read as follows:

Electrical service to all mobile home parks and to all lots (sites, spaces, etc.) in mobile home parks, shall be provided by the franchised serving utility unless approved otherwise by the Building Official or designated representative.

590.2 All Wiring Installations.

Add the following to the end of Subsection (A) of Article 590.2 to read as follows:

Temporary power receptacle outlets installed in wet locations shall be permitted to have an enclosure that is weatherproof when the attachment plug is removed.

Chapter 6 Special Equipment

600.9 Location.

Add a new sentence to the end of (B) to read as follows:

(B) All electrical wiring and neon tubing shall be completely enclosed within an approved material or barrier to prevent physical contact up to a height of 2.44 m (8 ft) above finished grade or floor level.

680.26 Equipotential Bonding.

Delete Section 680.26(C) and add a new Section 680.26(C) to read as follows:

(C) Equipotential Bonding Grid. The parts specified in 680.26(B) shall be connected to an equipotential bonding grid with a solid copper conductor, insulated, covered, or bare, not smaller than 8 AWG or rigid metal conduit of brass or other identified corrosion-resistant metal conduit. Connection shall be made by exothermic welding or by listed pressure connectors or clamps that are labeled as being suitable for the purpose and are of stainless steel, brass, copper, or copper alloy. The following shall be bonded as part of the equipotential bonding grid:

- (1) If Structural Reinforcing Steel is present in the deck or coping within 1m (3 ft) of waters edge it shall be bonded to the structural reinforcing steel of a concrete pool where the reinforcing rods are bonded together by the usual steel tie wires or the equivalent.
- (2) Bolted or Welded Metal Pools. The wall of a bolted or welded metal pool.

- (3) Alternate Means shall be required for non-metallic reinforced pools. This system shall be permitted to be constructed as specified in (a) through (c):
- a. Materials and Connections. A grid shall be constructed of minimum 8 AWG bare solid copper conductors. Conductors shall be bonded to each other at all points of crossing. Connections shall be made as required by 680.26(D).
 - b. Grid Structure. The equipotential bonding grid shall be installed under or in the pool deck extending 1 m (3 ft) horizontally from the inside walls of the pool. The equipotential bonding grid shall be arranged in a 300 mm (12 in.) by 300 mm (12 in.) network of conductors in a uniformly spaced perpendicular grid pattern with tolerance of 100 mm (4 in.).
 - c. Securing. The below-grade grid shall be secured within or under the pool and deck media.

682 Natural and Artificially Made Bodies of Water.

Delete Article 682 in its Entirety.

Chapter 7 Special Conditions

700.1 Scope

Add a third paragraph to the beginning of 700.1 to read as follows:

For the purposes of this section items considered as meeting the requirements for high rise applications (i.e. buildings over 17m (55 feet) to be placed on the emergency distribution system may include: Emergency illumination, exit signage, electric fire pumps, fire jockey or makeup pumps, fire alarm equipment, smoke control equipment, one elevator per bank of elevators, cooling and heating equipment for emergency electrical rooms and elevator machine rooms, FAA required obstruction lighting, battery chargers for emergency generating equipment, heating equipment for freeze protection of fire sprinkler systems, telecommunications equipment (i.e. for 911 applications) fire command center loads such as monitoring and display equipment and other equipment approved by the Authority Having Jurisdiction that will enhance the survivability of life safety systems.

700.9 Wiring, Emergency System.

Change Subsection (D) of Article 700.9 (the portion before Paragraph (1)) to read as follows:

(D) Fire Protection. Emergency systems shall meet the following additional requirements in 700.9(D)(1) and (D)(2) in any occupancy(s) of 300 or more persons or in buildings above 17 m (55 ft) in height.

Add a new Sentence to the end of Article 700.9 (D)(2) to read as follows:

This equipment shall be located in room(s) dedicated to this equipment.

Exception: System components described in Article 701 may occupy the same dedicated room(s) as emergency systems.

700.12 General Requirements.

Change the fourth paragraph of 700.12 to read as follows:

Equipment for sources of power as described in 700.12(A) through 700.12(E) shall meet the following additional requirements in any occupancy(s) of 300 or more persons or in buildings above 17 m (55 ft) in height. This equipment shall be installed in spaces fully protected by approved automatic fire suppression systems (sprinklers, carbon dioxide systems and so forth) or in spaces protected by a fire-rated assembly listed to achieve a minimum fire rating of one-hour.

Add a new Subsection (B)(7) to Article 700.12 to read as follows:

- (7) The emergency generator shall not be located more than 17 m (55 ft) above the lowest level of fire department vehicle access. When the generator set is located inside a building it shall be located in a room dedicated to the Emergency Power Supply System. This room shall be separate from the interior of the building by a minimum of two-hour resistive construction or shall be in room(s) fully protected by approved automatic fire suppression systems. Unless otherwise required by Building Codes openings for generator cooling and exhaust shall not be required to be fire-resistive construction.

When a generator set is located within 1.5 m (5 ft) of a building it shall be separated from the building with a rated barrier wall equal to the highest fire rating within the building that has no openings. It shall be isolated within an enclosure and protected from physical damage.

When a generator set is located more than 1.5 m (5 ft) of a building it shall be isolated within an enclosure and protected from physical damage.

700.16 Emergency Illumination.

Add the following to the end of the first sentence of Article 700.16 to read as follows:

Electrical rooms, fire control rooms, fire pump rooms, PBX rooms, public restrooms and generator rooms shall require emergency illumination.

Exception: A single user restroom shall not require emergency illumination.

Notes

SN NEC Am 2006.doc

**A SUPPLEMENTAL DOCUMENT AMENDING
THE NATIONAL ELECTRICAL CODE, 2005 EDITION**

Section 1: Certain provisions of the National Electrical Code, 2005 Edition, are hereby amended, deleted or added to as set forth in this Supplemental Document. Except as otherwise indicated, all section and chapter references contained in this Supplemental Document are to the National Electrical Code, 2005 Edition.

Section 2: Chapter 1 of the National Electrical Code, 2002 Edition, is hereby amended by adding thereto a new article designated as Article 120, reading as follows:

Article 120 - ADMINISTRATION

Section 120-1. ABBREVIATIONS AND DEFINITIONS. For the purpose of this Code, as adopted and amended by the City, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, Copyright 1981, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

"APPROVED" - As to materials, equipment or method of construction, refers to approval by the Building Official as the result of investigation and tests by recognized authorities, technical or scientific organizations. Unless otherwise stated, a current listing of a product by the Underwriter's Laboratories (UL) or other testing agency approved by the Building Official shall be considered as an approval of that product.

"AWG" - American Wire Gauge; a standard of conductor measure.

"BUILDING OFFICIAL" - The officer or employee of the City who is charged with the administration and enforcement of the building and technical codes; or the Authority Having Jurisdiction as specified in the National Electrical Code. Except as otherwise provided, the term includes a designated representative of the Building Official who is duly authorized with respect to a particular act or responsibility.

"CITY ELECTRICAL INSPECTOR" - One or more of the electrical inspectors employed by the City.

"FIRE ASSEMBLY AND FIRE RESISTIVE CONSTRUCTION" - As defined in the IBC.

"IBC" - International Building Code, adopted as the Building Code of the City of Las Vegas.

"LISTED, LABELED, and LISTING" - Refer to equipment and materials which are shown in a list

published by an approved testing agency, qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and whose listing states that the equipment complies with recognized safety standards.

"MASTER" - A generic term including Master Electricians, Master Neon Electricians and Master Technicians certified as such by Clark County before July 1, 1985 as well as individuals who have passed the appropriate examination(s) of the State of Nevada Contractor's Board subsequent to July 1, 1985 and otherwise met the qualifications of and been accepted by the State of Nevada Contractor's Board as Qualified Individuals for the full extent of Category C-2 Electrical Contractor after July 1, 1985.

"MASTER NEON ELECTRICIAN" - A person capable of laying out, installing and supervising electrical and gas-tube sign fabrication and erection who was certified as such by Clark County before July 1, 1985.

"MASTER TECHNICIAN" - A person capable of laying out and supervising commercial sound, radio, television, and low voltage control systems involving solid state devices or electronic tubes who was certified as such by Clark County before July 1, 1985.

"OCCUPANCY" - The purpose for which a building, or part thereof, is used or intended to be used.

"QUALIFIED INDIVIDUAL/QI" - For the purposes of this ordinance, an individual who has passed an appropriate examination(s) of the State of Nevada Contractor's Board subsequent to July 1, 1985 and otherwise met the qualifications of and been accepted by the State of Nevada Contractor's Board as a Qualified Individual in one or more of the subcategories of electrical contracting after July 1, 1985.

"UL" - Underwriters' Laboratories, Inc.

"UNIT" - One home, apartment building, store, warehouse, hall auditorium, condominium unit or hotel. Each interior remodel for single occupancy of a store or warehouse shall establish a new unit.

Section 120-2. AUTHORITY AND ENFORCEMENT

I. **Administration.** The purpose of this Code is to provide requirements for installation of electric wiring devices, appliances, and equipment within the City of Las Vegas. The provisions of this Code are intended to be used in conjunction with the Uniform Administrative Code adopted by the City of Las Vegas (the "UAC") and other appropriate codes and ordinances. Several provisions of this Code are parallel or similar to

provisions of the UAC. Both codes shall be applied to the extent possible. In the event of conflict, the provisions of Section 106 of the UAC shall govern, unless otherwise deemed appropriate by the Building Official or his designee.

II. Compliance. It shall be unlawful for any person, firm, or corporation to use within the City of Las Vegas any electrical wiring, fixture, appliance, or apparatus that does not conform to the requirements of this Code and the UL (or any other approved testing agency with equivalent standards). Upon notice or otherwise, the City Electrical Inspector is authorized to conduct any inspection necessary to ascertain that all electrical wiring, fixtures, appliances, and apparatuses for use, used, or installed within the City comply with the requirements of this Code and the UL (or any other approved testing agency with equivalent standards).

III. Unlawful Installations. If the City Electrical Inspector finds any part of any electric light or power wiring, appliance, apparatus, or fixture in or upon any building in the City of Las Vegas to have been installed without a permit or installed in such a manner to constitute a hazard, the Building Official shall have the right and power to disconnect electrical service and place a seal upon the same, and shall at the same time give written notice of such disconnection to the owner or occupant of the building and the electrical power utility company. After the wiring, fixtures, appliances or apparatus have been put in the condition required by this Chapter, the seal so placed shall be removed by order of the Building Official. It shall be unlawful for any person to use any current in or through such disconnected wiring, appliance, apparatus, or fixture, or otherwise supply current to such disconnected wiring, fixture, appliance, or apparatus, or to remove, break, or deface any seal so placed.

Section 120-3. PERMITS, CERTIFICATION AND LICENSING

I. Permit Requirements.

A. General. No wiring shall be installed or laid out for any lights, power, heating devices, or any apparatus which generates, transmits, transforms, or utilizes any electricity, including private telephone systems, nor shall any alteration or addition be made in existing wiring without securing a permit therefor; provided, however, that no permit shall be required for service work or changeouts up to the first means of disconnect, in single family dwellings only, of existing air conditioning/heating units which have identical ampacity requirements. Permit applications must describe the proposed work and shall be made in writing by

the person, firm or other entity that will do the work. The application must identify the work location by street and house number, and the permit shall be valid only for that location.

B. Drawings. Each application for a permit to install electrical wiring in a single family dwelling or an accessory building (shed, garage, etc.) must have attached thereto a drawing showing the electrical layout, including the wire apparatus. Load calculations must be included if required by the City Electrical Inspector or by the Building Official or his designee. Each application for a permit to install electrical wiring in a structure other than a single family dwelling or an accessory building must have attached thereto drawings showing in detail the electrical layout, including the wire apparatus and load calculations. The City Electrical Inspector may waive drawings for small, insignificant structures or additions.

II. Journeyman Electrician. A Journeyman Electrician is an individual who has demonstrated qualifications in having the skills to perform independent work in the electrical field or to supervise lesser qualified electricians. The individual has taken and passed the Journeyman Electrician examination given by an independent agency accepted by the Building Official. Such examination shall be designed for the purpose of establishing qualifications to perform the work of a Journeyman Electrician. An individual holding a valid, current certificate of Journeyman Electrician qualification from an accepted independent testing agency or from a political subdivision of the State of Nevada within the geographic boundaries of Clark County may be recognized as a Journeyman Electrician.

III. Master Electrician and Qualified Individual.

A. General. A Master Electrician and Qualified Individual (QI) are individuals who have demonstrated competency to lay out, inspect, install and supervise all aspects of electrical work in one or more categories of the field. The term "Master" shall be considered generic to include Master Neon Electricians, Master Electricians, and Master Technicians who were certified under the Joint Board of Electrical Examiners of Clark County program prior to July 1, 1985.

B. Duties.

(1) Supervision and Inspection. The Master or QI is responsible to supervise and inspect the work to be performed pursuant to the scope of the permit and the approved plans and verify that said work shall meet all the requirements of this Code, and to ensure that the work is installed in good

workmanlike manner. The Master or QI is responsible to the Building Official for conformance with the requirements of this Code and other applicable standards and requirements.

(2) Plan/Calculation Preparation. When plans and calculations have been required pursuant to this Code or other building-related code and are not done by an electrical engineer who is responsible for the work, the Master or QI is responsible for the correctness of calculation and design in conformance to the Electrical Code of the City of Las Vegas. This includes all work provided for review by the Building Official prior to issuance of a permit or provided for approval of a change to approved plans. Electrical plans shall be prepared only by one or more of the following: an electrical engineer registered in the State of Nevada, an architect registered in the State of Nevada, a Master, or a QI. Plans prepared by an engineer or architect shall be stamped, dated, and signed by that person. Plans prepared by a Master or a QI must be signed by that person and shall indicate whether the person is a Master or a QI.

(3) Pretesting Required. It is the responsibility of the Master or QI to ensure that all required life safety systems provided in any building (i.e., fire alarms, emergency generators, duct detector devices, voice alarm/paging systems, central controls, and other electrical systems) are pretested and in proper working order prior to making inspection requests to the Building Official.

C. Certification. A certification issued by a third-party independent agency in compliance with the following standards and maintained in current standing by renewal of the certification shall be recognized by the Official as meeting the technical requirements inherent in the duties of a Master or QI stated above:

(1) A Master Electrician, Master Neon Electrician or Master Technician who was previously tested and certified under the Joint Board of Electrical Examiners of Clark County Program prior to July 1, 1985.

(2) A Qualified Individual who, after July 1, 1985, has taken and passed the qualification examination of the State of Nevada Contractor's Board (or their authorized third-party testing agency) for one or more categories of electrical contracting.

The City of Las Vegas accepts a QI who has been tested and certified by the State of Nevada Contractor's Board as being competent to perform duties equivalent to any or all functions of Masters identified in the Electrical Code of the City of Las Vegas to the extent of this qualification. This means that a

Qualified Individual must be verified as competent in the specific area of electrical work related to the scope of work requested for the permit.

D. Renewal of Certificates. It is the duty of every Master and QI to maintain Master and QI certifications in a current active status in accordance with the third-party testing agency accepted by the State of Nevada Contractor's Board and to renew as required.

E. Currency of State Certification. A Master or QI found not to meet the qualification standard of the State of Nevada Contractor's Board for a Qualified Individual in any electrical contractor's license classification, or whose certification has been revoked, shall not be recognized as certified, until that person again meets the standards of certification by re-examination.

F. Multiple Affiliations. In order for a Master or QI to act as such on behalf of more than one electrical contracting business, the Master or QI must have supervisory responsibility for, and at least a 50% ownership interest in, each such business.

IV. Contractors' Responsibilities.

A. Business License. Any person engaged in the business of installing electrical wires (including, but not limited to power, signal, or control fixtures, appliances, apparatus, raceways or conduits, or any parts thereof), which utilize energy in any form and in connection with which electrical energy is used for any purpose whatsoever in the City of Las Vegas shall first secure the appropriate contractor's license from the State Contractor's Board and a contractor's business license from the City's Department of Finance and Business Services.

B. Competent Employees. No person, firm or corporation shall engage in the installation, alteration, construction of any electrical work, wiring devices, fixtures, appliances or equipment inside or outside of any building either by himself or through his agents or employees unless he holds an appropriate category of business license, and he or one of his employees holds an appropriate Master or QI certification or its equivalent, issued by the County. The contractor is responsible to hire competent employees to perform all electrical work.

(1) Master or QI Required. It is the contractor's responsibility to employ at least one Master or QI of the appropriate category for permits requested to perform the duties of a Master or QI. In

addition, the contractor shall ensure that all employees engaged in electrical work are qualified to perform that work. Upon written request by the City Electrical Inspector or other representatives of the Building Official, the contractor shall provide a written list of Masters, QI, and other employees performing electrical work with their respective certification qualification control numbers and issuing agency, by each job or permit in effect.

(2) Supervision on Site. Every building construction job site, at which there is electrical work being performed under a permitted scope of work, shall have one or more Journeyman Electricians present during work hours in a supervisory capacity for the permitted work.

(3) Duties. Each electrical contractor, whether he possesses a valid appropriate Master or QI certification or employs a person possessing either the Master or QI certification shall at all times be responsible for the proper supervision and inspection of the work to be performed pursuant to the scope of the electrical permit(s) issued to him and that said work shall meet all the requirements of the Electrical and Building Codes of the City of Las Vegas, and be installed in a workmanlike manner.

C. Exception. The requirements of this Subsection IV do not apply to work done under a permit issued to an owner/builder for a work in or on a one or two family dwelling used exclusively for living purposes, including any customary and incidental accessory structure, if the permittee:

(1) Is the bona fide owner of the premises on which the structures are located; and

(2) Occupies or demonstrates an intention to occupy those premises for living purposes.

Section 120-4. Violation and Penalties. It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use, or maintain electrical installation or electrical fixtures in this jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of this Code, as amended. Maintenance of an electrical installation or electrical fixtures which was unlawful at the time it was installed and which would be unlawful under this Code if installed after the effective date of this Code or any amendment thereto, shall constitute a continuing violation of this Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-73 – Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by:
Paul K. Wilkins, Director of Building and Safety

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

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

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-73

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5879. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

1 BILL NO. 2006-73

2 ORDINANCE NO. _____

3 AN ORDINANCE TO ADOPT BY REFERENCE THE 2006 EDITION OF THE SOUTHERN
4 NEVADA POOL CODE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Paul K. Wilkins, Director of Building and Safety Summary: Adopts the 2006 Edition of the
Southern Nevada Pool Code.

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

8 SECTION 1: Title 16, Chapter 30, Section 10, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **16.30.010:** That certain document entitled ["2003 Southern Nevada Pool Code,"] "2006 Southern
11 Nevada Pool Code," three copies of which are on file in the Office of the City Clerk, is adopted by
12 reference and made a part of this Code, to the same effect as if set out herein in full.

13 SECTION 2: Except as set forth in Section 3 of this Ordinance, the 2006 Southern
14 Nevada Pool Code, a copy of which is attached to this Ordinance, shall supersede and replace that
15 certain document entitled "City of Las Vegas Swimming Pool/Spa Code, 1992 Edition," and
16 subsequent amendments thereto.

17 SECTION 3: Except as otherwise specifically provided in the 2006 Southern Nevada
18 Pool Code, the provisions of Article 1 of the City of Las Vegas Swimming Pool/Spa Code, 1992
19 Edition, supplemented as necessary by the provisions of the City's Administrative Code, shall govern
20 procedural and administrative matters related to the enforcement and application of the 2006 Southern
21 Nevada Pool Code.

22 SECTION 4: 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 5: 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 6: 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 _____, 2007.

13 APPROVED:

14
15 By _____
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 BARBARA JO RONEMUS, City Clerk

19 APPROVED AS TO FORM:

20 Val Heed 12-7-06
21 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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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2006

SOUTHERN NEVADA

POOL CODE

Published: October 12, 2006

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

Clark County
4701 W Russell Rd.
Las Vegas, NV 89118
(702) 455-3000
Inspections 455-8040

City of Henderson
240 S. Water St
Henderson, NV 89015
(702) 267-3650
Inspections 267-3900

Pahrump Regional Planning District
1210 E. Basin
Suite 1
Pahrump, NV 89060
(775) 751-3773

City of Las Vegas
731 S. Fourth St
Las Vegas, NV 89155
(702) 229-6251
Inspections 229-2071

City of Mesquite
11 East 100 South
Mesquite, NV 89024
(702) 346-2835

City of North Las Vegas
2240 Civic Center Dr
North Las Vegas, NV 89030
(702) 633-1576

PREFACE

This document comprises the Southern Nevada Pool Code and was developed by the jurisdictions listed on the cover page as a document to be adopted by reference. These provisions are not code unless adopted and codified by governmental jurisdictions. These provisions are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided any alternate has been approved and its use authorized by the building official. This document is available to be adopted as code by any jurisdiction without permission or approval from the jurisdictions listed on the cover page.

In addition to the requirements set forth in this document, public swimming pools, wading pools, spas and water features, designed for full or partial human submersion and open to the public must be constructed in compliance with the Southern Nevada Health District rules and regulations. In the event that conflicts between this document and those regulations occur, the more restrictive condition will apply.

For further information on public pools, please contact the **Southern Nevada Health District at 383-1266.**

SOUTHERN NEVADA POOL CODE

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SCOPE

This code contains provisions considered necessary for the safety with regard to artificially constructed bodies of water.

100 DEFINITIONS, GENERAL: For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter and elsewhere in this code where specific definitions are provided. Terms, phrases, and words used in the singular include the plural and the plural singular. Terms, phrases, and words used in the masculine include the feminine and the feminine masculine.

Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinarily accepted meanings.

ACCESSIBLE: When applied to a fixture, connection, appliance or equipment shall mean having access thereto, but which may require the removal of an access panel, door or similar obstruction without damaging the structure or finish.

ACCESSIBLE, READILY: When applied to a fixture, connection, appliance or equipment shall mean having direct access without the necessity to remove an access panel, door or similar obstruction.

ACCESS BARRIER: A fence, wall, building wall or combination thereof that completely encloses a pool, spa or water feature and obstructs access.

APPROVED: Approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

GATE OR DOOR: A single movable panel that swings or hinges, rotates or slides used for entrance into or closing off an opening in the required barrier.

HEALTH DISTRICT: Southern Nevada Health District.

LISTED and LISTING: Equipment or materials included in a list published by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

MANMADE DECORATIVE WATER FEATURE: Any manmade stream, fountain, waterfall, or other water feature that does not meet the definition of a swimming pool and contains water that flows or that is sprayed into the air, constructed for decorative, scenic or landscape purposes. Such items shall not exceed eighteen (18") inches of maximum water level. The following bodies of water shall be exempt:

- (A) Manmade lakes as defined in local ordinance or administrative code.
- (B) Swimming pools or spas as regulated in this document.
- (C) Water features utilized in a family entertainment theme park as regulated in local ordinance or administrative code.
- (D) Water feature not greater than eighteen (18") inches of maximum water level, used in conjunction with and on the same property as a single-family residence, and available only to the family of the householder or their private guests.

MANUFACTURED: A pool, spa or water feature that is manufactured or constructed at another location, transported to the property, and placed and/or assembled at the property.

MAXIMUM WATER LEVEL: The highest level that water can reach before it spills out.

NORMAL OPERATING WATER LEVEL: The overflow point on overflow gutters or the midpoint in the throat of skimmers.

POOL: See "SWIMMING POOL."

POOL DEPTH: The distance between the lowest point of the pool floor and the maximum water level.

PRIVATE SWIMMING POOL OR SPA: All artificially constructed swimming pools or spas which are used in conjunction with and on the same property as a single-family residence, and available only to the family of the residence or their private guests.

PUBLIC POOL or SPA: Any swimming pool or spa, other than a private pool or spa, which is intended to be used for swimming or bathing, and is operated by an individual or a group regardless of whether a fee is charged for use.

SLIP RESISTANT: A surface that has been so treated or constructed as to significantly reduce the chance of a user slipping when wet.

SPA: An artificially constructed body of water, either portable or permanent, designed for recreation or therapeutic use that is not drained, cleaned or refilled for each individual user. It may include, but is not limited to: hydro-jet circulation, hot tubs, hot water, cold water, mineral baths, air induction bubbles, or any combination thereof. It shall not include therapeutic facilities used by or under the direct control of licensed medical personnel.

STAIR, RECESSED TREAD, LADDER: A means of entry and exit to and from the pool or spa that may be used in conjunction with each other.

- (A) **Stair:** A riser/tread or series of risers/treads extending down from the deck into the pool/spa.
- (B) **Recessed Tread:** A series of vertically spaced cavities in the pool or spa wall creating tread areas for step holes.
- (C) **Ladder:** A series of vertically separated treads or rungs connected by vertical rail members or independently fastened to an adjacent vertical wall.

STORABLE SWIMMING OR WADING POOL: Those that are constructed on or above the ground with nonmetallic, molded polymeric walls or inflatable fabric walls regardless of dimension. Such items are not subject to this code.

SWIMMING POOL: A permanently installed artificial body of water with a maximum water level greater than eighteen (18) inches in depth which includes all equipment necessary for its use.

WASTEWATER: Water from filter cleansing, draining of a pool or spa, or lowering of the water level in a pool or spa.

WATER FEATURE: See "MANMADE DECORATIVE WATER FEATURE."

WIDTH or LENGTH: The actual dimension taken at the maximum location from inner wall to inner wall at the normal operating water level of a pool or spa.

200 SITE WORK, SETBACKS AND CLEARANCES: Excavations shall be so constructed or protected that they do not endanger life or property. Temporary barricades shall be maintained in place and kept in good order until permanent barriers are installed. It shall be the responsibility of the contractor or owner to verify property line locations prior to excavation.

- (A) **Equipment Clearances:** All electrical equipment clearances shall comply with requirements specified per National Electrical Code and manufacturer's listing guidelines. A twenty-four inch (24") wide access path is required to all pool and existing mechanical equipment. Equipment shall be mounted on a permanent, secure wall, fence or other approved structure.
- (B) **Equipment:** The equipment pad shall not be in contact with any foundation system of a property line structure. Equipment shall be installed with adequate drainage. Equipment in vaults or pits shall have automatic means to drain water. Equipment shall be installed in accordance with the currently adopted Codes, listing requirements and the manufacturer's installation instructions.

300 ELECTRICAL INSTALLATION: All electrical installations, modifications, repairs or alterations of pools, spas and water features shall conform to the provisions of the currently adopted National Electrical Code and Local Amendments.

- (A) **Pool and Spa Lighting:** Pools and spas shall be equipped with lighting that illuminates the entire bottom and volume, and shall be an underwater or overhead type. Underwater lighting shall be a minimum of one-half (1/2) watt or equivalent lumens per square foot of water surface area. Overhead lights shall be a minimum of two (2) watts or equivalent lumens per square foot of water surface area. Any glass parts shall be protected from breakage. Optical fiber lighting used for pool and spa lighting shall be installed in accordance with their listing and labeling.
- (B) **Area Lighting of Public Pools and Spas:** Area lighting shall be provided to illuminate the surface areas of the pool deck and spa deck. The lights shall be a minimum of six-tenths (6/10) watt or equivalent lumens per square foot of deck area.
- (C) **Disconnecting Means:** Time clocks are not permitted as a means of disconnect for motors unless listed for the purpose or approved by the Building Official.
- (D) **Load Calculations:** Electrical load calculations will be required for any pool, spa, or combination that utilizes more than one pump motor. This is required to verify that the existing electrical system is adequate for the additional loads being added.
- (E) **Conductor Feeder, Overcurrent Protection & Grounding:** All pool panels shall have a minimum #10 AWG copper wire feeder or equal and a thirty ampere (30A) breaker with an insulated ground wire to the existing panel.

400 PLUMBING INSTALLATION: Plumbing installation, modification, repair or alteration of a pool, spa or water feature shall conform to the currently adopted Plumbing Code and the additional following requirements:

- (A) **Water Quality:** All water treatment, filtration and recirculation devices, and hydraulic lines and systems shall be approved by the Health District prior to permit issuance for a public pool or spa. Water features designed for full or partial human submersion open to the public shall be reviewed and approved by the Health District prior to permit issuance. Water quality in water features which do not come in contact with the public, and private pools and spas shall be maintained in such a manner that a nuisance is not created pursuant to NRS 40.140.
- (B) **Heating Equipment:** Heating equipment shall conform to the provisions of the currently adopted Mechanical, Plumbing and Electrical Codes. Installation of such equipment shall be according to the manufacturer's instructions and listing. Heating equipment shall be located on a minimum three (3") inch thick pad of concrete or other approved material. The top of the pad shall be a minimum of three inches above adjacent grade and shall be appropriately sized to accommodate all equipment. Equipment installed in alternate locations, such as vaults or pits, must be listed for the location or be approved by the Building Official approval. When pool or spa water heating equipment is installed with a full-way type shutoff valve between the outlet of the heater and the pool or spa, an approved pressure relief valve shall be installed on the discharge side of the water heating equipment.

Vents shall terminate with clearances as follows: Vents shall terminate as per the currently adopted Uniform Mechanical Code and per the manufacturers listing.
- (C) **Underground Installation:** Underground installation of plumbing lines to include water supply, drain, vacuum and circulating lines and gas piping systems shall be installed on a minimum three inch (3") base, a minimum one inch (1") side and four inch (4") cover of clean sand in place at time of inspection.
- (D) **Water Piping:** Swimming pools, spas, and water features shall use approved type "L" copper , approved PVC pipe of a minimum schedule 40 PVC meeting the NSF PW-14 Standard (or equal), or other approved materials. PVC pipe shall be bent using heat by thermostatically controlled equipment. All plastic pipe exposed to sunlight shall be protected with an approved tape wrapping or paint. Water piping shall be pressure tested at twenty (20) PSI for fifteen (15) minutes. For the purpose of this code the factory installed pressure gauge shall be adequate.

(E) **Gas Piping:** Natural gas piping systems shall conform to the provisions of the currently adopted Plumbing Code. All other approved systems shall be tested at sixty (60) PSI for thirty (30) minutes. Liquefied petroleum gas piping systems shall conform to the provisions of the National Fuel Gas Code, NFPA 54. Threaded ferrous metal gas pipe systems shall be pressure tested at ten (10) PSI for fifteen (15) minutes.

(F) **Water Supply:** Pools, spas, and water features shall have water directly supplied through a water supply inlet. The water supply inlet for public pools shall comply with Health District standards. The water supply inlet on private pools shall be protected by a one-inch (1") air gap or approved backflow protection device.

Exception: Private pools and spas may be provided with a water supply consisting of an approved back flow protection device (vacuum breaker) located on the discharge side of the last valve or a sill cock (hose bib) from which a water hose may be attached.

(G) **Wastewater:** Wastewater from pools, spas, and water features shall be discharged to the public sewer through a permanently installed waste line. Wastewater shall not be discharged to a septic tank.

The permanently installed waste line shall discharge through an indirect waste connection of the following type: an approved interceptor; a sand trap which is vented and provided with a clean-out on the discharge side; or a "P" trap of a minimum size of three inches (3").

Exception (1): If a public sewer service is not available, the Building Official may authorize the wastewater to be discharged above ground and used for irrigation purposes. The wastewater shall not be allowed to drain to adjacent properties or the public way. This authorization may be revoked if a hazardous, nuisance or unsanitary condition occurs.

Exception (2): For private pools, spas, and water features, a hose connection may be used as a waste line.

(H) **Entrapment Avoidance:** The suction inlet for pool and spa cleaning systems shall be protected against user entrapment by installation of an anti-vortex cover. A minimum of two suction inlets shall be provided in the suction system, each inlet shall be sized to the maximum pipe size used on the suction system. Separation of such inlets cover openings shall be a minimum of three feet (3') on the horizontal plane, or located on two different planes. (For example: one on the bottom and one on a vertical plane, one each on two separate walls, or one skimmer and one main drain on the same suction line). The suction outlets shall be plumbed so water is drawn

simultaneously without valves, through the inlets to a common line to the pump system.

- (I) **Filtering and Recirculation:** Pools, spas, and water features shall be equipped with a filtering and recirculation system. Equipment shall be mounted on a minimum three-inch (3") thick pad of concrete or other approved materials. The pad shall be a minimum of three inches (3") above adjacent grade and sized to accommodate all equipment. All equipment shall be listed by a nationally recognized testing agency for the appropriate use. The circulation system shall provide a complete turnover of water within the time frame specified below:

Public Pool	6 Hours
Private Pool	12 Hours
Public Spa	½ Hour
Private Spa	1 Hour
Water Feature	8 Hours

Filler, circulation systems, scum gutters and skimmers that are located in public pools, spas and water features shall conform to Health District regulations. Inlets for fresh or repurified water in all pools, spas, and water features shall be located to produce uniform circulation of water throughout the entire pool, spa or water feature.

- (J) **Over Sewer:** Swimming pools, in-ground spas, or water features shall not be constructed over a sewer, unless the sewer line is of cast iron material and prior approval from the Building Official is obtained.
- (K) **Septic Systems:** All Swimming pool and spa water filler and circulation piping within twenty-five feet (25') of a septic system shall conform to Health District regulations.

500 STRUCTURAL DESIGN AND INSTALLATION

- (A) **General:** Pools, spas, and water features shall be constructed of reinforced concrete conforming to the currently adopted Codes or as approved by the Building Official. If groundwater is present, a hydrostatic valve or other approved means shall be installed at the lowest point. Approved, listed manufactured pools, spas and water features shall be installed in accordance with manufacturer's installation instructions and their listing.
- (B) **Soils:** All areas of Southern Nevada shall have a geotechnical investigation report at completion of excavation or prior to permit application, unless specifically identified as outside a special geologic consideration zone as identified on the Clark County Soils Guidelines Map. Areas of Clark County not covered by the Clark County Soils Guidelines Map may be exempted

from submitting a geotechnical investigation report at the option of the Building Official. The geotechnical investigation report must be prepared by a registered design professional. The report shall be accompanied by appropriate substantiation including tests, sampling data, suitability for the intended project, and recommendations on treating the sub-grade soil and/or modifications to the swimming pool design. The pool contractor is responsible to provide the report to the Building Official and the registered design professional responsible for the swimming pool design. The registered design professional will determine if any modifications to the original design are required and will submit such changes to the Building Official for approval. All projects designed without a geotechnical investigation report shall comply with IBC Tables 1610.1 and 1804.2 and ACI 318, Section 4.3. The minimum default design values shall be based on an active pressure of 45 psf/ft, an at-rest pressure of 60 psf/ft, Class 5 material, and a severe sulfate exposure level. Additional loads due to sloping backfill and surcharges shall be addressed by the registered design professional. Swimming pools are not required to be designed for a seismic load due to the soil.

- (C) **Concrete and Steel Reinforcement:** Concrete and steel reinforcement of concrete pools, spas, and water features shall be designed by a licensed State of Nevada registered professional Engineer or Architect. The minimum design strength of the concrete shall be four thousand five hundred (4500 psi) pounds per square inch unless otherwise approved by the design engineer (special inspections [1701] will not be mandatory unless noted by the design professional.) The continuity of a bond beam shall not be interrupted for the installation of skimmers or similar apparatus. Alternate methods may be used when approved by the Building Official.

- (D) **Walls and Floors:** The materials used in pool, spa, and water feature wall and floor construction shall conform to the provisions of the currently adopted Building Code. Walls and floors shall be designed and constructed of non-absorbent material in a manner to be leak-proof and structurally sound under all the conditions of the site. The inner surface of the pool or spa shall be coved, rounded, or bull-nose at all joints, corners, angles of bases, walls, floors, or curbs. No sharp corners or projections shall be permitted.

- (E) **Entry/Egress:**

(Note: Commercial pools shall comply with the Southern Nevada Health District standards.)

- (1) **Pools:** Pools with a depth greater than two feet (2') at pool walls shall be provided with a means of Entry/Egress. Pools exceeding thirty feet (30') in width or length shall have egress provided on opposite ends of those sides greater than thirty feet (30'). A seat meeting the

requirements of Section 500 (F) (2) shall be considered as a second means of egress.

- (2) **Spas:** Spas with a depth greater than two feet (2') shall have an interior top step which complies with (4) (b) below. The distance from the top step to the bench shall comply with the (4) (b) on one side of the top step. Spas with a deck between twelve inches (12") and twenty-four inches (24") above grade that are entered by sitting on the rim deck and spinning into the spa shall not require exterior steps. Listed manufactured spas shall have entry and egress as per their listing.
- (3) **Water Features:** Water features and vanishing edge catch basins greater than twenty-four inches (24") in depth with walls that are inclined greater than forty-five (45°) degrees shall have a means of entry/egress.
- (4) **Entry/Egress Elements:** An entry/egress for a pool, spa or water feature shall be constructed to minimize hazards and consist of a ladder, stairs, or recessed treads or an alternate method approved by the Building Official. The ladder, stairs or recessed treads shall comply with the following requirements, respectively:
 - (a) **Ladder:** Ladders shall be of a corrosion resistant material and be provided with two handholds or handrails. Ladder treads shall have a uniform vertical spacing of seven-inch (7") minimum and twelve-inch (12") maximum, with a minimum width of eighteen inches (18"). Vertical spacing variation within each ladder shall not exceed one inch. Treads shall have a minimum horizontal depth of one and one-half inches (1 ½"). The top tread of the ladder shall be a maximum of twelve inches (12") below the coping, deck or exterior edge of the pool or spa.
 - (b) **Stairs/Steps:** Stairs/steps shall have a slip resistant surface and no sharp edges. Public pools shall have a maximum riser height of ten inches (10") with a minimum horizontal tread depth of twelve inches (12"). Riser height variation within each stair shall not exceed one inch (1"). The distance from the bottom of the pool to the bottom step shall not be considered a riser. Private pools, private and public spas and water features shall have a maximum riser height of twelve inches (12"), with a minimum horizontal tread depth of twelve inches (12"). Steps shall extend to a depth of forty-two inches (42") of water depth or within twelve inches (12") of a portion of the pool floor.

The distance from the bottom of the pool to the bottom step shall not be considered a riser.

- (c) **Recessed Treads:** Recessed treads shall be provided with a set of handrails or handholds to serve all treads and risers. Recessed treads shall have a uniform vertical spacing of seven inches (7") minimum and twelve inches (12") maximum. Recessed treads shall have a minimum depth of five inches (5") and a minimum width of twelve inches (12"). The uppermost tread shall be a maximum of twelve inches (12") below the coping, deck or exterior edge of the pool or spa.
- (F) **Deck, Seat or Handholds:** Pools and spas greater than three (3') feet in water depth shall be provided with a deck made of a slip resistant material or alternate method as approved by the Building Official. Man-made decorative water features and design features may interrupt the deck. In these cases seats or handholds may be used for safety and emergency provisions, and shall be a maximum of every four feet (4') around the perimeter of the pool or spa where deck interruptions occur. Decks shall be required at each required entry and egress point. This deck section shall meet the width requirements as stated below and shall be a minimum of four feet (4') in length. This decking may be up to twenty-four inches (24") below the maximum water level.

The deck, seat or handholds shall comply with the following requirements, respectively:

- (1) **Deck:** The deck shall be a minimum of thirty inches (30") wide and slope $\frac{1}{4}$ inch per foot away from pool, property lines and house footings. The deck shall be placed a maximum of twelve inches (12") above the normal operating water level to qualify as a handhold. Public pools and spas shall have a minimum deck width of four feet (4'). Decks shall be sloped to effectively drain to either deck drains or perimeter areas away from the pool or spa. Decks shall have a minimum of two inches (2") vertical clearance from weep screed. A drain feature allowing a two inch (2") vertical clearance along the weep screed shall be acceptable.

Decks shall comply with the National Electrical Code, article 680.26 and the Southern Nevada Amendments to the National Electrical Code.

- (2) **Seat:** An underwater seat, bench or swim-out utilized as a means of egress shall be a minimum of twelve inches (12") long, a minimum of twelve inches (12") wide and a maximum of twenty-four inches (24") below the water surface.

Exception: Spa seats.

(3) Handhold: A handhold shall consist of any of the following:

- (a)** A continuous coping, ledge or handhold shall be placed a maximum of twelve inches (12") above the water surface or no greater than six inches (6") below water level. A ledge shall have a minimum projection of three inches (3"). Individual handholds must be at least six inches (6") in length and one and one-half (1 ½") inches in depth. Attachment must be made by an approved listed waterproof epoxy. Vanishing edges sloping into the main body of water shall have a maximum wall thickness of fifteen inches (15") when used as a handhold.
- (b)** A permanently secured railing of one and one-quarter (1 ¼") inches to two inches (2") in diameter placed at a maximum of twelve inches (12") above the water surface and a maximum of six (6") inches below the water surface.
- (c)** Ladders, steps or recessed treads complying with Item (E) Entry/Egress as listed above.

(G) Site Drainage: Site drainage shall be provided to direct all perimeter deck drainage, general site and roof drainage away from the pool, spa and adjacent buildings and structures. Deck drains must terminate a minimum of twenty-four inches (24") from the foundation of any structure.

(H) Wind Sensors: Water features and fountains on commercial properties shall be equipped with an integral automatic wind sensor device calibrated to shut off airborne and moving water when wind velocity exceeds twenty miles per hour.

(I) Diving Boards/Slides: Pools equipped with diving boards or slides shall be engineered and designed to comply with published ANSI standards. Slides and diving boards shall be installed per manufacturer's listing.

600 SETBACKS AND CLEARANCES

(A) Location: In-ground pools, spas, and water features shall not be placed closer than five feet (5') to any building or structure and shall not encroach within public utility easements. An exception may be permitted when substantiation is provided by a Nevada Licensed Structural or Civil Engineer that no damage will occur to buildings, structures or adjacent properties and that no unsafe structural conditions will exist.

(B) Overhead electrical conductor clearances: The following parts of pools shall not be placed under existing service-drop conductors or any other open, overhead wiring; nor shall such wiring be installed above the following:

- (1)** Pools and the area extending ten feet (10') horizontally from the inside of the walls of the pool;
- (2)** Diving structures;
- (3)** Observation stands, towers or platforms.

Exceptions (1): Structures listed in items (1), (2), and (3) above shall be permitted under supply lines or service drops where such installations provide the following clearances:

	Insulated supply or service drop cables or wiring, 0-750 volts to ground, supported on and cabled together with an effectively grounded bare messenger or effectively grounded neutral conductor	All other supply or service drop conductors	
		VOLTAGE TO GROUND	
		0-15 kV	Greater than 15 to 50 kV
A. Clearance in any direction to the water level, edge of water surface, base of diving platform, or permanently anchored raft	22.5 ft. (6.9 m)	25 ft. (7.5 m)	27 ft. (8.0 m)
B. Clearance in any direction to the diving platform or tower	14.5 ft. (4.4 m)	17 ft. (5.2 m)	18 ft. (5.5 m)
C. Horizontal limit of clearance measured from inside wall of the pool	This limit shall extend to the outer edge of the structures listed in (1) and (2) above but not less than 10 ft. (3.05 m).		

Figure NEC 680.8. Exception No. 1.

Exceptions (2): Utility-owned, operated, and maintained communications conductors, community antenna system coaxial cables complying with Article 820, and the supporting messengers shall be permitted at a height of not less than ten feet (10') above swimming and wading pools, diving structures, and observation stands, towers, or platforms.

(See Sections NEC 225.18 and 225.19 for clearances for conductors not covered by this section.)

- (C) **Additional Clearances:** All clearances must comply with the currently adopted edition of the National Electrical Code.

700 ACCESSIBILITY AND SAFETY

- (A) **Access barrier required:** Pools, spas and hot tubs shall be completely enclosed with access barriers.

Exceptions (1): Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons.

Exceptions (2): Spa or hot tub with an approved lockable cover in the closed position meeting the most recent addition of ASTM Standard F1346-91, or equal, requiring structural support capacity of two-hundred seventy-five (275) lbs.

- (B) **Access Barrier Construction Requirements:** Access barriers shall comply with the following:

- (1) The top of the barrier shall not be less than sixty (60") inches in height above adjacent grade measured from outside the enclosed area or eight feet (8') vertical, non-climbable, measured on the inside. The vertical clearance between grade and the bottom of the barrier shall be four inches (4") maximum. If pools are in adjacent yards the common barrier may be reduced to forty-eight inches (48") on either side.
- (2) Wrought iron fence with open guardrails shall have intermediate rails or an ornamental pattern such that a sphere four inches (4") in diameter cannot pass. Horizontal support members shall be spaced at least thirty-two inches (32") and shall comply with 700 (B) (1).
- (3) Mixed use of masonry and wrought iron walls shall comply with all of the following:
 - (a) Masonry or wrought iron portion of the wall shall be a minimum of thirty-two inches (32") in height.
 - (b) Wrought iron portion of the wall shall comply with 700 (B) (1) and (2) with a maximum of two horizontal members, one near the top of the masonry wall (maximum of four (4") inches

above top of wall) and one a minimum of sixty (60") above grade.

- (4) Chain link fences shall not exceed two and one-quarter (2 ¼") mesh size. The fence shall have top and bottom horizontal supports. The fence height must be a minimum seventy-two inches (72") and shall be constructed of not less than 11 gauge wire. When approved slats are installed, fence height may be reduced to sixty inches (60").
- (5) Public pools and spas shall comply with the Health Districts requirements.

- (C) **Gates or Doors:** All gates or doors eight feet (8') in width or less shall be self-closing and self-latching. Gates shall open outward. The self-latching device for gates shall be mounted inside the enclosed area and be designed to be inoperable from outside the enclosed area. Keyed lockset devices shall be mounted at a minimum of forty-eight inches (48") above grade. Manual catch latch devices shall not be less than six inches (6") nor more than twelve inches (12") below the top of the door or gate. The devices shall be inaccessible from outside the enclosed area for a distance of twenty inches (20") in all directions from the latch except that opening not greater than one-quarter inch (1/4") diameter shall be permitted. Access barrier gates not required to be self-closing and self-latching shall be equipped with protected self-latching, lockable hardware and shall remain locked at all times when not in use.

Exception: Electronic remote latches without manual devices and panic hardware where required shall not be subject to height restrictions.

Single access gates and doors integral to fences shall comply with the requirements of Section 700 (B) and have latching devices capable of keeping the door or gate securely closed and latched.

Double gates used to close an opening shall be permanently locked. If the double gates are the only access to the protected area, one gate shall be pinned and locked in the closed position and the adjoining gate must meet the requirements of (C) above.

Electric operated gates shall start to close within thirty seconds (30) of entry.

Key-operated, self-latching locks that are integral to the gate or door may be used as latching devices, provided they are permanently locked from the outside and comply with the above installation requirements.

- (D) **Private Pool and Spa Safety Requirements:** One of the following shall be used:

- (1) **Door Devices:** Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of fifty-four inches (54") above the floor.
 - (2) **Alarm System:** Residential dwelling units that do not have a separate pool or spa enclosure barrier shall have an alarm permanently installed on all doors with direct access to the pool. The alarm shall be listed to meet UL standard 2017 for Residential Water Hazard Entrance Alarms. The alarm shall sound continuously for a minimum of thirty (30) seconds within seven (7) seconds after the door is opened, and be capable of providing minimum 85 dB when measured indoors at ten feet (10'). The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. The deactivation switch shall be located at least fifty-four inches (54") above the threshold of the door.
 - (3) **Laser, Light Beam, or Infra-red Sensors:** A laser or light beam perimeter alarm that provides an active beam barrier around the total perimeter or isolates the pool or spa may be used. The laser or light beam must have an adjustable height capability and sound an alarm of at least eighty-five (85) dB both inside and outside of the home when the beam is crossed. The alarm must automatically reset after alarming. The alarm shall meet ASTM's Provisional Standard Specifications for Pool Alarms (PS 128-01) and be listed.
 - (4) **Addition Barriers:** Addition barriers that isolate the dwelling from the pool a minimum forty-eight (48") inches in height through which a four inch (4") sphere will not pass. Any gate shall be self-closing and latching at the top of the barrier.
 - (5) **Power Safety Covers:** Power safety covers meeting ASTM F1346-91.
 - (6) **Other Means:** When approved by the Building Official, other means of protection may be acceptable provided the degree of protection afforded is not less than that afforded by any of the devices described above.
- (E) **Safety Glazing:** Glazing in walls and fences sixty inches (60") or less from the water's edge measured horizontally and less than sixty inches (60") measured vertically above grade shall be considered hazardous locations. In these locations, tempered glazing, laminated glass or Plexiglas shall be used.

- (F) **Barrier Timeliness.** All required access barrier elements shall be in place prior to:
- (1) Setting a manufactured pool, spa or water feature.
 - (2) The pre-plaster inspection of a conventionally constructed pool, spa or water feature.
 - (3) The filling with water of artificial bodies of water.
- (G) **Surveillance Substitute:** For resort hotels type facilities only: in lieu of access barriers required above for water features, swimming pools or spas a pool guard may be provided so that observation is maintained at all times or an alternate method submitted in writing and approved by the Building Official. Such submittal shall become a permanent part of the job record.
- (H) **Responsible Party:** The owner of the property upon which pools, spas or artificial bodies of water are located is responsible to establish and maintain access barriers. The owner or developer of land adjacent to an access barrier required by this section shall not reduce, degrade, or infringe on the access barrier's compliance with this code.
- (I) **Alternative Plans or Devices:** Written alternative plans or devices for access barriers shall be submitted to the Building Official. If approved by the Building Official, the owner remains responsible for establishing and maintaining such approved alternate methods.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-74 – Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt the 2006 Edition of the Uniform Mechanical Code, together with amendments agreed upon by local governments within the Southern Nevada area.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-74

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5880. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

1 **BILL NO. 2006-74**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ADOPT THE 2006 EDITION OF THE UNIFORM MECHANICAL CODE,
4 TOGETHER WITH AMENDMENTS THERETO, AS THE CITY'S MECHANICAL CODE, AND
TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Adopts the 2006 Edition of the
Uniform Mechanical Code, together with
amendments thereto, as the City's Mechanical
Code.

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

10 SECTION 1: Title 16, Chapter 24, Section 10, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **16.24.010:** Those certain documents, three copies of each being on file in the office of the City
13 Clerk, and designated as follows, are adopted by reference and made a part of this Code, to the same
14 effect as if set out herein in full:

15 (A) Uniform Mechanical Code, [2000] 2006 Edition, [including Appendix A and
16 Appendix B, Chapter 13,] designated as Part 1 of this Chapter; and

17 (B) A document entitled the ["Southern Nevada 2000 Mechanical Code
18 Amendments,"as modified herein,] Southern Nevada Amendments to the 2006 Uniform Mechanical
19 Code," adding to, deleting from and amending the Uniform Mechanical Code, [2000] 2006 Edition,
20 designated as Part 2 of this Chapter.

21 SECTION 2: The document entitled the "Southern Nevada Amendments to the 2006
22 Uniform Mechanical Code," which is attached hereto, is hereby modified as set forth in Section 3 of
23 this Ordinance.

24 SECTION 3: The amendment concerning Chapter 1-Administration is modified so
25 that it reads:

26 Chapter 1 - Administration is deleted in its entirety except Sections 101.0, 102.0 and 103.0.

27 SECTION 4: The Uniform Mechanical Code, 2000 Edition, and the Southern Nevada
28 2000 Mechanical Code Amendments are hereby repealed in their entirety.

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

9 SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared
10 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
11 required or the failure to do any act is made or declared to be unlawful or an offense or a
12 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
13 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
14 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
15 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

16 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

20 APPROVED:

21
22 By _____
OSCAR B. GOODMAN, Mayor

23 ATTEST:

24
25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Steed 12-7-06
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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 _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

17 BARBARA JO RONEMUS, City Clerk

18

19

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Southern Nevada Amendments

To The

2006

Uniform Mechanical Code

Published: October 12, 2006

Clark County

4701 West Russell Rd.
Las Vegas, Nevada 89118
(702) 455-3000
Inspections 455-7410

City of Las Vegas

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

City of Henderson

240 Water Street
PO Box 95050
Henderson, NV. 89009-5050
(702) 267-3650
Inspections 267-3900

Boulder City

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

North Las Vegas

2240 Civic Center Dr.
North Las Vegas, NV 89030
(702) 633-1577
Inspections 633-1576

City of Mesquite

11 East 100 South
Mesquite, NV. 89024
(702) 346-2835

Pahrump Regional Planning District

1210 E. Basin Ave. St. 1
Pahrump, NV 89060
(775) 751-3773

PREFACE

This document comprises the Southern Nevada Mechanical Code Amendments to the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials. It was developed by the jurisdictions listed on the cover page 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 alternate has 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.

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Chapter 1 - Administration

Delete Chapter 1 except for section 102.0 Purpose.

205 - Definitions - C

Add a new definition to be placed in alphabetical order to read as follows:

Combustible Construction - Combustible construction shall mean work within any building or structure classified as Type III, Type IV, or Type V as defined in the Building Code. Plastic piping is not permitted in Type I and Type II buildings.

217 - Definitions - O

Section 217.0 Occupancy Classification

Section 217-O- Occupancy Classification is amended in its entirety to read as follows:

OCCUPANCY CLASSIFICATION. When specific occupancies are referenced in this code, refer to the locally adopted building code for equivalent occupancy classifications.

304.6 LPG Appliances

Delete Section 304.6 in its entirety.

304.7 - Plastic Pipe Use

Add a new section 304.7 to read as follows:

304.7 Plastic Pipe Use. Plastic materials listed for use in mechanical equipment are acceptable as an alternate to other approved materials for use in installations in combustible construction only.

EXCEPTIONS:

- (1) Approved plastic control tubing of mechanical equipment may be used in buildings or structures of all construction classifications when installed in accordance with their listings.
- (2) When restricted by other sections of this code.

504.3.1 - Moisture Exhaust Ducts

Section 504.3.1 is amended by the addition of an exception, so that the section reads

as follows:

504.3.1 Moisture Exhaust Ducts. Moisture exhaust ducts shall terminate on the outside of the building and shall be equipped with a back-draft damper. Screens shall not be installed at the duct termination. Ducts for exhausting clothes dryers shall not be connected or installed with sheet metal screws or other fasteners which will obstruct the flow. Clothes dryer moisture exhaust ducts shall not be connected to a gas vent connector, gas vent or chimney and shall only serve clothes dryers. Clothes dryer moisture exhaust ducts shall not extend into or through ducts or plenums.

Exception: When exhaust ducts terminate on a roof, backdraft dampers are not required.

504.3.2.2 - Length Limitation

Section 504.3.2.2 is amended by the addition of an exception, so that the section reads as follows:

504.3.2.2 Length Limitation. Unless otherwise permitted or required by the dryer manufacturer's installation instructions and approved by the Authority Having Jurisdiction, domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of fourteen (14) feet (4,263 mm), including two (2) 90 degree (1.57 rad) elbows. Two (2) feet (610 mm) shall be deducted for each 90 degree (1.57 rad) elbow in excess of two.

Exception: Lengths may be increased when justified by calculations prepared by a Nevada Licensed Mechanical Engineer.

510.7 Interior Installations

Add a subsection to 510.7 that reads as follows:

510.7.2.4 Unless specifically listed, the structural supports for a duct enclosure shall be outside the enclosure.

513.9 Review and Certification

Add a new section 513.9.3 to read as follows:

513.9.3 Performance Test. Upon completion and before final approval of the installation of a ventilation system serving commercial food heat-processing equipment, a performance test shall be performed to verify the rate of airflow and proper operation as specified in this chapter or manufacturer's listing. The permittee shall furnish the necessary test equipment and devices required to perform the tests and shall provide the jurisdiction with an accurate, completed, and signed test report. The report shall be on a form supplied by the jurisdiction or on a form containing

equivalent information. At the discretion of the building official, the performance test may be required to be witnessed by a Building Department representative, performed by an approved third party testing agency.

609.0 - Automatic Shutoffs

Section 609.0 is amended by the addition of a new paragraph following the exceptions to read as follows:

Upon completion and before final approval of the air-moving system provided with the required smoke detectors, a performance test shall be performed to verify compliance of detector installation to manufacturer's instructions and system compatibility as specified in this chapter. The permittee shall furnish the necessary test equipment and devices required to perform the tests and shall provide the jurisdiction with an accurate, completed, and signed test report. The report shall be on a form supplied by the jurisdiction or on a form containing equivalent information. At the discretion of the building official, the performance test may be required to be witnessed by a Building Department representative, performed by an approved third party testing agency.

802.6 - Gas Vents

Delete section 802.6.2(1) and replace with a new section 802.6.2(1) to read as follows:

(1) **Type B.** Type B gas vents with listed vent caps twelve (12) inches (305 mm) in size or smaller shall be permitted to be terminated in accordance with Figure 8-2, provided they are located at least four (4) feet (1219 mm) from a vertical wall or similar obstruction. All other Type B gas Vents shall terminate not less than two (2) feet (610 mm) above the highest point where they pass through the roof and at least two (2) feet (610 mm) higher than any portion of a building within ten (10) feet (3048 mm).

904.10 Equipment on Roofs

Add a new subsection 904.10.1.4 to read as follows:

904.10.1.4 The requirements of this section shall apply to air moving systems as defined by this code.

904.10.3 Access to Equipment on Roofs.

Add a new subsection 904.10.3.5 to read as follows:

904.10.3.5 Air moving systems located on a roof shall be accessible.

Exceptions:

1. Permanent exterior ladders providing roof access need not extend closer than eight (8) feet (2438 mm) to the finish grade.
2. A portable ladder may be used for access for a Group R Division 3 and 4 and U occupancies.
3. Permanent ladders for equipment access need not be provided at parapets or walls less than thirty (30) inches (762mm) in height. Permanent ladders providing roof access shall:
 - 3.1 Have side railings which extend at least thirty (30) inches (762mm) above the roof or parapet wall.
 - 3.2 Have landings less than eighteen (18) feet (5486mm) apart measured from the finished grade.
 - 3.3 Be at least fourteen (14) inches (356mm) in width.
 - 3.4 Have rungs not more than fourteen (14) inches (356mm) on center
 - 3.5 Have a minimum of six (6) inch (152mm) toe space.

Chapter 10 - Steam and Hot Water Boilers

Chapter 10 is deleted in its entirety and replaced with a new Chapter 10 to read as follows:

Chapter 10 - Boiler/Water Heaters

1001.0 - Scope/Applicability

For boilers and water heaters less than 120 gallon capacity, or a BTU input rating less than 200,000, or less than 160 pounds per square inch of pressure, see Chapter 5 of the Uniform Plumbing Code. For all other units, contact the Mechanical Section of the Nevada Division of Occupational Safety and Health, part of the Office of Business and Industrial Relations.

Table 11-1 Refrigerant Groups, Properties and Allowable Quantities

Table 11-1 is amended by adding footnote 13 applicable to the entire Table.

13 For occupancy Group I Division 1 and Division 2, the quantity of refrigerant in each system is limited to 50 percent of the respective amount listed in this table. Exceptions: Kitchens, laboratories and mortuaries.

Table 11-2 - Permissible Refrigeration Systems

Table 11-2 is amended so that the entry pertaining to Occupancy Group and Division I-1.1 reads as follows:

Occupancy Group And Division	High Probability System	Low Probability System	Machine Room
I-1.1	Group A1 only ³	Any	Any

Table 11-2 is further amended to add a new Footnote 3 to read as follows:

Footnote 3 - For occupancy Group I Division 1 and Division 2, the quantity of refrigerant in each system is limited to 50 percent of the respective amount listed in Table 11-1. Exceptions: Kitchens, laboratories and mortuaries.

1303.0 Definitions

Add a new subsection 1303.2.1 to Section 1303.2 Fuel Gas to read as follows:

1303.2.1 Dry Gas – A gas having a moisture and hydrocarbon dew point below any normal temperature to which the gas piping is exposed. Southern Nevada shall be considered a dry gas condition area unless specified by the local gas purveyor.

1309.6 Gas Meters

Add a new item (E) to section 309.6.2 to read as follows:

1309.6.2 Location

(E) All lots in mobile home parks and lots in recreational vehicle parks shall be served individually by the duly franchised gas serving utility supplying gas from the street main.

1311.1.6 Piping Underground Beneath Buildings

Delete section 1311.1.6 in its entirety and replace with a new section 1311.1.6 to read as follows:

1311.1.6 No gas piping shall be installed in or on the ground under any building or structure unless installed in gastight conduit, and all exposed gas piping shall be kept at least six (6) inches (152 mm) above grade or structure. The term "building or structure" shall include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances. All gas piping under a slab shall be capable of being removed and replaced.

The conduit shall be of material approved for installation underground beneath buildings and not less than Schedule 40 pipe. The interior diameter of the conduit shall be not less than one-half (1/2) inch (15 mm) larger than the outside diameter of the gas piping.

The conduit shall extend to a point at least (12) inches (305 mm) beyond any area where it is required to be installed or to the outside wall of a building, and the outer ends shall not be sealed. Where the conduit terminates within a building, it shall be readily accessible and the space between the conduit and the gas piping shall be sealed to prevent leakage of gas into the building.

1314.4 Test Pressure

Delete section 1314.4 in its entirety and replace with a new section 1314.4 to read as follows:

1314.4 This inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be covered or concealed are so concealed and before any fixtures, appliance, or shutoff valve has been attached thereto. This inspection shall include an air, CO₂ or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than ten (10) pounds per square inch (68.9 kPa) gauge pressure, or at the discretion of the Administrative Authority, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. Test pressures shall be held for a length of time satisfactory to the Administrative Authority, but in no case for less than fifteen (15) minutes, with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches (356 mm) water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa) and shall be continued for a length of time satisfactory to the Administrative Authority, but in no case for less than thirty (30) minutes. These tests shall be made using air, CO₂, or nitrogen pressure only and shall be made in the presence of the Administrative Authority. All necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conducting tests shall comply with Section 319.0, Test Gauges of the 2006 Uniform Plumbing Code.

1317.0 Required Gas Piping Size

Amend section 1317.0 to read as follows:

1317.1 Where the maximum demand does not exceed two hundred fifty (250) cubic feet per hour (2 L/sec.) and the maximum length of piping between the meter and the most distant outlet is not over two hundred fifty (250) feet (76,200 mm), the size of each section and each outlet of any system of gas piping shall be determined by means of Table 13-8 for steel pipe, or Table 13-15 for copper tubing systems, or Section 1309.4.3 (3) for CSST systems. Other systems within the range of Table 13-8 or 13-13 may be sized from that table or by means of the methods set forth in Section 1317.3.

1317.2 To determine the size of each section of pipe in any system within the range of Table 13-8, proceed as follows:

- (1) Measure the length of the pipe from the gas meter location to the most remote outlet on the system.
- (2) In Table 13-8 select the length in feet column and row showing that distance, or the next longer distance if the table does not give the exact length.
- (3) Starting at the most remote outlet, find in the row just selected the gas demand for that outlet. If the exact figure of demand is not shown, choose the next larger figure in the row.
- (4) At the top of this column will be found the correct size of pipe.
- (5) Using this same row, proceed in a similar manner for each section of pipe serving this outlet. For each section of pipe, determine the total gas demand supplied by that section. Where gas piping sections serve both heating and cooling equipment and the installation prevents both units from operating simultaneously, only the larger of the two demand loads needs be used in sizing these sections.
- (6) Size each section of branch piping not previously sized by measuring the distance from the gas meter location to the most remote outlet in that branch and follow the procedures of steps 2, 3, 4, and 5 above.

Note:

Size branch piping in the order of their distance from the meter location, beginning with the most distant outlet not previously sized.

1317.3 For conditions other than those covered by Section 1317.1, such as longer runs or greater gas demands, the size of each gas piping system shall be determined by standard engineering methods acceptable to the Authority Having Jurisdiction. Each such system shall be so designed that the total pressure drop between the meter or other point of supply and any outlet when full demand is being supplied to all outlets, will at no time exceed five tenths (0.5) inches (12.7 mm) water column pressure.

1317.4 Where the gas pressure may be higher than fourteen (14) inches (356 mm) or lower than six (6) inches (152 mm) of water column, or when diversity demand factors are used, the design, pipe, sizing, materials, location, and use of such systems first shall be approved by the Authority Having Jurisdiction. Piping systems designed for pressures higher than the serving gas supplier's standard delivery pressure shall have prior verification from the gas supplier of the availability of the design pressure. Systems using undiluted liquefied petroleum gas may be sized using Table 13-32 for steel pipe for eleven (11) inches (279 mm) of water column and in accordance with the provisions of Sections 1317.1 and 1317.2.

**Appendix A – Uniform Mechanical Code Standard 6-2
Standard for Metal Ducts**

Table 6-2-E-1- Duct Gage Selection For Galvanized Steel

Add a new appendix table 6-2-E-1 to read as follows:

TABLE 6-2-E-1 DUCT GAGE SELECTION FOR GALVANIZED STEEL ¹

Maximum 1" W.G. Static Positive and Negative		
Duct Diameter (inches)	Minimum Thickness Galvanized Iron (U.S. gauge/inches)	Minimum Thickness Aluminum (inches)
Less than 12	30/ .016	.016
12-16	28/ .019	.020
17-20 ²	26/ .022	.025

Footnotes:

1. Heating and Air Conditioning Units not exceeding 2000 cfm or one inch Water Gauge (WG) positive or negative pressure. Duct fittings shall be constructed of material not less than the gauge of the duct.
2. Duct work and fittings larger than twenty inches shall be constructed to the gauging requirements of Table 6-1-E in Appendix A of the Uniform Mechanical Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-75 – Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt the 2006 Edition of the Uniform Plumbing Code, together with amendments agreed upon by local governments within the Southern Nevada area.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-75

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5881. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

1 **BILL NO. 2006-75**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ADOPT THE 2006 EDITION OF THE UNIFORM PLUMBING CODE,
4 TOGETHER WITH AMENDMENTS THERETO, AND TO PROVIDE FOR OTHER RELATED
MATTERS.

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

Summary: Adopts the 2006 Edition of the
Uniform Plumbing Code, together with
amendments thereto, as the City's Plumbing
Code.

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

10 SECTION 1: Title 16, Chapter 28, Section 10, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **16.28.010:** Those certain documents, three copies of each being on file in the Office of the City
13 Clerk, and designated as follows, are adopted by reference and made a part of this Code, to the same
14 effect as if set out herein in full:

15 (A) Uniform Plumbing Code, [2000] 2006 Edition, including its Standards and
16 Appendices, except as otherwise indicated, designated as Part 1 of this Chapter; and

17 (B) A document entitled [Southern Nevada 2000 Plumbing Code Amendments, as
18 modified herein,] "Southern Nevada Amendments to the 2006 Uniform Plumbing Code." adding to,
19 deleting from and amending the Uniform Plumbing Code, [2000] 2006 Edition, designated as Part 2
20 of this Chapter.

21 SECTION 2: The document entitled Southern Nevada Amendments to the 2006
22 Uniform Plumbing Code is attached hereto.

23 SECTION 3: The Uniform Plumbing Code, 2000 Edition, and the 2000 Southern
24 Nevada Plumbing Code Amendments, as amended, are hereby repealed in their entirety.

25 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
26 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
27 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
28 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
6 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
7 required or the failure to do any act is made or declared to be unlawful or an offense or a
8 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
9 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
10 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
11 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

12 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

16 APPROVED:

17
18 By _____
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 BARBARA JO RONEMUS, City Clerk

22 APPROVED AS TO FORM:

23 Val Steep 12-7-06
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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

Southern Nevada Amendments

To The

2006

Uniform Plumbing Code

Published: October 12, 2006

Clark County

4701 West Russell Rd.
Las Vegas, Nevada 89118
(702) 455-3000
Inspections 455-7410

City of Las Vegas

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

City of Henderson

240 Water Street
PO Box 95050
Henderson, NV. 89009-5050
(702) 267-3650
Inspections 267-3900

Boulder City

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

North Las Vegas

2240 Civic Center Dr.
North Las Vegas, NV 89030
(702) 633-1577
Inspections 633-1576

City of Mesquite

11 East 100 South
Mesquite, NV. 89024
(702) 346-2835

Pahrump Regional Planning District

1210 E. Basin Ave. St. 1
Pahrump, NV 89060
(775) 751-3773

Preface

This document comprises the Southern Nevada Plumbing Code Amendments to the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials. It was developed by the jurisdictions listed on the cover page 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 alternate has 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.

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CHAPTER 1 - Administration

Delete Chapter 1, with the exception of sections 101.2 and 103.1.3

103.1.3 Licensing

Amend section 103.1.3 to read as follows:

103.1.3 Plumbing Licensing Provision. Every individual and contractor shall provide quality supervision while performing plumbing installation in Clark County, Nevada. The minimum job site requirements for an individual leading or directing the installation shall be a Southern Nevada licensed journeyman plumber.

A minimum of a journeyman plumbing license, issued in Clark County, shall be provided to any code official upon request.

205.0 - C

Add a new definition to section 205 to be placed in alphabetical order to read as follows:

Combustible Construction - Combustible construction shall mean work within any building or structure classified as Type III, Type IV, or Type V as defined in the Building Code. Plastic piping is not permitted in Type I and Type II buildings.

311.4 Single Stack Drainage Waste and Vent Systems

Amend section 311.4 to read as follows:

311.4 Except as hereinafter provided in Sections 908.0, 909.0 and 910.0, no vent pipe shall be used as a soil or waste pipe, nor shall any soil or waste pipe be used as a vent.

Exception: Single stack DWV systems may be used provided they are designed by a Nevada registered Mechanical Engineer and approved by the Building Official.

402.7 Timing Devices

Add a new subsection 402.7 to read as follows:

402.7 A toilet or urinal which employs a timing device or other mechanism to flush periodically or which continually flushes shall not be installed.

412.0 Minimum Number of Required Fixtures

[Delete section 412.0 in its entirety. (Refer to the building code for number of fixture requirements.)]

Section 412.0 is amended in its entirety to read:

412.0 Minimum Number of Required Fixtures. Refer to the building code for number of fixture requirements.

Table 4-1 Minimum Plumbing Facilities

Delete Table 4-1 in its entirety. (Note: Refer to the building code for minimum plumbing facility requirements.)

509.3 Access to Equipment on Roofs

Add a new subsection 509.3.5 to read as follows:

509.3.5 All Plumbing appliances located on a roof shall have access to in accordance with Section 904.10 of the 2006 Uniform Mechanical Code.

510.6.2 (1) Venting Requirements - Type B

Amend section 510.6.2 (1) to read as follows:

Type B. Type B gas vents with listed vent caps twelve (12) inches (305 mm) in size or smaller shall be permitted to be terminated in accordance with Table 5-3, provided they are located at least four (4) feet (1219 mm) from a vertical wall or similar obstruction. All other Type B gas Vents shall terminate not less than two (2) feet (610 mm) above the highest point where they pass through the roof and at least two (2) feet (610 mm) higher than any portion of a building within ten (10) feet (3048 mm)

603.4.12 Potable Water Supply To Carbonators

Amend section 603.4.12 to read as follows:

603.4.12 Potable Water Supply To Carbonators. Potable water supply to carbonators shall be protected by a listed reduced pressure principle backflow preventer as approved by the administrative authority.

604.0 Materials

Add a new subsection to read as follows:

604.1.1 Plastic piping shall be limited to buildings defined as combustible construction by this code.

608.5 Relief Valves

Amend section 608.5 to read as follows:

608.5 Relief Valves. Relief valves located inside a building shall be provided with a drain, not smaller than the relief valve outlet, of galvanized steel, hard-drawn copper piping and fittings, CPVC, flexible corrugated connectors complying with 604.12, or listed relief valve drain tube with fittings that will not reduce the internal bore of the pipe or tubing (straight lengths as opposed to coils) and shall extend from the valve to the outside of the building with the end of the pipe not more than two (2) feet (610 mm) nor less than six (6) inches (152 mm) above the ground or the flood level of the area receiving the discharge and pointing downward. Such drains may terminate at other approved locations. No part of such drain pipe shall be trapped or subject to freezing. The terminal end of the drain pipe shall not be threaded.

701.0 Materials

Add a subsection 701.1.2.1 to read as follows:

701.1.2.1 Materials. Plastic piping used for drainage waste and vent systems shall be limited to buildings defined as combustible construction by this code.

704.3 Fixture Connections

Amend Section 704.3 to read as follows:

704.3 Fixture Connections. Pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing machines, and other similar fixtures shall be indirectly connected to the drainage system by means of an air gap.

707.11 Cleanouts

Add an exception to the end of section 707.11 so that the section reads as follows:

707.11 Cleanouts. Cleanout fittings shall be not less in size than those given in Table 7-6.

Exception: Where a 2-1/2" (inch) cleanout is required, a 2" (inch) cleanout may be used for horizontal branch waste lines in single-family dwellings.

710.1 Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer Level.

Section 710.1 is amended to read as follows:

710.1 Drainage of Fixtures Located Below the Next Upstream Manhole or Below the Main Sewer Level. Drainage piping serving fixtures which have flood level rims located below the elevation of the next upstream manhole cover

of the public or private sewer serving such drainage piping shall be protected from backflow of sewage by installing an approved type backwater valve. Other than single family dwellings, fixtures above such elevation shall not discharge through the backwater valve.

801.2.2 Food and Beverage Handling Establishments.

Amend section 801.2.2 to read as follows:

801.2.2 For walk-in coolers, floor drains may be connected to a separate drainage line discharging into an outside receptor. The flood level rim of the receptor shall be a minimum of six (6) inches (152 mm) lower than the lowest floor drain. Such floor drains shall be trapped and individually vented. Cleanouts shall be provided at every ninety (90) degree (1.6 rad) turn and shall be accessibly located. Such waste shall discharge through an airgap into a trapped and vented receptor, except that full-size airgap is required where the indirect waste pipe may be under vacuum.

801.2.4 Floor Sinks

Add a new section 801.2.4 to read as follows:

801.2.4 Floor Sinks. Floor sinks shall be installed flush with the finished floor and shall be accessible for cleaning.

804.1 Indirect Waste Receptors

Amend section 804.1 to add a second paragraph to read as follows:

When any discharge piping other than the discharge from the wash machine is terminated into the washer box, a second port washer box shall be used. The second port shall be permanently connected to the vertical receptor standpipe via a wye branch fitting at time of rough plumbing. The wash machine shall discharge by an air break into the most vertical or primary receptor standpipe. All other discharge piping shall discharge into the second port via the following terminations; i.e. Water softener- air gap; T&P- air gap; Condensate- air break. The T&P discharge shall be taken to the exterior of the building unless structural conditions or manufacturers listed distances prevent this termination. Temperature and pressure relief lines may terminate to the following fixtures located in normally unoccupied areas: floor sink, or a floor drain.

903.0 Materials

Add a subsection 903.1.2.1 to read as follows:

903.1.2.1 Plastic piping used for drainage waste and vent systems shall be limited to buildings defined as combustible construction by this code.

CHAPTER 10 – Traps and Interceptors

Delete sections 1009.0 through 1017.0 in their entirety (except for Table 10-3 referenced therein) and add new sections 1009 through 1013.0 to read as follows:

1009.0 - Grease interceptors

(A) **General.** A grease interceptor shall be provided for proper handling of liquid wastes containing grease. A grease interceptor as described in these standards shall be installed in any business establishment with kitchen facilities including restaurants, cafes, lunch counters, cafeteria as, supermarkets, convenience stores, bakeries, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or any other commercial establishment where grease may be introduced into the sewer system.

Special consideration shall be given to every fish, fowl and animal slaughterhouse or establishment; every fish, fowl and meat packing or curing establishment; every soap factory, tallow rendering, fat rendering and hide curing establishment; or any other establishment from which considerable amounts of grease are likely to be discharged into the sewer system. Written application describing exact operation and anticipated volumes of grease shall be made to the sanitation authority to determine the standards for such systems.

(B) **Fixtures.** The waste discharge from fixtures and equipment which may contain grease from the businesses set out previously shall be drained through a grease interceptor or grease interceptors. Fixtures such as, but not limited to, the following are included: scullery sinks, pot and pan sinks, dishwashing machines, soup kettles and similar cooking equipment, trash compactors, floor drains in grease generating areas, and trash can wash areas.

(C) **Prohibited fixtures.** The waste lines from toilets, urinals, and other similar fixtures shall not drain through a grease interceptor.

(D) **Location.**

1. Grease interceptors shall be so installed and connected that they shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease.
2. Grease interceptors shall be placed as close as practical to the fixtures served.
3. Grease interceptors shall be located on the exterior of buildings unless specifically approved otherwise in writing by the health district.
4. Grease interceptors shall be so located as to be accessible for service without the use of ladders or the removal of bulky equipment.
5. Location of all grease interceptors shall be shown on the approved plans.

6. Each grease interceptor shall serve only one business establishment. Multiple business connections to a single interceptor are not permitted. Unless approved by the sanitation authority in writing.

(E) **Size.**

1. Grease interceptors shall be sized in accordance with Table 10-3. Interceptors shall not be more than one size larger than required in Table 10-3.

NOTE: For situations not covered by Table 10-3, a submittal showing the interceptor size and calculations shall be approved by the sanitation authority prior to building official plan approval. For business establishments other than commercial restaurants, a specific submittal shall be approved by the sanitation authority prior to building official plan approval. Such designs shall be prepared by a Nevada Registered Engineer.

2. All grease interceptors shall have a minimum of two compartments with a minimum of 3 inch diameter fittings designed for grease retention. The fittings shall be installed in the following manner: A 90° long sweep or sanitary tee shall be installed at the inlet, a sanitary tee on the inlet side of the interceptor baffle, and a sanitary tee installed at the outlet.

3. There shall be adequate access for cleaning all areas of the separator. A minimum of one access point into each compartment within the separator shall be provided. In addition, no access points shall be further apart than 10 feet regardless of the number of compartments. Separator covers shall be of gas-tight construction. Interceptor covers shall have a minimum opening dimension of twenty inches in diameter.

4. All waste shall enter the grease interceptor through the inlet pipe.

5. Grease interceptors shall be so designed that they will not become air bound. Each interceptor shall be properly vented with a relief vent located on the outlet side of the interceptor.

6. Cleanouts shall be installed in the drainage piping inlet and outlet side of each grease interceptor and the outlet side of each sample box.

7. Each fixture discharging into a grease interceptor shall be individually trapped and vented in an approved manner. An approved type grease interceptor may be used as a fixture trap for a single fixture when the horizontal distance between the fixture outlet and the grease interceptor does not exceed four feet (1.2 meters) and the vertical tailpipe or drain between the fixture outlet and the grease interceptor does not exceed two and one-half feet (0.8 meters).

8. No water jacketed grease trap or grease interceptor shall be approved or installed.

9. Each grease interceptor shall have an approved water seal of not less than two inches (50.8 millimeter) in depth or the diameter of its outlet whichever is greater.

10. When grease interceptors are located in areas of pedestrian or vehicle travel, the design of the interceptor shall be adequate to support the imposed load. Structural calculations to verify its adequacy may be required.

11. Design standards other than those listed above may be acceptable. Redwood baffles shall not be used for new or existing interceptors. Any alternate design shall be prepared by a Nevada Registered Engineer and submitted for review and approval by the sanitation authority and the building official.

12. A sample box shall be provided on the outlet side of each grease interceptor down stream of the required cleanout and vent.

(F) **Water Test.** A water test shall be applied to the level of the top of the interceptor inlet opening through the outlet opening or discharge side of the sample box. Interceptors shall show no leakage from section seams, pinholes or other imperfections. Any leakage below this level is cause for rejection.

1. **Backfill.** Interceptors shall not be backfilled until the inspection has been made to verify there are no leaks.

1010.0 - Sand/Oil Interceptors

(A) **Where Required.** An interceptor shall be provided for the proper handling of liquid wastes containing oil (of petroleum origin), sand, inert solids or any other similar substances.

NOTE: A sand/oil interceptor is not intended for the disposal of hazardous waste or as a backup system for accidental spills.

Interceptors as described in these standards shall be installed in, but not limited to, the following locations: car washes, motor vehicle, boat or airplane storage yards, gasoline and diesel service stations, repair garages or any other similar facility which may introduce sand and oil into the sewer system.

Submittal of a written application describing the exact facility operation and the types and anticipated volumes of waste to be generated, may be required by the building official.

- (B) **Fixtures.** The waste discharge from fixtures and equipment which may contain sand, oil-based wastes, and inert solids shall drain only through an interceptor. This requirement includes, but is not limited to, the following: floor drains, floor sinks, special processing equipment, trench drains, and area drains.
- (C) **Prohibited Fixtures.** The waste line from toilets, urinals, lavatories and other similar fixtures, which discharge domestic wastes only, shall not drain through the interceptor.
- (D) **Location**
- (1) Sand/oil interceptors shall be so installed and connected that they shall be at all times accessible for inspection, cleaning and removal of the intercepted waste.
 - (2) Sand/oil interceptors shall be placed as close as practical to the fixtures served.
 - (3) Sand/oil interceptors shall be located on the exterior of buildings unless specifically approved otherwise in writing by the sanitation authority.
 - (4) Sand/oil interceptors shall be located as to be accessible for service without the use of ladders or the removal of bulky equipment.
 - (5) Location of all sand/oil interceptors shall be shown on the approved plans.
 - (6) Each sand/oil interceptor shall serve only one business establishment. Multiple business connections to a single sand/ oil interceptor are not permitted unless approved by the sanitation authority in writing.
- (E) **Size and Design.**
- (1) All sand/oil interceptors shall be minimum of three hundred (300) gallons (40 cubic feet) of total liquid capacity with a minimum floating liquid capacity of 55 gallons.
 - (2) All sand/oil interceptors shall have a minimum of two compartments with a minimum of 3 inch diameter fittings designed for retention. The fittings shall be installed in the following manner: a 90° long sweep shall be installed at the interceptor inlet, a sanitary tee shall be installed on the inlet side of the interceptor baffle, and a sanitary tee installed at the outlet.
 - (3) There shall be adequate access for cleaning all areas of the separator. A minimum of one (1) access point into each compartment within the separator shall be provided. In addition, no access points shall be further apart than ten (10) feet regardless of number of compartments. Access

covers shall have a minimum opening dimension of twenty (20) inches in diameter. Separator covers shall be of gas-tight construction.

(4) The sand/oil interceptor shall be properly vented and designed to prevent it from becoming air bound in accordance with the Plumbing Code.

(5) Each business establishment for which a sand/oil interceptor is required shall be provided with an interceptor which shall serve that establishment only and no others. Separate owners or lessees within a large business or establishment shall require separate interceptors.

(6) Each sand/oil interceptor shall have a water seal of not less than six (6) inches.

(7) When separators are located in areas of foot or vehicle traffic, the design of the separator shall be adequate for the imposed load. Structural calculations performed by a Nevada Registered Engineer to verify adequacy may be required.

(8) Any private or public wash rack or slab used for cleaning machinery or machine parts, shall drain to a sand/oil separator, and shall be adequately protected against storm or surface water intrusion.

(9) Design standards other than those listed above may be acceptable. Redwood baffles shall not be used for new or existing interceptors. Any alternate design shall be prepared by a Nevada Registered Engineer and submitted for review and approval by the sanitation authority and the building official.

(10) Cleanouts shall be installed in the drainage piping inlet and outlet side of each sand/oil interceptor and the outlet side of each sample box.

(11) A sample box shall be provided on the outlet side of the interceptor down stream of the required cleanout and vent.

(F) **Water Test.** A water test shall be applied to the level of the top of the interceptor inlet opening through the outlet opening or discharge side of the sample box. Interceptors shall show no leakage from section seams, pinholes or other imperfections. Any leakage below this level is cause for rejection.

1. **Backfill.** Interceptors shall not be backfilled until the inspection has been made to verify there are no leaks.

1011.0 - Maintenance of interceptors.

(A) Grease and sand/oil interceptors shall be maintained in efficient operating condition by periodic removal of the accumulated grease or sand/oil. No

such collected grease, sand/oil, or any material collected from the interceptor shall be introduced into any drainage piping, public or private sewers. The materials removed from interceptors shall be handled and disposed of in a proper manner in accordance with published health district and sanitation authority requirements. Illegal dumping of waste into the sewer shall not be allowed.

- (B) Maintenance records for each installed interceptor shall be maintained on the premises at all times and presented to a duly authorized agent of the sanitation authority upon request.
- (C) The Authority Having Jurisdiction shall have the authority to mandate the installation of additional equipment or devices and enforce a maintenance program.

1012.0 - Abandoned interceptors. Abandoned interceptors shall be cleaned and filled as required by Section 722.0 of the Plumbing Code for abandoned sewers and sewage disposal facilities.

1013.0 Interceptor Requirements for Existing Buildings. If no interceptor is presently installed in a building for which a business requiring an interceptor is proposed, then one or more interceptors and building fixtures shall be installed in the building to meet these standards.

Before any existing business, which has a complying or non-complying interceptor, increases the size of its business, its load on the interceptor, or is transferred in ownership, the building fixtures and interceptor shall be brought into compliance with these standards as if for new construction.

1101.3 Material Uses

Add a subsection 1101.3.1 to read as follows:

1101.3.1 Plastic piping used for rainwater systems shall be limited to buildings defined as combustible construction by this code.

1101.5.1 Subsoil Drains

Amend section 1101.5.1 to read as follows:

1101.5.1 Where required by the geotechnical engineer or the building official, subsoil drains shall be provided around the perimeter of buildings having basements, cellars, or crawl spaces or floors below grade. Such subsoil drains may be positioned inside or outside of the footing, shall be of perforated, or open-jointed approved drain tile or pipe not less than three (3) inches (80 mm) in diameter, and shall be laid in gravel, slag, crushed rock, approved three-quarter (3/4) inch (19.1 mm) crushed recycled glass aggregate, or other approved porous material with a minimum of four (4) inches (102 mm) surrounding the pipe on all sides. Filter media shall be provided for exterior subsoil piping.

1101.9 Filling Stations and Motor Vehicle Washing Establishments.

Delete section 1101.9 in its entirety.

1101.10 Paved Areas

Delete section 1101.10 in its entirety.

1103.0 Traps on Storm Drains and Leaders

Delete section 1103 in its entirety.

1104.3 Combining Storm with Sanitary Drainage

Delete section 1104.3 in its entirety.

1203.0 Definitions

Add a new subsection 1203.2.1 to Section 1203.2 Fuel Gas to read as follows:

1203.2.1 Dry Gas – A gas having a moisture and hydrocarbon dew point below any normal temperature to which the gas piping is exposed. Southern Nevada shall be considered a dry gas condition area unless specified by the local gas purveyor.

1209.6 Gas Meters.

Add a new item (E) to subsection 1209.6.2 to read as follows:

1209.6.2 Location

(E) All lots in mobile home parks and lots in recreational vehicle parks shall be served individually by the duly franchised gas serving utility supplying gas from the street main.

1211.1.6 Piping Underground Beneath Buildings

Delete section 1211.1.6 in its entirety and replace with a new section 1211.1.6 to read as follows:

1211.1.6 No gas piping shall be installed in or on the ground under any building or structure unless installed in gastight conduit, and all exposed gas piping shall be kept at least six (6) inches (152 mm) above grade or structure. The term "building or structure" shall include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances. All gas piping under a slab shall be capable of being removed and replaced.

The conduit shall be of material approved for installation underground beneath buildings and not less than Schedule 40 pipe. The interior diameter of the conduit shall be not less than one-half (1/2) inch (15 mm) larger than the outside diameter of the gas piping.

The conduit shall extend to a point at least (12) inches (305 mm) beyond any area where it is required to be installed or to the outside wall of a building, and the outer ends shall not be sealed. Where the conduit terminates within a building, it shall be readily accessible and the space between the conduit and the gas piping shall be sealed to prevent leakage of gas into the building.

1214.3 Test Pressure

Delete section 1214.3 in its entirety and add a new section 1214.3 to read as follows:

1214.3 Final Piping Inspection

1214.3.1 This inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be covered or concealed are so concealed and before any fixtures, appliance, or shutoff valve has been attached thereto. This inspection shall include an air, CO₂ or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than ten (10) pounds per square inch (68.9 kPa) gauge pressure, or at the discretion of the Administrative Authority, the piping and valves may be tested at a pressure of at least six (6) inches (152 mm) of mercury, measured with a manometer or slope gauge. Test pressures shall be held for a length of time satisfactory to the Administrative Authority, but in no case for less than fifteen (15) minutes, with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of fourteen (14) inches (356 mm) water column pressure, the test pressure shall not be less than sixty (60) pounds per square inch (413.4 kPa) and shall be continued for a length of time satisfactory to the Administrative Authority, but in no case for less than thirty (30) minutes. These tests shall be made using air, CO₂, or nitrogen pressure only and shall be made in the presence of the Administrative Authority. All necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conducting tests shall comply with Section 319.0, Test Gauges.

1217.0 Required Gas Piping Size.

Amend section 1217.0 to read as follows:

1217.1 Where the maximum demand does not exceed two hundred fifty (250) cubic feet per hour (2 L/sec.) and the maximum length of piping between the meter and the most distant outlet is not over two hundred fifty (250) feet (76,200 mm), the size of each section and each outlet of any system of gas piping shall be determined by means of Table 12-8 for steel pipe, or Table 12-13 for copper tubing systems, or section 1209.4.3 (3) for CSST systems. Other Systems within

the range of Table 12-8 or 12-13 may be sized from that table or by means of the methods set forth in Section 1217.3.

1217.2 To determine the size of each section of pipe in any system within the range of Table 12-8, proceed as follows:

- (1) Measure the length of the pipe from the gas meter location to the most remote outlet on the system.
- (2) In Table 12-8 select the length in feet column and row showing that distance, or the next longer distance if the table does not give the exact length.
- (3) Starting at the most remote outlet, find in the row just selected the gas demand for that outlet. If the exact figure of demand is not shown, choose the next larger figure in the row.
- (4) At the top of this column will be found the correct size of pipe.
- (5) Using this same row, proceed in a similar manner for each section of pipe serving this outlet. For each section of pipe, determine the total gas demand supplied by that section. Where gas piping sections serve both heating and cooling equipment and the installation prevents both units from operating simultaneously, only the larger of the two demand loads needs be used in sizing these sections.
- (6) Size each section of branch piping not previously sized by measuring the distance from the gas meter location to the most remote outlet in that branch and follow the procedures of steps 2, 3, 4, and 5 above.

Note:

Size branch piping in the order of their distance from the meter location, beginning with the most distant outlet not previously sized.

1217.3 For conditions other than those covered by Section 1217.1, such as longer runs or greater gas demands, the size of each gas piping system shall be determined by standard engineering methods acceptable to the Authority Having Jurisdiction, and each such system shall be so designed that the total pressure drop between the meter or other point of supply and any outlet when full demand is being supplied to all outlets, will at no time exceed five tenths (0.5) inches (12.7 mm) water column pressure.

1217.4 Where the gas pressure may be higher than fourteen (14) inches (356 mm) or lower than six (6) inches (152 mm) of water column, or when diversity demand factors are used, the design, pipe, sizing, materials, location, and use of such systems first shall be approved by the Authority Having Jurisdiction. Piping systems designed for pressures higher than the serving gas supplier's standard delivery pressure shall have prior verification from the gas supplier of the availability of the design pressure. Systems using undiluted liquefied petroleum gas may be sized using Table 12-32 for steel pipe for eleven (11) inches (279 mm) of water column and in accordance with the provisions of Sections 1217.1 and 1217.2.

CHAPTER 13 - HEALTHCARE FACILITIES AND MEDICAL GAS AND VACUUM SYSTEMS

Delete Chapter 13 in its entirety

CHAPTER 15 - Firestop Protection

Delete Chapter 15 in its entirety

CHAPTER 16 – Gray Water Systems

Delete Chapter 16 Part 1 - Gray Water Systems in its entirety

CHAPTER 16 – Part 2 Reclaimed Water Systems

1613.0 Reclaimed Water Systems - General

Amend 1613.0 Reclaimed Water Systems – General, item (A) to read as follows:

(A) The provisions of the chapter shall apply to the installation, construction, alteration, and repair of reclaimed water systems intended to supply water closets, urinals, and trap primers for floor drains and floor sinks and collect gray water for other authorized systems by the Authority Having Jurisdiction. Use is limited to these fixtures that are located in non-residential buildings. Fixtures within residential buildings are excluded from the list of approved uses. The reclaimed water systems shall have no connection to any potable water system, with or without mechanical backflow prevention devices. If reclaimed water is utilized on the premises, all potable water supplies shall be provided with appropriate backflow protection, as required by the authority having jurisdiction. Except as otherwise provided for in this chapter, the provisions of this Code shall be applicable to reclaimed water system installations.

1614.0 Definitions.

Amend Section 1614.0 to read to read as follows:

1614.0 Definitions

Reclaimed water is water which, as a result of tertiary treatment of domestic wastewater by a public agency, is suitable for a direct beneficial use or a controlled use that would not otherwise occur. The level of treatment and quality of the reclaimed water shall be approved by the State of Nevada Department of Environmental Protection.

1622.0 Approved Uses of Reclaimed Water

Amend Section 1622.0 to read as follows:

1622.0 Approved Uses of Reclaimed Water.

Use of reclaimed water shall require approval of the Authority Having Jurisdiction and the officials designated by the State of Nevada Department of Environmental Protection.

Appendix F – Firefighter Breathing Air Replenishment Systems

Delete Appendix F in its entirety and refer to the Fire Code.

Appendix K – Private Sewage Disposal Systems

Delete Appendix K in its entirety.

Appendix L – Alternate Plumbing Systems

Delete sections L 6.0, L 7.0, and L 8.0 in their entirety.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-76 – Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

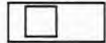
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt the 2006 Edition of the International Energy Conservation Code, together with amendments agreed upon by local governments within the Southern Nevada area.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-76

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5882. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

1 **BILL NO. 2006-76**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL ENERGY
4 CONSERVATION CODE, ALONG WITH AMENDMENTS THERETO, AND TO PROVIDE FOR
OTHER RELATED MATTERS.

5 Proposed by: Paul Wilkins, Director of Building
6 and Safety

Summary: Adopts the 2006 Edition of the
International Energy Conservation Code, along
with amendments thereto.

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

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

11 **16.52.010:** Those certain documents, three copies of which are on file in the Office of the City
12 Clerk and are designated as follows, are adopted by reference as if set forth herein in full:

13 (A) The publication entitled ["International Energy Conservation Code, 2003
14 Edition,"] "International Energy Conservation Code, 2006 Edition," as published by the International
15 Code Council, as Part 1 of this Chapter; and

16 (B) The document entitled ["2003 Southern Nevada International Energy
17 Conservation Code Amendments,"] "Southern Nevada Amendments to the 2006 International Energy
18 Conservation Code," which adds to, deletes from and amends the ["International Energy Conservation
19 Code, 2003 Edition,"] "International Energy Conservation Code, 2003 Edition," as Part 2 of this
20 Chapter.

21 SECTION 2: The document entitled "Southern Nevada Amendments to the 2006
22 International Energy Conservation Code," referred to in Section 1 of this Ordinance, is attached
23 hereto.

24 SECTION 3: The documents entitled "International Energy Conservation Code, 2003
25 Edition" and "2003 Southern Nevada International Energy Conservation Code Amendments" are
26 hereby repealed.

27 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

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

7 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
8 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
9 required or the failure to do any act is made or declared to be unlawful or an offense or a
10 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
11 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
12 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
13 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

14 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

18 APPROVED:

19
20 By _____
OSCAR B. GOODMAN, Mayor

21 ATTEST:

22
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 12-7-06
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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:

16

17 BARBARA JO RONEMUS, City Clerk

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Southern Nevada Amendments

To The

2006

International Energy Conservation Code

Published: October 12, 2006

Clark County 4701 W. Russell Road Las Vegas, NV 89118 (702) 455-3030 Inspections: 455-8040	City of Las Vegas 731 S. 4 th Street Las Vegas, NV 89101 (702) 229-6251 Inspections: 229-2071
Boulder City 401 California Ave. Boulder City, NV 89005 (702) 293-9282	City of Mesquite 10 East Mesquite Blvd. Mesquite, NV 89027 (702) 346-2835
North Las Vegas 2240 Civic Center Drive North Las Vegas, NV 89030 (702) 633-1577 Inspections: 633-1576	City of Henderson 240 Water Street Henderson, NV 89015 (702) 267-3600 Inspections: 267-3900
Pahrump Regional District 1210 E. Basin Suite 1 Pahrump, NV 89060 (775) 751-3773	<i>Reprint pages 12-16</i>

Preface

This document comprises the proposed Southern Nevada Amendments to the 2006 International Energy Conservation Code as published by the International Code Council (ICC). It was developed by the jurisdictions listed on the cover page, the Southern Nevada Home Builders Association (SNHBA), representatives of the building industry (both contractors and trade groups), representatives of private energy consulting groups, and consultants representing the State Energy Office and DOE as a document to be adopted by reference. These provisions 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.

101.1 Title.

Section 101.1 is amended to read:

101.1 Title. This code shall be known as the Energy Conservation Code of Southern Nevada, and shall be cited as such. It is referenced to herein as "this code."

101.4.3 Additions, alterations, renovations or repairs.

Revise Sec. 101.4.3 to add Exceptions #5 and #6, so that the section reads as follows:

101.4.3 Additions, alterations, renovations or repairs. Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations, or repairs shall not create an unsafe or hazardous condition of overload existing building systems.

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Relocations of existing luminaries within an existing space.
6. Alterations that replace 50% or less of the luminaries within a space, provided that the total energy consumption of the new luminaries is at least 10% less than the total energy consumption of the luminaries being replaced. If this exception is taken, the design professional shall provide all necessary calculations and information on the plans to show justification.

101.5.2.1 Low Energy Buildings.

Section 101.5.2 is amended to read:

101.5.2 Low energy buildings. The following buildings, or portions thereof, separated from the remainder of the building by building thermal envelope assemblies complying with this code shall be exempt from the building thermal envelope provisions of this code:

1. Those with a peak design rate of energy usage less than 3.4 Btu's /h/ft² (10.7W/m²) or 1.0 watt/ft² (10.7W/m²) of floor area for space conditioning purposes.
2. Those that do not contain conditioned space.
3. Those spaces that employ evaporative cooling as the sole source of conditioning.
4. Spaces whose sole purpose is to house and protect from freezing risers and mechanisms directly related to the building fire suppression system.

107.3 Referenced Codes.

Add a new section 107.3 to read:

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.

202 General Definitions.

Add the following definition:

AIR BARRIER: An integral component of the thermal energy envelope comprised of approved solid opaque materials that supports in-contact insulating material on one side and is sealed to prevent any leakage of air through the building enclosure. The air barrier can be comprised of, but not limited to, the exterior siding, exterior lath and stucco, rigid insulation board, exterior sheathing and sub-sheathing, water proof substrate with tiles, masonry or stone veneers, roof sheathing and drywall between conditioned and unconditioned attic spaces.

Revise the definition of BUILDING THERMAL ENVELOPE to read as follows:

BUILDING THERMAL ENVELOPE: The basement walls, exterior walls, floor, roof and any other building element comprised of a solid air barrier and approved insulation components in substantial, direct contact with it, that encloses conditioned space and any exempt or unconditioned space.

Add the following definitions in alphabetical order:

CASINO RESORT-BACK OF HOUSE: Areas of a casino resort that are only accessible to authorized personnel and not to the general public and guests, such as employee and delivery entrances, employee lounges and dining areas, administrative offices and meeting rooms, maintenance areas, storage rooms, service corridors, etc.

CASINO RESORT-FRONT OF HOUSE: Areas of the casino resort that are physically accessible or visible to the general public and guests, such as the exterior facades, landscaping, entries, lobbies, guestroom corridors, porte cocheres, retail shops,

restaurants, theaters, gaming areas, guest conference and meeting rooms, other areas of entertainment, etc.

Delete the definition of **CONDITIONED SPACE** and replace it with the following definition:

CONDITIONED SPACE: For energy purposes, space within a building that is provided with heating and/or cooling equipment, un-insulated ducts or systems capable of maintaining, through design or heat loss/gain, 50° F (10°C) during the heating season and 85° (29° C) during the cooling season, or through openings that communicate directly with a conditioned space. For mechanical purposes, an area, room or space being heated or cooled by any equipment or appliance. Note: Spaces which utilize required supplemental heating for the sole purpose of protecting wet fire protection systems (freeze protection to 42° F) or whose sole source of conditioning is through evaporative cooling is **not** considered conditioned space for the purposes of this code.

Add the following definitions in alphabetical order:

DISPLAY KITCHEN: A substantially open cooking and food preparation facility, located in the front-of-house dining room/lounge area specifically for the purpose of entertaining patrons by demonstrating the function of food and drink preparation.

INSULATION -- THERMAL: A component of the thermal energy envelope comprised of any approved material installed in substantially direct contact to either side of the air barrier that provides measured thermal resistance (R-value) to heat flow from a conditioned space to which it bounds.

LIGHTING -- SPECIALIZED MEDICAL, DENTAL AND RESEARCH: Lighting, other than general room illumination lighting, that is supplied from specialized single-purpose fixtures that are essential for the performance of specific medical, dental, or research-related tasks or procedures, including low-level night-lights used in clinical applications.

LIGHTING -- TASK: Lighting provided to illuminate work areas wherein specific repetitive and/or ongoing tasks or operations are performed. To be considered task lighting, the fixture(s) providing the illumination must be either cord-and-plug connected or hard-wired apart from the fixtures specified for general lighting and be switched or dimmed locally. Tasks that commonly require additional illumination include drafting; graphic design; office duties such as filing and sorting mail; reading detailed photographs, carbon copies, handwritten documents, materials printed with less than 6-point type, maps, and telephone books; maintenance work; and industrial tasks such as cutting, crushing, sorting, or grading; manufacturing components; machining; difficult or exacting assembly; difficult or exacting inspection; welding; and crafting by means of engraving, carving, painting, stitching, cutting, pressing, knitting, polishing, or woodworking. Authorities having jurisdiction may approve additional qualifying tasks.

LIGHTING -- THEATRICAL AND SPECIAL EFFECTS: Theatrical lighting shall be any lighting used to directly or indirectly illuminate a stage or other performance area, including dance floors. Special effects lighting shall be lighting used within or as part of a visual feature in a themed or theatrical environment. Special effects lighting shall

include but not be limited to: strobe lights, automated luminaries (intelligent lighting), effects projectors, and ultraviolet (UV) fixtures. In order to qualify as theatrical or special effects lighting, the lighting must be separated from general illumination and be operated from a control system accessible only by authorized personnel.

MASS WALL: Walls constructed of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth (adobe, compressed earth block, rammed earth), or solid timber logs.

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, locations maps and directories, gaming boards, sports scoreboards, and slot carousel identifiers.

401.3 Certificate.

Section 401.3 is amended to read:

401.3 Certificate. A permanent certificate shall be posted in a conspicuous place on or in the home. The certificate shall be completed by the builder or registered design professional. The certificate shall list the predominate *R*-values of insulation installed on or on ceiling/roof, walls, foundation (slab, basement wall, crawlspace wall and/or floor) and ducts outside conditioned spaces; *U*-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the type and efficiency of heating, cooling and service water heating equipment.

402.4.1 Building Thermal Envelope.

Section 402.4.1 is amended to read:

402.4.1 Sealing of air barrier. The building air barrier shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weatherstripped or otherwise sealed with an approved material:

1. All joints, seams, and penetrations in the air barrier.
2. Site-built windows, doors and skylights.
3. Openings between window and door assemblies and their respective jambs and framing.
4. Utility penetrations.
5. Other sources of infiltration through the air barrier.

403.2.1 Insulation.

Section 403.2.1 is amended to read:

403.2.1 Insulation. Supply and return ducts shall be insulated to a minimum of R-6. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the building thermal envelope.

403.2.2 Sealing.

Section 403.2.2 is amended to read:

403.2.2 Sealing. All ducts, filter boxes, and building cavities used as ducts shall be sealed. Joints of duct systems shall be made substantially airtight by means of tapes, mastics, gasketing or other approved closure systems. Closure systems used with rigid fibrous glass ducts shall comply with UL 181A and shall be marked "181A-P" for pressure-sensitive tape, "181 A-M" for mastic or "181 A-H" for heat-sensitive tape. Closure systems used with flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked "181B-FX" for pressure-sensitive tape or "181 B-M" for mastic. Duct connections to flanges of air distribution system equipment or sheet metal fittings shall be mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metal ducts shall have a contact lap of at least 1 ½ inches (38mm) and shall be mechanically fastened by means of at least three sheet-metal screws or rivets equally spaced around the joint.

403.4 Circulating Hot Water Systems.

Section 403.4 is deleted and replaced with the following:

403.4 Hot water systems. All service hot water heating systems shall meet the requirements of Section 403.4.1 or Section 403.4.2.

403.4.1 Non-circulating hot water systems. All service hot water piping installed in unconditioned spaces, including under-slab piping, shall be insulated to R-2.

403.4.2 Circulating hot water systems. All circulating service hot water piping, including under-slab piping, shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or readily accessible manual switch that can turn off the hot water circulating pump when the system is not in use.

403.5 Mechanical Ventilation.

Section 403.5 is amended by adding an exception, so that the section reads as follows:

403.5 Mechanical ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

Exception: Where clothes dryer exhaust vents terminate at the roof, backdraft dampers are not required.

404.3 Performance-based Compliance.

Sec. 404.3 is deleted and replaced with the following:

404.3 Site energy: The different energy sources shall be compared on the basis of source energy used at the site where 1kWh=10,239 Btu.

404.6.1 Minimum Capabilities.

Section 404.6.1 is amended to read:

404.6.1 Minimum capabilities. Calculation procedures used to comply with this section shall be software tools capable of calculating the annual energy consumption of all building elements that differ between the standard reference design and the proposed design and shall include the following capabilities:

1. Computer generation of the standard reference design using only the input for the proposed design. The calculation procedure shall not allow the user to directly modify the building component characteristics of the standard reference design.
2. Calculation of whole-building (as a single zone) sizing for the heating and cooling equipment in the standard reference design residence shall be sized based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculation methodologies.
3. Calculations that account for the effects of indoor and outdoor temperatures and part-load ratios on the performance of heating, ventilating and air conditioning equipment based on climate and equipment sizing.
4. Printed code official inspection checklist listing each of the proposed design component characteristics from Table 404.5.2(1) determined by the analysis to provide compliance, along with their respective performance ratings (e.g. R-Value, U-Factor, SHGC, HSPF, AFUE, SEER, ER, etc.).

502.4.4 Outdoor Air Intakes and Exhaust Openings.

Section 502.4.4 is amended by adding exceptions 2-6, so that the section reads as follows:

502.4.4 Outdoor air intakes and exhaust openings. Stair and elevator shaft vents and other outdoor air intakes and exhaust openings integral to the building envelope shall be equipped with not less than a Class I motorized, leakage-rated damper with a maximum leakage rate of 4 cfm per square foot (6.8 L/s Cm²) at 1.0 inch water gauge (w.g.) (1250 Pa) when tested in accordance with AMCA 500D.

Exceptions:

1. Gravity (non-motorized) dampers are permitted to be used in buildings less than three stories in height above grade.
2. Supply and exhaust ducts or shafts integral to the smoke management system as required by Section 909 of the International Building Code.
3. Type I and Type II hoods in commercial kitchens and the make-up air units that are required for the operation of these fume hoods.
4. All vents used for conveying products of combustion.
5. Clothes dryer vents that terminate at the roof.
6. Explosion venting.

502.4.6 Vestibules.

Section 502.4.6 is amended by adding exception 7, so that the section reads as follows:

502.4.6 Vestibules. A door that separates conditioned space from the exterior shall be protected with an enclosed vestibule, with all doors opening into and out the vestibule equipped with self-closing devices. Vestibules shall be designed so that in passing through the vestibule it is not necessary for the interior and exterior doors to open at the same time.

Exceptions:

1. Buildings in Climate Zones 1 and 2 as indicated in Figure 301.1 and Table 301.1.
2. Doors not intended to be used as a building entrance door, such as doors to mechanical or electrical equipment rooms.
3. Doors opening directly from a sleeping unit or dwelling unit.
4. Doors that open directly from a space less than 3,000 square feet (298 m²) in area.
5. Revolving doors.

6. Doors used primarily to facilitate vehicular movement or material handling and adjacent personnel doors.
7. Doors in buildings with less than four stories above grade.

505.2.2.1 Light Reduction Controls.

Section 505.2.2.1 is amended to read:

505.2.2.1 Light reduction controls. Each area that is required to have a manual control shall also allow the occupant to reduce the connected lighting load in a reasonably uniform illumination pattern by at least 50 percent. Lighting reduction shall be achieved by one of the following or other approved method:

1. Controlling all lamps or luminaires;
2. Dual switching of alternate rows of luminaires, alternate luminaires or alternate lamps;
3. Switching the middle lamp luminaires independently of the outer lamps;
4. Switching each luminaire or each lamp; or
5. Using a dimming control system to reduce load by at least 50 percent.

Exceptions:

1. Areas that have only one luminaire.
2. Areas that are controlled by an occupant-sensing device.
3. Corridors, storerooms, restrooms, public lobbies, or means of egress.
4. Sleeping unit (see Section 505.2.3).
5. Spaces that use less than 0.6 Watts per square foot (6.5 W/m²).

505.2.2.2 Automatic Lighting Shutoff.

Section 505.2.2.2 is amended to read:

505.2.2.2 Automatic lighting shutoff. Single-occupancy buildings or single-tenant spaces larger than 5,000 square feet (465 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 in areas that do not exceed 25,000 square feet (2323 m²) and are not more than one floor; or
2. An occupant sensor that shall turn off the lighting within 30 minutes of an occupant leaving a space; or
3. A signal from another control or alarm system that indicates the area is unoccupied.

Exception: The following shall not require an automatic control device:

1. Sleeping units (see Section 505.2.3)
2. Lighting in spaces where patient care is directly provided.
3. Spaces where automatic shutoff would endanger occupant safety or security.
4. Buildings where the nature of the business activity operates 24 hours per day, as approved by the Building Official.

505.5.1 Total Connected Interior Lighting Power.

Section 505.5.1 is amended to read:

505.5.1 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 505.5.1.1 through 505.1.1.4.

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

1. Specialized medical, dental, and research lighting.
2. Professional and/or competition level sports playing area lighting.
3. Display lighting for exhibits in galleries, museums, monuments, and convention centers.
4. Sleeping unit lighting in hotels, motels, boarding houses or similar buildings.
5. Emergency lighting automatically off during normal building operation.
6. Casino Resort -- Front of House areas on properties classified as such by local jurisdictions.
7. Theatrical and special effects lighting.

8. Lighting for film, video or photography beyond general studio illumination.
9. Light Emitting Diode (LED) lighting sources.
10. Neon and cold cathode lighting sources.
11. Interior signage.
12. In a redundant, interlocked lighting system or in a system programmed to prevent simultaneous operation of more than one lighting system, the system using the least amount of power.
13. Lighting equipment available for purchase in a retail setting.
14. Task lighting.
15. Where specific lighting levels are required by state or local governmental criteria, the state or local code shall prevail. The total square footage of the area addressed in such codes shall be subtracted from the overall square footage of the space when utilized for energy calculations.
16. Display kitchen and bar areas.
17. Lighting that is integral to equipment or instrumentation and is installed by its manufacturer.

505.5.1.4 Line Voltage Lighting Track and Plug-In Busway.

Section 505.5.1.4 is amended to read:

Section 505.5.1.4 Line-voltage lighting track and plug-in busway. The wattage shall be the greater of the wattage of the luminaires determined in accordance with Sections 505.5.1.1 through 505.5.1.3 or 30 W/linear foot (98W/lin m). In track lighting equipped with a current limiting device, the wattage shall be the maximum rated power of the current limiting device.

Table 505.5.2 INTERIOR LIGHTING POWER ALLOWANCES.

Table 505.5.2 is deleted in its entirety and replaced with the following:

**TABLE 505.5.2
INTERIOR LIGHTING POWER ALLOWANCES**

LIGHTING POWER DENSITY	
Building Area Type ^a	(W/ft²)
Auditorium	1.8
Automotive Facility	0.9
Bank/Financial Institution ^c	1.5
Classroom/Lecture Hall	1.4
Convention Center ^c	1.3
Corridor, restroom, support area	0.9
Court House ^c	1.2
Dormitory	1.0
Exercise Center	1.0
Exhibit Hall	1.3
Grocery Store	1.6
Gymnasium Playing Surface	1.4
Healthcare-Clinic	1.0
Healthcare-Spa ^c	1.6
Hospital ^c	1.2
Hotel ^{b,c}	1.3
Industrial work	1.2
Kitchen	1.2
Library ^c	1.7
Lobby-hotel ^c	1.1
Lobby-other ^c	1.3
Mall, arcade, or atrium ^c	0.6
Motel	1.0
Motion Picture Theater ^{b,c}	1.2
Multi-Family	0.7
Museum ^c	1.1
Office ^c	1.1
Parking Garage	0.4
Penitentiary	1.0
Police/Fire Station	1.0
Post Office	1.1
Religious Worship ^{b,c}	2.4
Restaurant ^{b,c}	1.6
Retail Sales, wholesales, show room ^{b,c}	1.7
School/University	1.2
Sports Arena ^c	1.1
Storage, Industrial and Commercial	0.8
Theatre – Motion Picture	1.2
Theatre – Performance ^c	2.6

Town Hall	1.1
Transportation	1.0
Warehouse	0.8
Workshop	1.4
Other	1.0

For SI: 1 foot = 304.8 mm, 1 watt per square foot = W/0.0929 m².

- a. In cases where both a general building area type and a more specific building area type are listed, the more specific building area type shall apply.
- b. Where lighting equipment is specified to be installed to highlight specific merchandise or displays in addition to lighting equipment specified for general lighting and is switched or dimmed on circuits separate from the circuits for general lighting, the smaller of the actual wattage for the lighting equipment installed specifically for merchandise, or 21 W/ft times the length of the wall display, 1.6 W/ft² times the area of the specific display of the floor display, or 3.9 W/ft² times the actual case or shelf area for displaying and selling jewelry, china or silver, shall be added to the interior lighting power determined in accordance with this line item.
- c. Where lighting equipment is specified to be installed for decorative purposes in addition to lighting equipment specified for general lighting and is switched or dimmed on circuits separate from the circuits for general lighting, the smaller of the actual wattage of the decorative lighting equipment or 1.5 W/ft² times the area of the space that the decorative lighting equipment is in shall be added to the interior lighting power determined in accordance with this line item.

505.5.2 Interior Lighting Power.

Section 505.5.2 is amended, and a new Table 505.5.3 is added, to read as follows:

505.5.2 Interior lighting power. The total interior lighting power (watts) is the sum of all interior lighting powers for all areas in the building covered in this permit. The interior lighting power is the floor area for each building area type listed in Table 505.5.2 times the value from Table 505.5.2 for that area. For areas with high ceilings and lighting fixture mounting heights that exceed 12 feet, an adjustment factor is allowed by multiplying the LPD value from Table 505.5.2 with the adjustment factor in Table 505.5.3. For the purposes of this method, an "area" shall be defined as all contiguous spaces that accommodate or are associated with a single building area type as listed in Table 505.5.2. When this method is used to calculate the total interior lighting power for an entire building, each building area type shall be treated as a separate area.

**TABLE 505.5.3
ADJUSTMENTS FOR MOUNTING HEIGHTS ABOVE FLOOR**

Height (in feet) above the finished floor to the bottom of luminaire(s)	Multiply LPD by
12 or less	1.0
13	1.05
14	1.10
15	1.15
16	1.21
17	1.47
18	1.65
19	1.84
20 or more	2.04

505.6 Exterior Lighting. (Mandatory).

Revise section 505.6 to read as follows:

505.6 Exterior lighting. (Mandatory). When the power for the exterior lighting is supplied through the energy service to the building, all exterior lighting, other than low-voltage lighting shall have a source efficacy of at least 45 lumens per Watt. Fixtures employing lamps rated over 100 Watts shall either have a source efficacy of at least 60 lumens per Watt or be controlled by a motion sensor.

Exceptions:

1. Where approved because of historical, safety, signage or emergency considerations.
2. Light Emitting Diode (LED), neon, and cold cathode exterior lamp sources.
3. Casino Resort--Front of House areas on properties classified by the local jurisdiction as casino resorts.
4. Where specific lighting levels are required by state or local governmental criteria, the state or local code shall prevail. Areas affected by this exemption include, but are not limited to, ATM's and parking garage emergency lighting.
5. Theatrical and special effects lighting.

Delete sections 505.6.1 and 505.6.2

505.7 Electrical Energy Consumption. (Mandatory)

Section 505.7 is amended by adding an exception, so that the section reads as follows:

505.7 Electrical energy consumption. (Mandatory). In buildings having individual dwelling units, provisions 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
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-77 – Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt the 2006 Editions of the International Building Code and the International Residential Code, together with amendments agreed upon by local governments within the Southern Nevada area.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting as a First Amendment pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-77 - First Amendment

Motion made by LOIS TARKANIAN to Approve as a First Amendment

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as a First Amendment as Ordinance No. 5883. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

1 FIRST AMENDMENT

2 BILL NO. 2006-77

3 ORDINANCE NO. _____

4 AN ORDINANCE TO ADOPT AS THE CITY'S BUILDING CODE THE 2006 EDITIONS OF THE
5 INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE,
6 TOGETHER WITH AMENDMENTS THERETO, AND TO PROVIDE FOR OTHER RELATED
7 MATTERS.

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

Summary: Adopts the 2006 Editions of the
International Building Code and the
International Residential Code, together with
amendments thereto.

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

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

14 **16.04.010:** A building code is established and adopted for the City. The building code adopted
15 by this Section, to be known as the City's Building Code, shall consist of the following documents,
16 which are adopted by this reference and a copy of which shall be maintained on file in the Office of
17 the City Clerk:

18 (A) The publication entitled ["International Building Code, 2003 Edition,"]
19 "International Building Code, 2006 Edition." as modified herein, including all Appendices, [other than
20 Appendices A, B, D and G, which are not adopted.] except as otherwise specified. This publication,
21 as modified, is designated as Part 1 of this Chapter.

22 (B) The document entitled ["City of Las Vegas Amendments to the 2003
23 International Building Code," which amends, by adding to and deleting from, certain sections of the
24 International Building Code, 2003 Edition. If adopted by other local jurisdictions, the document may
25 also be known as the Southern Nevada Amendments to the 2003 International Building Code.]
26 Southern Nevada Amendments to the 2006 International Building Code, which amends, by adding to
27 and deleting from, certain sections of the International Building Code, 2006 Edition. This document
28 is adopted as Part 2 of this Chapter.

(C) The publication entitled the ["International Residential Code for One- and Two-

1 Family Dwellings, 2003 Edition” (also known as the “International Residential Code, 2003 Edition”),
2 as modified herein, including all chapters contained therein, with the exception of Chapters 12-42,
3 which are not adopted, and including all Appendices other than Appendices A-G, Appendices I-J, and
4 Appendix L, which are not adopted.] “International Residential Code for One- and Two-Family
5 Dwellings, 2006 Edition” (also known as the “International Residential Code, 2006 Edition”), as
6 modified herein, including all chapters and Appendices, except as otherwise specified. This
7 publication, as modified, is designated as Part 3 of this Chapter.

8 (D) The document entitled [“City of Las Vegas Amendments to the 2003
9 International Residential Code,” which amends, by adding to and deleting from, certain sections of
10 the International Residential Code, 2003 Edition. If adopted by other local jurisdictions, the document
11 may also be known as the Southern Nevada Amendments to the 2003 International Residential Code.]
12 Southern Nevada Amendments to the 2006 International Residential Code, which amends, by adding
13 to and deleting from, certain sections of the International Residential Code, 2006 Edition. This
14 document is adopted as Part 4 of this Chapter.

15 SECTION 2: The document entitled “Southern Nevada Amendments to the 2006
16 International Building Code” referred to in Section 1 of this Ordinance, is hereby amended by adding
17 thereto a new Section 421 and a new Subsection 421.1, to read as follows:

18 **Section 421 Live/Work Units**

19 **421.1 Live/Work Units.** In accordance with Title 19 of the Las Vegas Municipal Code, live/work
20 units, as defined therein, are permitted in the Live/Work Overlay District. For purposes of addressing
21 fire and life safety issues raised by that type of occupancy, live/work units are permitted in accordance
22 with Title 19, subject to the following limitations:

- 23 a. The minimum floor area of a live/work unit shall be 750 square feet.
- 24 b. A maximum of 50 percent of the floor area of a live/work unit may be used or arranged
25 for residential purposes such as sleeping, kitchen, bathroom and closet area.
- 26 c. No interior wall separating the living portion from the work portion of a unit is required
27 if automatic fire alarm systems are installed throughout the building.
- 28 d. Each live/work unit shall be separated from other live/work units or other uses in the

1 building by a two-hour rated fire wall.

2 e. Access to live/work units shall be provided only from common access areas (halls or
3 corridors) and shall not be from other live/work units or other uses in the building.

4 f. Each live/work unit shall be fully sprinklered. Units of less than 1500 square feet may
5 use a NFPA 13R system. Units 1500 square feet or larger require a full NFPA 13 system.

6 g. An emergency mode of egress directly to the outside (other than through the work
7 portion) shall be provided from the sleeping portion of the live/work unit.

8 h. Live/work units shall not be used for storage of flammable liquids or hazardous
9 materials, welding or any open flame work.

10 i. Gas appliances, including gas stoves and water heaters shall be separated from the
11 sleeping areas per applicable codes.

12 SECTION 3: The documents entitled "Southern Nevada Amendments to the 2006
13 International Building Code" and "Southern Nevada Amendments to the 2006 International
14 Residential Code," referred to in Section 1 of this Ordinance, are attached hereto.

15 SECTION 4: The documents entitled "International Building Code, 2003 Edition,"
16 "International Residential Code, 2003 Edition," "City of Las Vegas Amendments to the 2003
17 International Building Code," and "City of Las Vegas Amendments to the 2003 International
18 Residential Code" are hereby repealed.

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

27 SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared
28 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is

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

6 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
8 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

10 APPROVED:

11
12 By _____
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 BARBARA JO RONEMUS, City Clerk

16 APPROVED AS TO FORM:

17 Val Steed 1-3-07
18 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of ____, 2006, 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 ____, 2007, 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 amended 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

16

ATTEST:

17

BARBARA JO RONEMUS, City Clerk

18

19

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28

**SOUTHERN NEVADA
AMENDMENTS
TO THE
2006 INTERNATIONAL BUILDING CODE**

October 12, 2006

Clark County
4701 W. Russell Rd.
Las Vegas, Nevada 89118
(702) 455-3000
Inspections 455-8040

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

City of North Las Vegas
2240 Civic Center Dr.
North Las Vegas, NV 89030
(702) 633-1577
Inspections 633-1576

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

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

City of Henderson
240 Water Street
Henderson, NV 89015
(702) 267-3650
Inspections 267-3900

Pahrump Regional Planning District
1210 E. Basin, Suite 1
Pahrump, NV 89060
(775) 751-3773

PREFACE

This document, prepared by four committees comprised of representative of Southern Nevada jurisdictions and public members, is the recommended amendments to the 2006 International Building Code (IBC) as published by the International Code Council (ICC). The recommended amendments contained herein 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 their use authorized by the Building Official. This document may be copied and used in whole or in part without permission or approval from the organizations listed on the cover page.

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Section 202 Definitions.

Amend Section 202 to include the following definitions:

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

INTERNATIONAL ELECTRICAL CODE. The Electrical Code as amended and adopted by the local jurisdiction.

INTERNATIONAL MECHANICAL CODE. The Mechanical Code as amended and adopted by the local jurisdiction.

INTERNATIONAL PLUMBING CODE. The Plumbing Code as amended and adopted by the local jurisdiction.

INTERNATIONAL FIRE CODE. The Fire Code as amended and adopted by the local jurisdiction.

Section 303.1 Assembly Group A.

Amend Section 303.1 Subsection A-2 to read as follows:

A-2 Assembly uses intended for food and/or drink consumption including, but not limited to:

- Banquet halls
- Night clubs
- Restaurants
- Taverns and bars
- Casinos

Section 304.1 Business Group B.

Amend Section 304.1 to read as follows:

304.1 Business Group B. Business Group occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

- Airport traffic control towers
- Animal hospitals, kennels and pounds
- Banks
- Barber and beauty shops
- Car wash
- Civic administration
- Outpatient clinic and medical offices (where five or less patients in a tenant space are not capable of self preservation)

Dry cleaning and laundries; pick up and delivery stations and self service
Educational occupancies for students above the 12th grade
Electronic data processing
Laboratories; testing and research
Motor vehicle showrooms
Post offices
Print shops
Professional services (architects, attorneys, dentists, physicians, engineers, etc.)
Radio and television stations
Telephone exchanges
Training and skill development not within a school or academic program

Section 308.2 Group I-1.

Amend the first paragraph of Section 308.2 to read as follows, with remainder of section unchanged:

308.2 Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 16 persons who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

Section 308.3 Group I-2.

Amend Section 308.3 to read as follows:

308.3 Group I-2. This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care of more than five persons who are not capable of self-preservation. This group shall include, but not be limited to the following:

- Hospitals
- Nursing homes (both intermediate care facilities and skilled nursing facilities)
- Mental hospitals
- Detoxification facilities

A medical treatment or health care facility such as the above with five or fewer patients shall be classified as a Group B occupancy.

A residential facility such as the above with five or fewer persons shall be classified as Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2.

Section 310.1 Residential Group R.

Amend Section 310.1 subsection R-2 to read as follows, with remainder of section unchanged:

R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

- Apartment houses
- Boarding houses (not transient)
- Condominiums (nontransient)
- Convents
- Dormitories
- Fraternities and sororities
- Hotels (nontransient)
- Monasteries
- Motels (nontransient)
- Vacation timeshare properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

Section 311.2 Moderate Hazard Storage, Group S-1.

Amend Section 311.2 to read as follows:

311.2 Moderate-hazard storage, Group S-1. Buildings occupied for storage uses which are not classified as Group S-2 including, but not limited to, storage of the following:

- Aerosols, Levels 2 and 3
- Aircraft repair hangar
- Bags; cloth, burlap and paper
- Bamboos and rattan
- Baskets
- Belting; canvas and leather
- Books and paper in rolls or packs
- Boots and shoes
- Buttons, including cloth covered, pearl or bone
- Cardboard and cardboard boxes
- Clothing, woolen wearing apparel
- Cordage
- Furniture
- Furs
- Glues, mucilage, pastes and size
- Grains
- Horns and combs, other than celluloid
- Leather
- Linoleum
- Lumber
- Self-Service Storage Facility
- Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials listed in Table 307.1(1) (see Section 406.6)
- Photo engraving

Resilient flooring
Silks
Soaps
Sugar
Tires, bulk storage of
Tobacco, cigars, cigarettes and snuff
Upholstery and mattresses
Wax candles

Section 403.1 Applicability (High-Rise Buildings).

Amend the first paragraph of Section 403.1 to read as follows, with the exception and items 1 through 5 unchanged:

403.1 Applicability. The provisions of this section shall apply to buildings with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

Section 403.2 Automatic Sprinkler System (High-Rise Buildings).

Amend Section 403.2 to read as follows:

403.2 Automatic sprinkler system. Buildings and structures shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and a secondary water supply where required by Section 903.3.5.2.

Exception: An automatic sprinkler system shall not be required in open parking garages in accordance with Section 406.3.

Section 403.10.2 Standby Power Loads (High-Rise Buildings).

Amend Section 403.10.2 to read as follows:

403.10.2 Standby power loads. The following are classified as standby power loads:

1. Power and lighting for the fire command center required by Section 403.8;
2. Ventilation and automatic fire detection equipment for smokeproof enclosures; and
3. Smoke control systems.

Standby power shall be provided for elevators in accordance with Sections 1007.4 and 3003.

Section 403.11.1 Emergency Power Loads (High-Rise Buildings).

Amend Section 403.11.1 to read as follows:

403.11.1 Emergency power loads. The following are classified as emergency power loads:

1. Exit signs and means of egress illumination required by Chapter 10;

2. Elevator car lighting;
3. Emergency voice/alarm communication systems;
4. Automatic fire detection systems;
5. Fire alarm systems; and
6. Electrically powered fire pumps.

Section 403.12 Stairway Door Operation (High-Rise Buildings).

Amend Section 403.12 to read as follows, with Section 403.12.1 unchanged:

403.12 Stairway door operation. Stairway doors other than the exit discharge doors shall be permitted to be locked from stairway side. Stairway doors that are locked from the stairway side shall be unlocked simultaneously without unlatching upon any of the following: a signal from the fire command center; activation of a fire alarm signal in an area served by the stairway; or failure of the power supply.

Section 403.13 Smokeproof Exit Enclosures (High-Rise Buildings).

Amend Section 403.13 to read as follows:

403.13 Smokeproof exit enclosures. Every required stairway serving floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall comply with Sections 909.20 and 1020.1.7.

Section 403.15 Smoke Control.

Add new Section 403.15 to read as follows:

403.15 Smoke control. A smoke control system shall be provided in accordance with Section 909.

Section 404.1 General (Atriums).

Amend Section 404.1 to read as follows, with Section 404.1.1 remaining unchanged:

404.1 General. In other than Group H occupancies, and where permitted by Exception 5 in Section 707.2, floor openings meeting the requirements of this section are not required to be protected by a shaft enclosure.

Section 404.3 Automatic Sprinkler Protection (Atriums).

Amend Section 404.3 to read as follows, deleting exceptions #1 and #2:

404.3 Automatic sprinkler protection. An approved automatic sprinkler system shall be installed throughout the entire building.

Section 405.9.1 Standby Power Loads (Underground Buildings).

Amend Section 405.9.1 to read as follows:

405.9.1 Standby power loads. The following loads are classified as standby power loads:

1. Smoke control system.
2. Ventilation and automatic fire detection equipment for smokeproof enclosures.

Standby power shall be provided for elevators in accordance with Section 3003.

Section 405.10.1 Emergency Power Loads (Underground Buildings).

Amend Section 405.10.1 to read as follows:

405.10.1 Emergency power loads. The following loads are classified as emergency power loads:

1. Emergency voice/alarm communication systems.
2. Fire alarm systems.
3. Automatic fire detection systems.
4. Elevator car lighting.
5. Means of egress and exit sign illumination required by Chapter 10.
6. Electrically powered fire pumps.

Section 406.1 Private garages and carports.

Add exception after the last paragraph of Section 406.1.2 to read as follows:

Exception: Noncombustible carports may be of unlimited area when they are open on all sides, not over twelve feet (3658 mm) in height, and located a minimum of 5 feet (1524 mm) from any property line or assumed property line, measured from the roof edge.

Section 406.1 Private garages and carports.

Amend Section 406.1.4 by adding Items #4 and #5 to read as follows, with the remainder unchanged:

4. Noncombustible carports do not require exterior wall and opening protection when they are open on all sides, not over twelve feet (3658 mm) in height, and located a minimum of 5 feet (1524 mm) from any property line or assumed property line, as measured from the roof edge.
5. When a Group B, F, M, R, or S occupancy structure and a carport are located on the same property with a minimum separation of ten feet (3048 mm) between the structure and the carport, as measured from the roof edges, exterior wall and opening protection is not required for either structure.

Section 406.2.6.1 Floor Drains (Parking Garages).

Add new Section 406.2.6.1 to read as follows:

406.2.6.1 Floor drains. Where provided, floor drains installed in enclosed parking garages or repair garages shall drain to an approved sand/oil separator.

Section 406.4.2 Ventilation (Enclosed Parking Garages).

Amend Section 406.4.2 to read as follows:

406.4.2 Ventilation. A mechanical ventilation system shall be provided in enclosed parking garages.

Exception: A mechanical ventilation system shall not be required in an enclosed parking garage when openings complying with Section 406.3.3.1 are provided.

Section 406.4.2 Ventilation (Enclosed Parking Garages).

Add new Sections 406.4.2.1, 406.4.2.2, and 406.4.2.3 to read as follows:

406.4.2.1 Minimum ventilation. The mechanical ventilation system shall be capable of producing a ventilation rate of 0.75 cfm per square foot ($0.0038 \text{ m}^3/\text{s}\cdot\text{m}^2$) of floor area.

Exception: When approved by the Building Official, the mechanical ventilation system may be designed to exhaust a minimum of 14,000 cfm ($6.61 \text{ m}^3/\text{s}$) for each operating vehicle. Such system shall be based on the anticipated instantaneous movement rate of vehicles, but not less than 2.5 percent of the garage capacity, or one vehicle, whichever is greater.

406.4.2.2 Intermittent operation. The mechanical ventilation system shall not be required to operate continuously where approved automatic carbon monoxide sensing devices are provided to operate the system automatically to maintain a maximum average concentration of carbon monoxide of 50 parts per million during any eight-hour period, with a maximum concentration not greater than 200 parts per million for a period not exceeding one hour.

406.4.2.3 Occupied spaces accessory to public garages. Connecting offices, waiting rooms, ticket booths and similar uses that are accessory to a public garage shall be supplied with conditioned air and maintained at a positive pressure.

Section 406.6.3 Ventilation (Repair Garages).

Amend Section 406.6.3 to read as follows:

406.6.3 Ventilation. Repair garages shall be mechanically ventilated in accordance with Sections 406.6.3.1 and 406.6.3.2. The ventilation system shall be controlled at the entrance to the garage.

Section 406.6.3 Ventilation (Repair Garages).

Add new Sections 406.6.3.1 and 406.6.3.2 to read as follows:

406.6.3.1 Minimum ventilation. The mechanical ventilation system shall be capable of producing a ventilation rate of 1.5 cfm per square foot ($0.0076 \text{ m}^3/\text{s}\cdot\text{m}^2$) of floor area. Each engine repair stall shall be equipped with an exhaust pipe extension duct, extending to the outside of the building, which, if over 10 feet (3048 mm) in length, shall mechanically exhaust 300 cfm ($0.142 \text{ m}^3/\text{s}$).

406.6.3.2 Occupied spaces accessory to repair garages. Connecting offices, waiting rooms and similar uses that are accessory to a repair garage shall be supplied with conditioned air and maintained at a positive pressure.

Section 410.3.4 Proscenium Wall (Stages).

Amend Section 410.3.4 to read as follows:

410.3.4 Proscenium wall. Where the stage height is greater than 50 feet (15 240 mm), all portions of the stage shall be completely separated from the seating areas by a proscenium wall with not less than a 2-hour fire-resistance rating extending continuously from the foundation to the roof.

Exception: Where a stage is located in a building of Type I construction, the proscenium wall is permitted to extend continuously from the 2-hour fire-resistance-rated floor slab of the space containing the stage to the roof or floor deck above.

Section 410.3.5.1 Activation (Stage Proscenium Curtain).

Amend Section 410.3.5.1 to read as follows:

410.3.5.1 Activation. The curtain shall be activated by signal of water flow from any sprinkler system covering the stage as required by Section 410.6, by rate-of-rise heat detection installed in accordance with Section 907.10 operating at a rate of temperature rise of 15 to 20° F per minute (8 to 11° C per minute), and by an auxiliary manual control.

Section 410.6 Automatic Sprinkler System (Stages).

Amend Section 410.6 to read as follows, deleting Exceptions #1, #2, and #3:

410.6 Automatic sprinkler system. Stages shall be equipped with an automatic fire-extinguishing system in accordance with Chapter 9. Sprinklers shall be installed under the roof

and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops and storerooms accessory to such stages.

Section 419.4 Visual Access.

Add Section 419.4 to read as follows:

419.4 Visual access. All front entrance doors of individual units in motels, hotels, apartment houses, condominiums, and vacation timeshare properties shall contain a means to provide occupants of the unit with visual access through the door.

Section 420.4 Design and Construction.

Amend Section 420.4 to read as follows, with Sections 420.4.1 through 420.4.2 remaining unchanged:

420.4 Design and construction. Hydrogen cutoff rooms shall be classified with respect to occupancy in accordance with Section 302.1 and separated from other areas of the building by not less than 1-hour fire barriers or as required by Section 508.2 or 508.3 as applicable. Rooms shall be provided with at least one automatic sprinkler to provide equipment and container cooling in case of fire.

Section 507.2 Non sprinklered, one story (Unlimited Area Buildings).

Amend Section 507.2 to read as follows:

507.2 Group F-2 or S-2, one story. The area of a one-story, Group F-2 or S-2 building shall not be limited when the building is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width and the building is provided with an automatic sprinkler system throughout when required by Section 903.2 or the Fire Code.

Section 507.3 Sprinklered, One Story (Unlimited Area Buildings).

Amend Section 507.3 to read as follows:

507.3 Sprinklered, one story. The area of a one-story, Group B, F, M or S building or a one-story Group A-4 building, of other than Type V construction, shall not be limited when the building is provided with an automatic sprinkler system throughout in accordance with Section 903.3.1.1 and is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width.

Exceptions:

1. Buildings and structures of Type I and II construction for rack storage facilities that do not have access by the public shall not be limited in height, provided that such buildings conform to the requirements of Sections 507.2 and 903.3.1.1 and NFPA 230.

2. Group A-1 and A-2 occupancies of other than Type V construction shall be permitted, provided:
 - 2.1 All assembly occupancies are separated from other spaces as required for separated uses in Section 508.3.3.4 with no reduction allowed in the fire-resistance rating of the separation based upon the installation of an automatic sprinkler system;
 - 2.2 Each Group A occupancy shall not exceed the maximum allowable area permitted in Section 503.1; and
 - 2.3 All required exits shall discharge directly to the exterior.

Section 603.1.2 Piping.

Amend Section 603.1.2 to read as follows:

603.1.2 Piping. The use of combustible piping materials shall be permitted when installed in accordance with the limitations of the *International Mechanical Code* and the *International Plumbing Code* and the following:

Sections 603.1.2 Piping.

Add Sections 603.1.2.1 through 603.1.2.5 to read as follows:

603.1.2.1 Equipment rooms. Combustible piping shall be permitted to be installed in an equipment room that is enclosed by 2-hour fire-resistance rated construction and protected throughout by automatic sprinklers. The combustible piping shall be permitted to be extended from the equipment room to other rooms provided the piping is encased in an approved, dedicated 2-hour fire-resistance rated assembly. Where such combustible piping penetrates a fire-resistance rated wall and/or floor/ceiling assembly, the penetration shall be protected by a through-penetration firestop system that is listed for the specific piping material and that has F and T ratings not less than the required fire-resistance rating of the penetrated assembly. The combustible piping shall not penetrate more than a single floor.

603.1.2.2 Chemical waste systems. Combustible piping shall be permitted to be installed for chemical waste and vent systems when the chemical waste would otherwise react with noncombustible piping. Combustible piping serving such systems shall be protected as required in Section 603.1.2.1.

603.1.2.3 Medical water systems. Combustible piping shall be permitted to be installed for purified water systems that are used in conjunction with medical treatment systems, such as dialysis. Combustible piping serving such systems shall be protected as required in Section 603.1.2.1.

603.1.2.4 Bars and soda fountains. Combustible distribution/process piping serving bars and soda fountains shall be permitted to be installed below a fire-resistance rated slab-on-grade or sleeved through a fire-resistance rated floor/ceiling assembly.

603.1.2.5 Fire sprinkler systems. CPVC piping that is specifically listed and labeled for fire protection use shall be permitted to be installed for fire sprinkler system piping provided that it is installed in accordance with its listing, the manufacturer's installation requirements, and the *International Building Code*.

Table 704.8 Maximum area of exterior wall openings.

Amend Table 704.8 as follows, all footnotes remain unchanged:

**TABLE 704.8
MAXIMUM AREA OF EXTERIOR WALL OPENINGS ^a**

CLASSIFICATION OF OPENINGS	FIRE SEPARATION DISTANCE (feet)							
	0 to 3 ^{f, j}	Greater than 3 to 5 ^{c, g}	Greater than 5 to 10 ^{c, e, g, h}	Greater than 10 to 15 ^{d, e, g}	Greater than 15 to 20 ^{d, g}	Greater than 20 to 25 ^{d, g}	Greater than 25 to 30 ^{d, g}	Greater than 30
Unprotected	Not Permitted	Not Permitted ^c	10% ⁱ	15% ⁱ	25% ⁱ	45% ⁱ	70% ⁱ	No Limit ^b
Protected	Not Permitted	Not Permitted ^c	25%	45%	75%	No Limit ^b	No Limit ^b	No Limit ^b

Footnotes remain unchanged.

Section 707.2 Shaft enclosure required.

Amend Exception #8 of Section 707.2 to read as follows:

8. A shaft enclosure is not required for automobile ramps, or exhaust or supply ducts that are dedicated to the parking garage ventilation system and are separated from other building shafts by not less than 2-hour fire-resistance-rated construction, in open and enclosed parking garages constructed in accordance with Sections 406.3 and 406.4, respectively.

Section 709.4 Continuity.

Amend Section 709.4 to read as follows:

709.4 Continuity. Smoke barriers shall form an effective membrane continuous from the top of the foundation or floor/ceiling assembly below to the underside of the floor or roof sheathing, deck or slab above, including continuity through concealed spaces, such as those found above suspended ceilings, and including interstitial structural and mechanical spaces. The supporting construction shall be protected to afford the required fire-resistance rating of the wall or floor supported in buildings of other than Type IIB, IIIB, or VB construction.

Exception: Smoke-barrier walls are not required in interstitial spaces where such spaces are designed and constructed with ceilings that provide resistance to the passage of fire and smoke equivalent to that provided by the smoke-barrier walls.

Section 715.4.7 Door Closing.

Amend Section 715.4.7 to read as follows:

Section 715.4.7 Door closing. Fire doors in fire walls shall be automatic closing in accordance with this section. Fire doors in other than fire walls shall be self-closing or automatic-closing in accordance with this section.

Exceptions:

1. Fire doors located in common walls separating sleeping units in Group R-1, and between dwelling units of transient nature in Group R-2, shall be permitted without automatic- or self-closing devices.
2. The elevator car doors and the associated hoistway enclosure doors at the floor level designated for recall in accordance with Section 3003.2 shall be permitted to remain open during Phase 1 emergency recall operation.

Section 717.5 Combustible materials in concealed spaces in Type I or II construction.

Amend Section 717.5 to read as follows:

717.5 Combustible materials in concealed spaces in Type I or II construction. Combustible materials shall not be permitted in concealed spaces of buildings of Type I or II construction.

Exceptions:

1. Combustible materials in accordance with Section 603.
2. Class A interior finish materials classified in accordance with Section 803 where the concealed space is protected with fire sprinklers as required by the Fire Code when fire sprinklers are required in the building by another section in this code.
3. Combustible insulation and covering on pipe and tubing, installed in concealed spaces other than plenums, complying with Section 719.7.
4. CPVC fire sprinkler system piping listed and labeled for fire protection use. Piping shall have a peak optical density not greater than 0.50, an average optical density of not greater than 0.15, and a flame spread of not greater than 5 feet when tested in accordance with UL 1887.

Section 803.4.4 Materials.

Amend Exception 1 of Section 803.4.4 to read as follows, with the remainder of the section remaining unchanged:

Exceptions:

1. Non-combustible materials.

Section 806.1.2 Combustible decorative materials.

Amend Sections 806.1.2 to read as follows:

806.1.2 Combustible decorative materials. The permissible amount of decorative materials meeting the flame propagation performance criteria of NFPA 701 shall not exceed 10 percent of the specific wall or ceiling area to which it is attached.

Exceptions:

1. In auditoriums in Group A, the permissible amount of decorative material meeting the flame propagation performance criteria of NFPA 701 shall not exceed 75 percent of the aggregate wall area where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and where the material is installed in accordance with Section 803.4.
2. The amount of fabric partitions suspended from the ceiling and not supported by the floor in Group B and M occupancies shall not be limited.

Section 806.5 Interior trim.

Amend Sections 806.5 to read as follows:

806.5 Interior trim. Material, other than foam plastic used as interior trim shall have a minimum Class C flame spread and smoke-developed index when tested in accordance with ASTM E 84, as described in Section 803.1. Combustible trim, excluding handrails and guardrails, shall not exceed 10 percent of the specific wall or ceiling area to which it is attached.

Section 903.2.2 Group E (Sprinkler Systems).

Amend Section 903.2.2 to read as follows:

903.2.2 Group E. An automatic sprinkler system shall be provided for Group E occupancies where one or more of the following conditions exists:

1. The Group E fire areas have an occupant load of 50 or more.
2. Any portion of the Group E fire areas is below the level of exit discharge.
3. Rooms used for kindergarten, first or second-grade pupils or for child care purposes, are located above or below the first story.
4. Daycare facilities when there is occupancy from 12:00 a.m. to 6:00 a.m.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one exterior exit door at ground level.

Section 903.2.5 Group I (Sprinkler Systems).

Amend Section 903.2.5 to read as follows, deleting the exception:

903.2.5 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Section 903.3.1.1 NFPA 13 Sprinkler Systems.

Amend Section 903.3.1.1 to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

Section 903.3.1.1.1 Exempt Locations.

Amend Section 903.3.1.1.1 to read as follows:

Section 903.3.1.1.1 Exempt Locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire extinguishing system, in accordance with Section 904. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

Section 903.3.1.2 NFPA 13R Sprinkler Systems.

Amend Section 903.3.1.2 to read as follows, with Section 903.3.1.2.1 remaining unchanged:

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R-1 or R-2, up to and including two stories in height, automatic sprinklers systems are permitted to be installed throughout in accordance with NFPA 13R.

Section 903.3.5.2 Secondary Water Supply.

Amend Section 903.3.5.2 to read as follows:

903.3.5.2 Secondary water supply. A secondary on-site water supply equal to the hydraulically calculated sprinkler demand, including the hose stream requirement, but not less than 15,000 gallons, shall be provided for high-rise buildings. The secondary water supply shall have a duration of not less than 30 minutes as determined by the occupancy hazard classification in accordance with NFPA 13.

Exception: Existing buildings.

Section 903.4.1 Signals.

Amend exception #2 of Section 903.4.1 to read as follows:

2. Backflow prevention devices located at the municipal water supply connection are not required to be monitored when either locked in the open position, or are located within a underground vault or a protective enclosure (hot box) provided by the water purveyor.

Section 903.6 Fire Pump Rooms.

Add a new Section 903.6 to read as follows:

903.6 Fire pump rooms. Where fire pumps are required to provide the required sprinkler and/or standpipe system demand, the fire pumps shall be located in a dedicated room enclosed by fire barriers that have a fire-resistance rating of not less than 2 hours. Fire pump rooms shall be provided with permanent lighting and permanent means to maintain the temperature in the room above 40°F (5°C). All fire pump rooms shall be provided with a floor drain.

Section 905.3.1 Building Height.

Amend Section 905.3.1 to read as follows, including deleting all exceptions:

Section 905.3.1 Building Height. Approved Class I standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144mm) below the highest level of fire department vehicle access.

Section 907.2.7.1 Occupant notification.

Delete Section 907.2.7.1 without substitution.

Section 907.2.12 High-Rise Buildings (Fire Alarm).

Amend Section 907.2.12 to read as follows:

907.2.12 High-rise buildings. Buildings with a floor used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with Section 907.2.12.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 412 and 907.2.22.
2. Open parking garages in accordance with Section 406.3.
3. Low-hazard special occupancies in accordance with Section 503.1.1.

Section 907.2.12.1 Automatic Fire Detection (High-Rise Buildings).

Amend Section 907.2.12.1 to read as follows:

907.2.12.1 Automatic fire detection. Smoke detection shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall operate the emergency voice/alarm communication system. Smoke detectors shall be located as follows:

1. In each room containing oil filled transformers, each room containing dry-type transformers with a rating in excess of 112.5 kVA, each telephone equipment or similar type electronics room, elevator machine rooms and in elevator lobbies.
2. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies a listed smoke detector is allowed to be used in each return air riser carrying not more than 5,000 cfm (2.4 m³/s) and serving not more than 10 air inlet openings.

Exception: Where mechanical and electrical rooms are provided with alternative protection in accordance with Section 903.1.1, smoke detectors shall also be provided in these rooms in accordance with this Section.

Section 907.2.12.3 Fire department communication system.

Amend Section 907.2.12.3 to read as follows, with the exception deleted:

Section 907.2.12.3 Fire department communication system. Approved fire department communication systems designed and installed in accordance with the Fire Code shall be provided for fire department use. It shall operate between a fire command center complying with Section 911 and elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside enclosed exit stairways. The fire department communication device shall be provided at each floor level within the enclosed stairway.

Section 907.8.2 High-Rise Buildings (Fire Alarm).

Amend Section 907.8.2 to read as follows:

907.8.2 High-rise buildings. In buildings with a floor used for human occupancy that is located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm devices.
4. Other approved types of automatic fire detection devices or suppression systems.

Section 907.9.2 Audible alarms.

Section 907.9.2 is amended to read as follows.

907.9.2 Audible alarms. Audible alarm notification appliances shall be provided and shall sound a distinctive sound that is not to be used for any purpose other than that of a fire alarm. The audible alarm notification appliances shall provide a sound pressure level of 15 decibels (dBA) above the average ambient sound level or 5 dBA above the maximum sound level having a duration of at least 60 seconds, whichever is greater, in every occupied space within the building. The minimum sound pressure levels shall be: 80 dBA in occupancies in Groups R and I-1; 90 dBA in mechanical equipment rooms and 80 dBA in other occupancies. The maximum sound pressure level for audible alarm notification appliances shall be 120 dBA at the minimum hearing distance from the audible appliance. Where the average ambient noise is greater than 105 dBA, visible alarm notification appliances shall be provided in accordance with NFPA 72 and audible alarm notification appliances shall not be required.

Exception: Visible alarm notification appliances shall be allowed in lieu of audible alarm notification appliances in critical-care areas of Group I-2 occupancies.

Section 909.5.2 Opening Protection.

Add exception #6 to Section 909.5.2 to read as follows:

6. Passive smoke control systems shall be permitted to be self-closing in the following locations:
 - 6.1. Guest Rooms
 - 6.2. Individual dwelling units
 - 6.3. Mechanical rooms
 - 6.4. Elevator machine rooms
 - 6.5. Electrical rooms used exclusively for that purpose

- 6.6. Doors typically maintained in a closed position as approved by the building official.

Section 909.17 System Response Time.

Amend Section 909.17 to read:

909.17 System response time. Smoke-control system activation shall be initiated immediately after receipt of an appropriate automatic or manual activation command. Smoke control systems shall activate individual components (such as dampers and fans) in the sequence necessary to prevent physical damage to the fans, dampers, ducts and other equipment. For purposes of smoke control, the fire-fighter's smoke control panel response time shall be the same for automatic or manual smoke control action initiated from any other building control point. The total response time, including that necessary for detection, shut-down of operating equipment and smoke control system startup, shall allow for full operational mode to be achieved before the conditions in the space exceed the design smoke condition. Upon receipt of an alarm condition at the fire alarm control panel, fans, dampers and automatic doors shall have achieved their expected operating state and confirmation of proper operation shall be indicated at the smoke control panel within 60 seconds. Verification shall be reported in the required final report.

Section 909.18.8.3 Reports.

Amend Section 909.18.8.3 to read as follows, with Section 909.18.8.3.1 remaining unchanged:

[F] 909.18.8.3 Reports. A complete report of testing shall be prepared by the special inspector or special inspection agency. The report shall include identification of all devices by manufacturer, nameplate data, design values, measured values and identification tag or mark. The report shall be reviewed by the responsible registered design professional and, when satisfied that the design intent has been achieved, the responsible registered design professional shall seal, sign and date the report with a statement as follows:

I have reviewed this report and by personal knowledge and on-site observation certify that the smoke-control system is in substantial compliance with the design intent, and to the best of my understanding complies with requirements of the code.

Section 909.18.10 Alternative Testing Method.

Add a new Section 909.18.10 to read:

909.18.10 Alternative testing method. When required by the building official, theatrical smoke or other approved tracer gases shall be used during final acceptance testing to visually verify air movement.

Section 909.20 Smokeproof enclosure.

Amend Section 909.20 to read as follows, with Sections 909.20.1 through 909.20.3.3 remaining unchanged:

909.20 Smokeproof enclosures. Where required by Section 1020.1.7, a smokeproof enclosure shall be constructed in accordance with this section. A smokeproof enclosure shall consist of an enclosed interior exit stairway that conforms to Section 1020.1 and an open exterior balcony, ventilated vestibule, or pressurized stair and vestibule meeting the requirements of this section. Where access to the roof is required by the *International Fire Code*, such access shall be from the smokeproof enclosure where a smokeproof enclosure is required.

Section 909.20.4 Mechanical ventilation alternative.

Replace Sections 909.20.4 through 909.20.4.4 with the following new Sections 909.20.4 through 909.20.4.3, to read as follows:

909.20.4 Pressurized stair and vestibule alternative. The provisions of Sections 909.20.4.1 through 909.20.4.4 shall apply to smokeproof enclosures using a pressurized stair and pressurized entrance vestibule.

909.20.4.1 Vestibule doors. The door assembly from the building into the vestibule shall be a fire door assembly complying with Section 715.4. The door assembly from the vestibule to the stairway shall not have less than a 20-minute fire protection rating and meet the requirements for a smoke door assembly in accordance with Section 715.4.3. The door shall be installed in accordance with NFPA 105.

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

909.20.4.3 Dampened relief opening. A controlled relief vent capable of discharging a minimum of 2,500 cfm (1180 L/s) of air at the design pressure difference shall be located in the upper portion of the pressurized exit enclosure.

Section 909.20.5 Stair pressurization alternative.

Delete Section 909.20.5 without replacement.

Section [F] Section 910.3.2.2 Sprinklered buildings.

Amend Section 910.3.2.2 to read as follows:

[F] Section 910.3.2.2 Sprinklered buildings. Where installed in buildings provided with an approved automatic sprinkler system, smoke and heat vents may operate automatically by

actuation of a heat-responsive device rated at a minimum of 350°F (177°C). Smoke and heat vents shall also be designed for manual operation.

Table 910.3 Requirements for Draft Curtains and Smoke and Heat Vents.

Amend Table 910.3 to read as follows:

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

OCCUPANCY GROUP AND COMMODITY CLASSIFICATION	DESIGNATED STORAGE HEIGHT (FEET)	NON-SPRINKLERED					SPRINKLERED			
		MINIMUM DRAFT CURTAIN DEPTH (FEET)	MAXIMUM AREA FORMED BY DRAFT CURTAINS (SQUARE FEET)	VENT-AREA-TO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (FEET)	MAXIMUM DISTANCE TO VENTS FROM WALL OR DRAFT CURTAINS ^b (FEET)	DRAFT CURTAINS	VENT-AREA-TO-FLOOR-AREA RATIO ^c	MAXIMUM SPACING OF VENT CENTERS (FEET)	MAXIMUM DISTANCE TO VENTS FROM WALL ^b (FEET)
Group F-1 and S-1	-	0.2 X H ^d BUT ≥ 4	50,000	1:100	120	60	NOT PERMITTED	1:100	100	50
High-Piled Storage (see Section 910.2.3) / (Option 1)	≤ 20	6	10,000	1:100	100	60				
	>20 ≤ 40	6	8,000	1:75	100	55				
High-Piled Storage (see Section 910.2.3) I-IV (Option 2)	≤ 20	4	3,000	1:75	100	55				
	>20 ≤ 40	4	3,000	1:50	100	50				
High-piled Storage (see Section 910.2.3) High hazard (Option 1)	≤ 20	6	6,000	1:50	100	50				
	>20 ≤ 30	6	6,000	1:40	90	45				
High-piled Storage (see Section 910.2.3) High hazard (Option 2)	≤ 20	4	4,000	1:50	100	50				
	>20 ≤ 30	4	2,000	1:30	75	40				

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

- Requirements for rack storage heights in excess of those indicated shall be in accordance with the Fire Code. For solid-piled storage heights in excess of those indicated, an approved engineering design shall be used.
- The distance specified is the maximum distance from any vent in a particular draft curtained area to walls or draft curtains which form the perimeter of the draft curtained area.
- Where draft curtains are not required, the vent-area-to-floor-area ratio shall be calculated based on a minimum draft curtain depth of 6 feet (Option 1).
- "H" is the height of the vent, in feet, above the floor.

Section 911.1 Features (Fire Command Center).

Amend Section 911.1 to read as follows:

911.1 Features. Where required by other sections of this code, a fire command center for fire department operations shall be provided. The location and accessibility of the fire command center shall be approved by the fire department. The fire command center shall have an access door opening to the exterior of the building and be separated from the remainder of the building by not less than a 2-hour fire barrier constructed in accordance with Section 706 or horizontal assembly constructed in accordance with Section 711, or both. The room shall have a minimum size equal to 0.015 percent of the total building area of the facility served or 150 square feet (14 m²), whichever is greater, with a minimum dimension, in feet, of 0.8 times the square root of the room area (in square feet). A layout of the fire command center and all features required by the section to be contained therein shall be submitted to the fire department for approval prior to installation. The fire command center shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system unit.
2. The fire department communications unit.
3. Fire detection and alarm system annunciator unit.
4. Annunciator unit visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-handling systems.
6. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.
7. Controls for unlocking stairway doors simultaneously.
8. Sprinkler valve and water-flow detector display panels.
9. Emergency and standby power status indicators.
10. A telephone for fire department use with direct access to the public telephone system.
11. Fire pump status indicators.
12. Current, approved building plans including the Master Exit Plans, approved fire protection system shop drawings, approved Smoke Control Diagrams, the approved Fire Protection Report, fire/emergency preplans for the facility, and manufacturer's operation manuals for all fire protection and life safety systems.
13. A minimum 3-feet by 7-feet worktable capable of holding building plans in an open position.
14. Generator supervision devices, manual start and transfer features.
15. Public address system, where specifically required by other sections of this code.
16. A minimum 3-feet by 4-feet dry-erase marker board, with dry erase marker and an eraser attached.
17. Separate shunt trip switches for normal and emergency power.

Section 1007.3 Exit stairways.

Add exception #6 to Section 1007.3 to read as follows:

6. Areas of refuge are not required at exit stairways in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

Section 1007.4 Elevators.

Add exception #2 to Section 1007.4, so that the exceptions read as follows:

Exceptions:

1. Elevators are not required to be accessed from an area of refuge or horizontal exit in open parking garages.
2. Elevators are not required to be accessed from an area of refuge or horizontal exit in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

Section 1008.1.4 Floor Elevation (Doors).

Add new Exception #6 to Section 1008.1.4 to read as follows, with the remainder of the section unchanged:

Exceptions:

6. A single step with a maximum height of 7 inches (178 mm) is permitted for doors serving building equipment rooms that are not normally occupied and are not required to be accessible by Chapter 11.

Section 1008.1.8.6 Delayed Egress Locks.

Amend Section 1008.1.8.6 to read as follows:

1008.1.8.6 Delayed egress locks. Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A, E and H occupancies in buildings which are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and an approved automatic smoke detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The door unlock upon loss of power controlling the lock or lock mechanism.
3. The door locks shall have the capability of being unlocked by a signal from the fire command center.
4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.
5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 SECONDS.
6. Emergency lighting shall be provided at the door.

Section 1008.1.8.7 Stairway Doors.

Amend Section 1008.1.8.7 to read as follows:

1008.1.8.7 Stairway doors. Interior stairway means of egress doors shall be operable from both sides without the use of a key or special knowledge or effort.

Exceptions:

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.
2. This section shall not apply to doors arranged in accordance with Section 403.12.
3. In stairways serving buildings other than high-rise buildings, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side. Except for exit discharge doors, the stairway doors shall be automatically unlocked simultaneously without unlatching upon any of the following: a signal from the fire command center, if present, or a signal by emergency personnel from an approved location inside the building; activation of a fire alarm system or a fire sprinkler system in an area served by the stairway; or failure of the power supply.

Section 1008.3 Turnstiles.

Amend Section 1008.3 to read as follows:

1008.3 Turnstiles. Turnstiles or similar devices that restrict travel to one direction shall not be placed so as to obstruct any required means of egress.

Exception: Each turnstile or similar device shall be credited with no more than a 50-person capacity where all of the following provisions are met:

1. Each device shall turn free in the direction of egress travel when primary power is lost.
2. Such devices are not given credit for more than 50 percent of the required egress capacity.
3. Each device is not more than 39 inches (991 mm) high.
4. Each device has at least 16.5 inches (419 mm) clear width at and below a height of 39 inches (991 mm) and at least 22 inches (559 mm) clear width at heights above 39 inches (991 mm).
5. Buildings are protected throughout by an approved automatic sprinkler system or an approved automatic smoke detection system.
6. Activation of the building automatic sprinkler or fire detection system shall automatically unlock the turnstile. The turnstile shall remain unlocked until the fire protection system is reset.

Where located as part of an accessible route, turnstiles shall have at least 36 inches (914 mm) clear at and below a height of 34 inches (864 mm), at least 32 inches (813 mm) clear width between 34 inches (864 mm) and 80 inches (2032 mm) and shall consist of a mechanism other than a revolving device.

Section 1011.6 Low-Level Exit Signs.

Add Section 1011.6 to read as follows:

1011.6 Low-level exit signs. Where exit signs are required by Section 1011.1, additional approved low-level exit signs that are internally or externally illuminated shall be provided in all corridors serving guest rooms in Group R, Division 1 Occupancies. The bottom of each such

sign shall not be less than 6 inches (152 mm) nor more than 8 inches (203mm) above the floor level and shall indicate the path of exit travel. For exit and exit-access doors, the sign shall be on the door or adjacent to the door, with the closest edge of the sign within 4 inches (102 mm) of the doorframe.

Section 1015.1 Exit or exit access doors required.

Add exception #2 to Section 1015.1, so that the exceptions read as follows:

Exceptions:

1. Group I-2 occupancies shall comply with Section 1014.2.2.
2. In Groups R-2 and R-3 occupancies, one means of egress is permitted within and from individual dwelling units with a maximum occupant load of 20 where the dwelling unit is equipped throughout with an automatic sprinkler system in accordance with Sections 903.3.1.1 or 903.3.1.2.

Section 1015.2.2 Three or More Exits.

Amend Section 1015.2.2 to read as follows:

1015.2.2 Three or more exits or exit access doorways. Where access to three or more exits is required, at least two exit doors or exit access doorways shall be arranged in accordance with the provisions of Section 1015.2.1. Additional exits or exit access doorways shall be arranged a reasonable distance apart so that if one becomes blocked, the others will be available.

Section 1016.4 Exit Access Travel Distance.

Add Section 1016.4 to read as follows:

1016.4 Corridor Increases. The travel distances specified in Table 1016.1 may be increased up to an additional 100 feet (30 480 mm) provided that the last portion of exit access leading to the exit occurs within a minimum one-hour fire-resistance rated corridor. The length of such corridor shall not be less than the amount of increase taken, in feet (mm).

Section 1020.1.7 Smokeproof Enclosures.

Amend Section 1020.1.7 to read as follows, with Section 1017.1.7.1 remaining unchanged:

1020.1.7 Smokeproof Enclosures. In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where the floor surface is located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20. Pressurization shall occur automatically upon activation of an approved fire alarm system.

Section 1020.1.7.2 Enclosure Access.

Delete the exception from Section 1020.1.7.2 without replacement

Section 1023.2 Use in a Means of Egress (Exterior Exit Ramps/Stairways).

Amend Section 1023.2 to read as follows:

1023.2 Use in a means of egress. Exterior exit ramps and stairways shall not be used as an element of a required means of egress for Group I-2 occupancies. For occupancies in other than Group I-2, exterior exit ramps and stairways shall be permitted as an element of a required means of egress for buildings not exceeding six stories above grade plane or having occupied floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

Section 1025.6.2.3 Automatic Sprinklers (Smoke-Protected Seating).

Delete Exceptions #1, #2, and #3 from Section 1025.6.2.3 without replacement.

Section 1102.1 Definitions.

Amend Section 1102.1; "Self-Service Storage Facility" to read as follows:

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing property on a self-service basis.

Section 1203.1 General (Ventilation).

Amend Section 1203.1 to read as follows:

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with Section 1203.6 and the *International Mechanical Code*.

Section 1203.2 Attic Spaces.

Amend Section 1203.2 to read as follows:

1203.2 Attic spaces. Where determined necessary by the building official due to atmospheric or climatic conditions, enclosed attics and enclosed rafter space formed where ceiling are applied directly to the underside of roof framing member shall have cross ventilation openings protected against the entrance of rain and snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. A minimum of 1 inch (25 mm) of airspace shall be provided between the insulation and the roof sheathing. The net free ventilating area shall not be less than $\frac{1}{150}$ of the area of the space ventilated, with 50 percent of the required ventilating area provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914 mm)

above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents.

Exception: The minimum required net free ventilating area shall be $\frac{1}{300}$ of the area of the space ventilated, provided a vapor retarder having a transmission rate not exceeding 1 perm in accordance with ASTM E 96 is installed on the warm side of the attic insulation and provided 50 percent of the required ventilating area provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914) above eave or cornice vents, with the balance of the required ventilation provided by eave or cornice vents.

Sections 1203.4.1.3, 1203.4.1.4, and 1203.4.1.5 – Ventilation Area Required.

Add Sections 1203.4.1.3, 1203.4.1.4, and 1203.4.1.5 to read as follows:

1203.4.1.3 Guest rooms and habitable rooms. Guest rooms and habitable rooms within a dwelling unit or congregate residence in R occupancies, when provided with natural ventilation by means of openable exterior openings, shall be provided with a minimum ventilation area of 5 square feet (0.46 m²).

1203.4.1.4 Bathrooms, water closets, laundry rooms and similar rooms in R occupancies. Bathrooms, water closet compartments, laundry rooms and similar rooms in R occupancies, when provided with natural ventilation by means of openable exterior openings, shall be provided with a minimum ventilation area of 1.5 square feet (0.14 m²).

1203.4.1.5 Toilet rooms. Toilet rooms, when provided with natural ventilation by means of openable exterior openings, shall be provided with a minimum ventilation area of 3 square feet (0.28 m²), or a vertical duct not less than 100 square inches (64 516 mm²) in area for the first water closet plus 50 square inches (32 258 mm²) of additional area for each additional water closet.

Section 1203.4.2.1 Bathrooms (Ventilation).

Delete Section 1203.4.2.1 without replacement.

Section 1203.6 Mechanical Ventilation.

Add Sections 1203.6 through 1203.6.5.2 to read as follows:

1203.6 Mechanical ventilation. Mechanically operated ventilation systems shall be in accordance with Sections 1203.6.1 through 1203.6.4.

1203.6.1 General. In all enclosed portions of Groups A, B, E, F, H, I, M and S Occupancies customarily occupied by human beings, when mechanically operated ventilation systems are provided in lieu of required exterior openings for natural ventilation, such system shall be capable of supplying a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant in all portions of the building during such time as the building is occupied. If the velocity of the

air at a register exceeds 10 feet per second (3 m/s), the register shall be placed more than 8 feet (2438 mm) above the floor directly beneath. Such exterior openings shall open directly onto a public way or a yard or court as set forth in Section 1206.

In toilet rooms, if mechanically operated systems are to be utilized for required ventilation, such systems shall be capable of providing a complete change of air every 15 minutes. Such mechanically operated exhaust systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet (914 mm) from any opening that allows air entry into occupied portions of the building.

1203.6.2 Groups B, F, M and S Occupancies. In all buildings classified as Groups B, F, M and S Occupancies or portions thereof where Class I, II or III-A liquids are used, a mechanically operated exhaust ventilation system shall be provided sufficient to produce a minimum of six air changes per hour. Such exhaust ventilation shall be taken from a point at or near the floor level.

1203.6.3 Group H Occupancies. All Group H Occupancies shall comply with the Fire Code, Mechanical Code and Section 415. In Group H, Division 5 Occupancies, mechanical exhaust ventilation shall be provided in accordance with 415.8.2.6, 415.8.4.3, 415.8.5.7, 415.8.10.2 and other appropriate Sections of this code. Rooms, areas or spaces of Group H Occupancies in which explosive, corrosive, combustible, flammable or highly toxic dusts, mists, fumes, vapors or gases are or may be emitted due to the processing, use, handling or storage of materials shall be mechanically ventilated as required by Section 4141.3, the Fire Code, and the Mechanical Code.

1203.6.4 Group R Occupancies. In Group R Occupancies, in lieu of required exterior openings for natural ventilation, a mechanically operated ventilation system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant during such time as the building is occupied.

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

1203.6.5 Motor Vehicle Related Occupancies.

1203.6.5.1 Repair garages. Ventilation in repair garages shall be in accordance with Section 406.6.3.

1203.6.5.2 Enclosed parking garages. Ventilation in enclosed parking garage shall be in accordance with Section 406.4.2.

Section 1603.1 General.

Add Exception #6 to Section 1603.1 to read as follows, with the remainder of the section unchanged:

6. Average dead loads for roofing material.

Table 1607.1 Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads.

Amend item #28 of Table 1607.1 to read as follows, and add footnote "m" to read as follows:

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
28. Residential		
One- and two-family dwellings		
Uninhabitable attics without storage ^{i, m}	10	
Uninhabitable attics with limited storage ^{i, j, k, m}	20	
Habitable attics and sleeping areas	40	----
All other areas except balconies and decks	40	
Hotels and multiple-family dwellings		
Private rooms and corridors serving them	40	
Public rooms and corridors serving them	100	

- m. Attics, designed per uniform loads described for uninhabitable attics, are not required to be designed for the additional concentrated load of Item 32.

Section 1607.5 Partition loads.

Amend Section 1607.5 to read as follows:

1607.5 Partition loads. In office buildings and in other buildings where partition locations are subject to change, provisions for partition weight shall be made, whether or not partitions are shown on the construction documents, unless the specified live load exceeds 80 psf (3.83 kN/m²). The partition load shall not be less than a uniformly distributed live load of 20 psf (0.96 kN/m²).

Section 1610.1 Soil Lateral Loads.

Amend Section 1610.1 to read as follows, with the exception deleted:

1610.1 General. Basement, foundation and retaining walls shall be designed to resist lateral soil loads. When a geotechnical report is not required by the building official the design active pressure shall be 45 psf/ft and the at-rest pressure shall be 60 psf/ft. Basement walls and other walls in which horizontal movement is restricted at the top shall be designed for at-rest pressure, unless specified otherwise in a soil investigation report approved by the building official. Retaining walls free to move and rotate at the top are permitted to be designed for active

pressure. Design lateral pressure from surcharge loads shall be added to the lateral earth pressure load. Design lateral pressure shall be increased if soils with expansion potential are present at the site.

Section 1610.1.1 Basement, foundation and retaining walls in seismic design category D, E or F.

Add Section 1610.1.1 to read as follows:

1610.1.1 Basement, foundation and retaining walls in seismic design category D, E or F.

All basement, foundation, and retaining walls in seismic design categories D, E, or F shall be designed to resist the seismic load due to the lateral earth pressure based on the following equations.

For yielding walls: $\frac{3}{8} (k_H) (\text{backfill soil density}) (H)^2$ (Equation 16-35a)

For nonyielding walls: $(k_H) (\text{backfill soil density}) (H)^2$ (Equation 16-35b)

Where $k_H = S_{DS} / 2.5$

H = the height of the backfill behind the wall

The point of application of the resultant dynamic thrust is taken at a height of 0.6H above the base of the wall (i.e.; an inverted trapezoidal pressure distribution).

Section 1612.3 Establishment of Flood Hazard Areas.

Amend Section 1612.3 to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for Clark County, Nevada and Incorporated Areas," dated September 27, 2002, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Section 1613.1 Scope.

Amend Section 1613.1 to read as follows:

1613.1. Scope. Every structure, and portion thereof, including nonstructural components that are permanently attached to structures and their supports and attachments, shall be designed and constructed to resist the effects of earthquake motions in accordance with ASCE 7, excluding Chapter 14 and Appendix 11A. The seismic design category for a structure is permitted to be determined in accordance with Section 1612 or ASCE 7.

Exceptions:

1. The seismic-force-resisting system of wood-framed buildings that conform to the provisions of Section 2308 are not required to be analyzed as specified in this section.
2. Agricultural storage structures intended only for incidental human occupancy.
3. Structures that require special consideration of their response characteristics and environment that are not addressed by this code or ASCE 7 and for which other regulations provide seismic criteria, such as vehicular bridges, electrical transmission towers, hydraulic structures, buried utility lines and their appurtenances, and nuclear reactors.

Section 1613.5.1 Mapped acceleration parameters.

Amend Section 1613.5.1 to read as follows:

1613.5.1 Mapped acceleration parameters. The parameters S_S and S_1 shall be determined from the 0.2 and 1-second spectral response accelerations shown on Figures 1613.5(1) through 1613.5(14) or from the 0.2 and 1-second spectral response accelerations with 2% probability of exceedance in 50 years using the latest probabilistic maps or data made available by the United States Geological Survey. Where S_1 is less than or equal to 0.04 and S_S is less than or equal to 0.15, the structure is permitted to be assigned to Seismic Design Category A.

Section 1613.5.5 Site classification for seismic design.

Amend the last paragraph of the section 1613.5.5 to read as follows, with the remainder of the section unchanged:

The rock categories, Site Classes A and B, shall not be used if there is more than 10 feet (3048 mm) of soil between the rock surface (Classes A and B) and the bottom of the spread footing or mat foundation. This provision shall be required when a soil shear wave velocity, v_s , is less than 2,500 fps within 10 feet of foundation bottoms.

Section 1613.5.5.1 Steps for classifying a site.

Amend Section 1613.5.5.1 by adding step #4 to read as follows:

4. To classify a site as a site class A, B, or C per Table 1613.5.2 a minimum of one exploration to a depth of 100 feet is required per 40 acres or any portion thereof. The 100-foot exploration can be accomplished using any of the three methods outlined in Section 1613.5.5. A 100-foot exploration within 1,000 feet of the proposed site may be included in the total number of required explorations, but at least one 100-foot exploration must be located within the site boundaries. 100-foot exploration locations will be determined by the registered design professional but should be adequately spaced to classify the entire site. Additional 100-foot explorations may be required by the Building Official if soil conditions are variable across the site.

Unless the soil shear wave velocity test is utilized, one test, N_i or s_{ui} , must be performed at ten foot intervals for the entire 100-foot exploration. Each distinctly different soil layer must also be tested. The same test used for a distinct soil layer may also be used for the ten foot interval provided the test interval does not exceed ten feet.

Section 1704.1.2 Report Requirements.

Amend Section 1704.1.2 to read as follows:

1704.1.2 Report requirement. Special inspectors shall keep records of required special inspections. The special inspector shall furnish inspection reports to the building official, and to the registered design professional in responsible charge. Reports shall indicate that work inspected was done in conformance to approved construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design professional in responsible charge in writing prior to the completion of that phase of the work. A final report documenting required special inspections and corrections of any discrepancies noted in the inspections shall be submitted to the building official prior to the final inspection.

Section 1704.4 Concrete Construction.

Amend Section 1704.4.4 to read as follows:

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

Exception: Special inspections shall not be required for:

1. Isolated spread and/or continuous concrete footings supporting walls of buildings three stories or less in height that are fully supported on earth or rock where:
 - 1.1. The footings are designed in accordance with Table 1805.4.2; or
 - 1.2. The structural design of the footing is based on a specified compressive strength f'_c , no greater than 2,500 pounds per square inch (17.2 MPa), regardless of the compressive strength specified in the construction documents or used in the footing construction.
2. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 pounds per square inch (1.03 MPa).
3. Concrete patios, driveways and sidewalks, on grade.

Section 1704.5 Masonry Construction.

Amend Section 1704.5 to read as follows:

1704.5 Masonry construction. Masonry construction shall be inspected and evaluated in accordance with the requirement of Section 1704.5.1 through 1704.5.3, depending on the classification of the building or structure or nature of the occupancy as defined by this code.

Exception: Special inspections shall not be required for:

1. Empirically designed masonry, glass unit masonry or masonry veneer designed by Section 2109, 2110, or Chapter 14, respectively, or by Chapter 5, 7, or 6 of ACI 530/ASCE 5/TMWS 402, respectively, when they are part of structures classified as Occupancy Category I, II, or III in accordance with Section 1604.5.
2. Masonry fireplaces, masonry heaters or masonry chimneys installed or constructed in accordance with Section 2111, 2112, or 2113, respectively.
3. Masonry fences less than or equal to 8'-0" in height, retaining walls less than or equal to 6'-0" in height or combined masonry fences and retaining walls less than or equal to 14'-0" in overall height with the retaining wall portion less than or equal to 6'-0" in height and the fence portion less than or equal to 8'-0" in height provided that the walls are designed in accordance with Chapter 2 of ACI 530/ASCE 5/TMS 402 with allowable stresses for masonry reduced by one half. Wall heights shall be measured from the top of footing to top of wall.

Section 1704.7 Soils.

Amend Section 1704.7 by deleting the exception.

Table 1704.7 Required Verification And Inspection Of Soils.

Table 1704.7 is amended to read as follows:

**TABLE 1704.7
REQUIRED VERIFICATION AND INSPECTION OF SOILS**

Verification and Inspection Task	Continuous During Task Listed	Periodically During Task Listed
1. Verify materials below footings are adequate to achieve the design bearing capacity.	—	X
2. Verify excavations are extended to proper depth and have reached proper material.	—	X
3. Perform classification and testing of controlled fill materials.	—	X
4. Verify use of proper materials, densities and lift thicknesses during placement and compaction of controlled fill and other grading activities requiring special inspection, as follows:		
a. All soils not meeting the requirements of categories b, c, or d.	—	X
b. Soil-rock fill and/or moderately	—	X

expansive soils are encountered.		
c. High or critically expansive soils, hydrocollapsible soils, soluble soils, and/or soils requiring chemical or mechanical (geosynthetics) stabilization are encountered.	X	—
d. Construction or stabilization of cut or fill slopes exceeding 5 feet in height, or any site requiring that fill be placed on a natural slope, an existing cut slope, or an existing fill slope steeper than 5:1.	X	—
5. Prior to placement of controlled fill, observe subgrade and verify that site has been prepared properly.	—	X

Section 1704.15 Amusement and transportation systems special cases:

Add Section 1704.15 to read as follows:

1704.15 Amusement and transportation systems special cases. When testing or verification is required by the manufacturer or specified by the building official, the testing and verification shall occur during the initial installation, operational testing and annual renewal of the certificate of operation.

Section 1802.1 General.

Amend Section 1802.1 to read as follows:

General. Foundation and soils investigations shall be conducted in conformance with Sections 1802.2 through 1802.6. Where required by the building official, the classification and investigation of the soil shall be made by a registered design professional.

All projects exempt from a geotechnical report shall comply with Tables 1804.2 and ACI 318, Section 4.3. Design values shall be based on a Class 5 material and a severe sulfate exposure level may be selected as default values.

Section 1802.2 Where required.

Amend Section 1802.2 to read as follows, with Sections 1802.2.1 and 1802.2 remaining unchanged:

1802.2 Where required. The owner or applicant shall submit a foundation and soils investigation to the building official where required in Sections 1802.2.1 through 1802.2.7.

Geotechnical reports shall be prepared by a registered design professional. Recommendations included in the report and approved by the building official shall be incorporated in the

construction documents. Geotechnical reports shall be required for all projects that require new foundations.

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

- A.) Any structure, addition, or remodel associated with a single family residence with a footprint less than 600 square feet.
- B.) Single story commercial structures with a footprint less than 600 square feet.
- C.) Fences.
- D.) Site retaining walls less than 5 feet in retained height as measured from the top of the footing.
- E.) Mobile homes, trailers, modular buildings, and pre-engineered carports.
- F.) Signs less than 50 feet in height.

Section 1802.2.3 Ground-water table.

Delete the exception to Section 1802.2.3 without replacement.

Section 1802.3.2 Expansive soils.

Amend Section 1802.3.2 to read as follows:

1802.3.2 Expansive soils. Soils meeting all four of the following provisions shall be considered expansive, except that tests to show compliance with Items 1,2 and 3 shall not be required if the test prescribed in either Item 4 or Item 5 is conducted:

1. Plasticity Index (PI) of 15 or greater, determined in accordance with ASTM D 4318.
2. More than 10 percent of the soil particles pass a No. 200 sieve (75 mm), determined in accordance with ASTM D 422.
3. More than 10 percent of the soil particles are less than 5 micrometers in size, determined in accordance with ASTM D 422.
4. Expansion Index greater than 20, determined in accordance with ASTM D 4829.
5. Soils may be determined to be expansive or non-expansive by the preceding methods or the standard 60 pound swell test. When the standard 60 pound swell test is performed any soil with a swell greater than 4 percent shall be considered expansive. When soils are determined to be expansive special design consideration is required. In the event that expansive soil properties vary with depth the variation shall be included in the engineering analysis of the expansive soil effect on the structure. The foundation design and special inspection for grading/foundations shall be based upon results obtained from the standard 60 pound swell test. Refer to Section 1805.8 for additional requirements.

Section 1802.3.3 Standard 60 pound swell test.

Add Section 1802.3.3 to read as follows:

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

Section 1802.4.2 Minimum Exploration Requirements.

Add Section 1802.4.2 to read as follows:

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

1. For areas less than or equal to one acre, a minimum of two explorations.
2. For areas greater than one acre, but less than five acres, a minimum of one exploration for the first acre and one for each additional two acres, or portion thereof.
3. For areas greater than five acres, but less than twenty acres, a minimum of three explorations plus one additional exploration for each three acres above five.
4. For areas greater than twenty acres, a minimum of eight explorations plus one additional exploration for each five acres or fraction thereof above twenty.
5. Building additions of less than 2,000 square feet shall require a minimum of one exploration.
6. For signs, towers, and monopoles whose locations are known and only that area of the site is to be developed, a minimum of one exploration is required.
7. The minimum depth of the exploration shall be ten feet. Exploration depth shall be increased as necessary to evaluate the suitability of the material within the foundation's depth of influence as determined by the registered design professional. Should refusal be encountered the explorations can be terminated. However, at least three-fourths of the required explorations shall be to the minimum depth. The geotechnical report shall clearly state the criteria used to determine that refusal was met. When information regarding the final grades is made available, the registered design professional shall determine if the explorations originally documented in the geotechnical report meet the depth requirements.

Section 1802.6 Reports.

Amend Section 1802.6 to read as follows:

1802.6 Reports. The soil classification and design load-bearing capacity shall be shown on the construction document. Where required by the building official, a written report of the

investigation shall be submitted that shall include, but need not be limited to, the following information:

1. A plot showing the location of test borings and/or excavations. The plot shall be dimensioned and shall show the approximate location of all existing structures.
2. A complete record of the soil samples.
3. A record of the soil profile.
4. Depth of the water table, if encountered.
5. Recommendations for foundation type and design criteria, including but not limited to: bearing capacity of natural or compacted soil; provisions to mitigate the effects of expansive soils; mitigation of the effects of liquefaction, differential settlement, and varying soil strength; and the effects of adjacent loads. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils. Provide all test data.
6. Expected total and differential settlement. Provide all test data and supporting calculations when the allowable foundation bearing pressure exceeds 4,000 psf.
7. Pile and pier foundation information in accordance with Section 1808.2.2.
8. Special design and construction provisions for footings or foundations founded on expansive soils, as necessary.
9. Compacted fill material properties and testing in accordance with Section 1803.5. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils.
10. Soil classification by the Unified Soil Classification System. Backup data on tests performed in the soil classification shall be included.
11. Classify the expansion level of the soil and specify the minimum embedment depth per Table 1805.2.4.
12. Address, if applicable, the possible impacts on adjoining properties and mitigating measures to be undertaken.
13. Suitability of onsite soils for use as fill material.
14. Provide grading requirements for onsite and import soils (where applicable) including, but not limited to, swell, solubility, and sulfates.
15. Geotechnical design considerations for drainage structures, as applicable.
16. Trenching or other special procedures for determining fault and fissure(s) locations. The potential for differential movement across a fault and fissuring should be evaluated.
17. Procedures for mitigation for geological hazards.
18. Erosion control requirements, as applicable.
19. Anticipated structural loads and type of proposed structure.
20. When a post-tensioned slab-on-ground is recommended the geotechnical report must specify the all soil parameters as required by Section 1805.8.2.
21. All lateral earth pressures and seismic forces shall be reported in psf/ft and distributions expressed in graphical form. All resulting forces must have a recommendation on wall placement location.
22. Site class per Table 1613.5.5, including all test data and supporting calculations.
23. Call out the latitude and longitude in decimal degrees to four decimal places for the purpose of determining the site seismic acceleration (NAD_1983_State Plane_Nevada_East_FIPS_2701_Feet).

24. Specify the level of special inspection should not be less than specified in Table 1704.7.
25. All geotechnical reports must be current within the last 12 months. Any report older than 12 months must be accompanied by a wet sealed update letter addressing the current site conditions based on a recent site visit.

Section 1803.3 Site Grading Exception.

Amend Section 1803.3 to read as follows:

The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5-percent slope) for a minimum distance of 10 feet (3048 mm) measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet (3048mm) of horizontal distance, a 5-percent slope shall be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 1 percent along the flow line where located within 10 feet (3048mm) of the building foundation. Impervious surfaces within 10 feet (3048mm) of the building foundation shall be sloped a minimum of 2 percent away from the building.

Exception: Where low expansive, low collapsible, low soluble soil conditions occur or where an exterior asphalt or concrete surface abuts a building, the slope of the ground away from the building foundation is permitted to be reduced to not less than one unit vertical in 48 units (2 percent slope).

Section 1803.5 Compacted fill material.

Add items #8 and #9 to Section 1803.5 to read as follows:

8. Flooding or jetting shall not be used to compact fill material that will support footings or foundation systems.
9. Placement procedure for oversized fill material. No rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills within five feet, measured vertically, from the bottom of the footing or lowest finished floor elevation, whichever is lower, within the building pad. Oversized fill material shall be placed so as to assure the filling of all voids with well-graded soil. Specific placement and inspection criteria shall be stated in the geotechnical report. Continuous special inspection will be required during placement of any oversized fill material.

Section 1803.5 Compacted fill material.

Amend exception of Section 1803.5 to read as follows:

Exception: When a geotechnical report is not required by the building official, all fill material shall be compacted to a minimum of 90 percent Modified Proctor in accordance with ASTM D1557.

Section 1805.1.1 Minimum Distances to Ground Faulting.

Add Section 1805.1.1 to read as follows:

1805.1.1 Minimum Distances to Ground Faulting.

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

Section 1805.2 Depth of footings.

Amend Section 1805.2 to read as follows, with Sections 1805.2.1 through 1805.2.3 remaining unchanged:

1805.2 Depth of footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm). Where applicable, the depth of footings shall also conform to Sections 1805.2.1 through 1805.2.3. All excavations and the depth of any footing must be made below the lowest adjacent compacted subgrade to ensure full embedment of the footing into the compacted subgrade prior to concrete placement unless otherwise recommended in the approved geotechnical report.

Section 1805.2.4 Minimum Foundation Depth in Expansive Soils.

Add Section 1805.2.4 to read as follows:

1805.2.4 Minimum Foundation Depth in Expansive Soils. The minimum foundation depth requirements when placing foundations in expansive soil shall be per Table 1805.2.4.

Table 1805.2.4 Minimum Thickened Edge or Foundation Depth

Add Table 1805.2.4 to read as follows:

**Table 1805.2.4
Minimum Thickened Edge or Foundation Depth¹**

Expansion	Percent Swell under 60 psf Surcharge	Minimum Thickened Edge or Foundation Depth (inches)
Low	> 0 to <4	12
Moderate	≥ 4 to < 8	12
High	≥ 8 to < 12	18
Critical 12	≥ 12 to < 16	24
Critical 16	≥ 16 to < 20	30
Critical 20+	20 or greater	36

Footnote:

1. Thickened edge embedment depth shall be measured from the top of the lowest adjacent final compacted subgrade to the bottom of the footing.

Section 1805.5 Foundation walls.

Amend Section 1805.5 to read as follows, with Sections 1805.5.1 through 1805.2.1 remaining unchanged:

1805.5 Foundation walls. Concrete and masonry foundation walls shall be designed in accordance with Chapter 19 or 21, respectively. In Seismic Design Category A or B, foundation walls that are laterally supported at the top and bottom and within the parameters of Tables 1805.5(1) through 1805.5(5) are permitted to be designed and constructed in accordance with Sections 1805.5.1 through 1805.5.5.

Section 1805.5.2.2 Masonry Foundation Walls.

Amend Section 1805.5.2.2 to read as follows:

1805.5.2.2 Masonry Foundation Walls. Masonry foundation walls shall comply with the following:

1. Vertical reinforcement shall have a minimum yield strength of 60,000 psi (414 MPa).
2. The specified location of the reinforcement shall equal or exceed the effective depth distance, d , noted in Tables 1805.5(2), 1805.5(3), and 1805.5(4) and shall be measured from the face of the exterior (soil) side of the wall to the center of the vertical reinforcement. The reinforcement shall be placed within the tolerance specified in ACI 530.1/ASCE 6/TMS 402, Article 3.4 B7 of the specified location.
3. The portions of the wall below grade shall be solid grouted.
4. Grout shall comply with Section 2103.12.
5. Concrete masonry units shall comply with ASTM C90.

6. Clay masonry units shall comply with ASTM C652 for hollow brick, except compliance with ASTM C62 or ASTM C216 is permitted when solid masonry units are installed in accordance with Table 1805.5(1) for plain masonry.
7. Masonry units shall be installed with Type M or S mortar in accordance with Section 2103.8.
8. The unfactored axial load per linear foot of wall shall not exceed $1.2 tf'_m$ where t is the specified wall thickness in inches and f'_m is the specified compressive strength of the masonry in pounds per square inch.

Section 1805.8.2 Slab-On-Ground Foundations.

Amend Section 1805.8.2 to read as follows:

1805.8.2 Slab-on-ground foundations. Moments, shears, and deflections for use in determining slab-on-ground, mat or raft foundations on expansive soils shall be determined in accordance with *WRI/CRSI Design of Slab-on-Ground Foundation* or *PTI Standard Requirements of Analysis of Shallow Concrete Foundation on Expansive Soils*. Using the moments, shears and deflections determined above, nonprestressed slabs-on-ground, mat or raft foundations on expansive soils shall be designed in accordance with *WRI/CRSI Design of Slab-on-Ground Foundation* and post-tensioned slab-on-ground, mat or raft foundations on expansive soils shall be in accordance with *PTI Standard Requirements of Analysis of Shallow Concrete Foundation on Expansive Soils*. The criteria for determining the expansive nature of soils are given in Section 1802.3.2. The minimum design criteria for post-tensioned slabs are defined in Table 1805.8.2. It shall be permitted to analyze and design such slabs by other methods that account for soil-structure interaction, the deformed shape of the soil support, the plate or stiffened plate action of the slab as well as both center lift and edge lift conditions. Such alternate methods shall be rational and the basis for all aspect and parameters of the method shall be available for peer review.

Table 1805.8.2 Post Tension Slab Criteria.

Add Table 1805.8.2 to read:

**Table 1805.8.2
Post Tension Slab Criteria.**

Expansion	Percent Swell under 60 psf Surcharge	Design Values Ym (inches) for PT slabs	
		Edge Lift	Center Lift
Low	> 0 to <4	1/8 to 1/4	-----
Moderate	≥ 4 to < 8	1/4 to 1/2	1/8 to 3/8
High	≥ 8 to < 12	½ to 1	3/8 to 1
Critical 12	≥ 12 to < 16	See Note No. 11	
Critical 16	≥ 16 to < 20	See Note No. 11	
Critical 20+	20 or greater	See Note No. 11	

Footnotes:

1. This chart is intended to address expansive soil. The presence of collapsible soil or other geologic conditions may require different design criteria.
2. Foundations shall be designed to meet design criteria of PTI-2004. Both edge lift and center lift conditions need to be evaluated.
3. Edge moisture variation distance (Em) shall be a minimum of 2.5 feet for edge lift and 4.75 feet for center lift.
4. CA for prefabricated roof truss clear spans shall be 360 for center lift and 800 for edge lift.
5. Typical systems using stiffener beams may be equated to a flat slab of equivalent stiffness. Stiffening beams in ribbed foundations shall be as required by PTI-2004. Conventionally reinforced designs may also be used.
6. Modulus of elasticity of the soil (Es) shall be taken as 1000 psi unless tests indicate otherwise.
7. All concrete in the foundation system must be a minimum of 2500 psi and shall comply with IBC Section 1904.3. Lean concrete shall not be permitted in slabs or beams.
8. In addition to the slab stiffness requirements of PTI-2004, the calculated differential deflection of the foundation slab shall not exceed 1/2 inch for edge lift.
9. Perimeter loading of slab (P) shall be limited to dead load.
10. Expansion (swell) test shall be performed in accordance with SECTION 1802.3.3.
11. Specific recommendations from Geotechnical engineer required. Design value (Ym) shall be a minimum of 1 inch.
12. For soil conditions where a low swell potential is determined, a BRAB Type II may be used.

Section 1806 Retaining Walls.

Amend Section 1806.1 to read as follows:

1806.1 General. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against sliding and overturning when considering load combinations that do not include seismic or wind. Retaining walls shall be designed for a safety factor of 1.1 against sliding and overturning when considering load combinations that include seismic loads. Retaining walls shall be designed for a safety factor of 1.3 against sliding and overturning when considering load combinations that include wind loads.

Section 1910.2 Post Tension Slab Provisions.

Add section 1910.2 to read as follows:

1910.2 Post Tension Slab Provisions. Where post-tensioned slabs-on-ground are utilized, design shall be in accordance with PTI Design of Post-Tensioned Slabs-On-Ground, Third Edition. Design for expansive soils is specified in Section 1805.8.

Section 2305.3.11 Sill plate size and anchorage in Seismic Design Category D, E or F.

Amend Section 2305.3.11 to read as follows:

2305.3.11 Sill plate size and anchorage in Seismic Design Category D, E or F. Shear wall sill plates shall be anchored with anchor bolts with steel plate washers between the sill plate and nut or with approved anchor straps spaced to provide equivalent anchorage. Steel plate washers shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82mm by 76mm by 76mm) in size. The hole in the plate washer is permitted to be diagonally slotted with a width of up to 3/16 inch (4.76mm) larger than the bolt diameter and a slot length not to exceed 1 3/4 inches (44mm), provided a standard cut washer is placed between the plate washer and the nut. Sill plates resisting a design load greater than 490 plf (7154 N/m) using load and resistance factor design or 350 plf (5110 N/m) using allowable stress design shall not be less than a 3-inch (76mm) nominal member. Where a single 3-inch (76mm) nominal sill plates is used, 2-20d box end nails shall be substituted for 2-16d common end nails found in line 8 of Table 2304.9.1.

Exception: In shear walls where the design load is greater than 490 plf (7151 N/m) but less than 840 plf (12264 N/m) using load and resistance factor design or greater than 350 plf (5110 N/m) but less than 600 plf (8760 N/m) using allowable stress design, the sill plate is permitted to be a 2-inch (51mm) nominal member if the sill plate is anchored by two times the number of anchors required by design. Where bolts are installed, 0.229-inch by 3-inch by 3-inch (5.82mm by 76mm by 76mm) plate washers shall be used.

Section 2308.6 Foundation plates or sills.

Amend Section 2308.6 to read as follows:

2308.6 Foundation plates or sills. Foundations and footings shall be as specified in Chapter 18. Foundation plates or sills resting on concrete or masonry foundations shall comply with Section 2304.3.1. Foundation plates or sills shall be bolted or anchored to the foundations with not less than 1/2-inch-diameter (12.7mm) steel bolts or approved anchors spaced to provide equivalent anchorage as the steel bolts. Bolts shall be embedded at least 7 inches (178mm) into concrete or masonry, and spaced not more than 6 feet (1829mm) apart. There shall be a minimum of two bolts or anchor straps per piece with one bolt or anchor strap located not more than 12 inches (305mm) or less than 4 inches (102mm) from each end of each piece. A properly sized nut and washer shall be tightened on each bolt to the plate.

Exception: Where field conditions preclude the placement of the minimum anchors, a registered design professional may provide a design for alternative attachment in accordance with accepted engineering practice.

Section 2308.9.8 Pipes in walls.

Amend Section 2308.9.8 to read as follows:

2308.9.8 Pipes in walls. Stud partitions containing plumbing, heating or other pipes shall be so framed and the joists underneath so spaced as to give proper clearance for the piping. Where a partition containing such piping runs parallel to the floor joists, the joists underneath such partitions shall be doubled and spaced to permit the passage of such pipes and shall be bridged. Where plumbing, heating or other pipes are placed in or partly in a partition, necessitating the cutting of the soles or plates, a metal tie not less than 0.058 inch (1.47mm) (16 galvanized gage) and 1 ½ inches (38mm) wide shall be fastened to each plate across and to each side of the opening with not less than six 1 ½" x 0.148" minimum nails.

Section 2308.12.8 Steel plate washers.

Amend Section 2308.12.8 to read as follows:

2308.12.8 Sill plate anchorage. Sill plates shall be anchored with anchor bolts with steel plate washers between the foundation sill plate and the nut, or approved anchor straps. Over the full length of braced wall lines, such washers shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.62mm by 76mm by 76mm) in size. The hole in the plate washer is permitted to be diagonally slotted with a width of up to 3/16 inch (4.76mm) larger than the bolt diameter and a slot length not to exceed 1 ¾ inches (44mm), provided a standard cut washer is placed between the plate washer and the nut. Standard cut washers shall be permitted for anchor bolts in wall lines not containing braced wall panels.

Section 2308.12.9 Anchorage in Seismic Design Category E.

Amend Section 2308.12.9 to read as follows:

2308.12.9 Sill plate anchorage in Seismic Design Category E. Steel bolts with a minimum nominal diameter of 5/8 inch (915.9mm) or approved foundation anchor straps spaced to provide equivalent anchorage shall be used in Seismic Design Category E.

Section 2604.2.3 Area limitation.

Amend Sections 2604.2.3 to read as follows:

2604.2.3 Area limitation. The interior trim shall not constitute more than 10 percent of the specific wall or ceiling area to which it is attached.

Section 2606.7.4 Fire suppression system.

Amend Sections 2606.7.4 to read as follows:

2606.7.4 Fire suppression system. In buildings that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, plastic light-diffusing systems shall be protected both above and below unless the sprinkler system has been specifically approved for installation only above the light-diffusing system. Areas of light-diffusing systems that are protected in accordance with this section shall be limited to a maximum panel size of 10 feet by 10 feet. Adjacent panels shall be separated by at least 8 feet vertical or 4 feet horizontal.

Section 2606.7.5 Electrical lighting fixtures.

Amend Section 2606.7.5 to read as follows:

2606.7.5 Electrical lighting fixtures. Light-transmitting plastic panels and light-diffuser panels that are installed in approved electrical lighting fixtures shall comply with the requirements of Chapter 8 unless the light-transmitting plastic panels conform to the requirements of Section 2606.7.2. The area of approved light-transmitting plastic materials that are used in required exits or corridors shall not exceed the limitations listed in Sections 2606.7.3 and 2606.7.4 as applicable.

Section 2611 Light-transmitting plastic interior signs

Amend Section 2611.1 to read as follows:

2611.1 General. Light-transmitting plastic interior signs shall be limited as specified in Sections 2611.2 through 2611.5. Light-transmitting plastic interior signs shall also comply with Section 2606.

Exception: Light-transmitting plastic interior wall signs in covered mall buildings shall comply with Section 402.15.

Section 2611.2 Aggregate area.

Amend Section 2611.2 to read as follows:

2611.2 Aggregate area. The aggregate area of signs shall not exceed 20 percent of the wall area.

Exception: Hanging or base supported signs.

Section 2611.3 Separation.

Delete Section 2611.3 and replace with a new Section 2611.3 to read as follows:

2611.3 Separation. Signs shall be separated from each other by at least 4 feet horizontally or 8 feet vertically.

Section 2611.4 Maximum area.

Delete Section 2611.4 and replace with a new Section 2611.4 to read as follows:

2611.4 Maximum area. The aggregate area of all light-transmitting plastics in each individual sign shall not exceed 24 square feet (2.23 m²).

Exceptions:

1. Signs are permitted to exceed an aggregate area of 24 square feet of light-transmitting plastics, provided the sign meets all the following:
 - a. does not exceed a maximum dimension of 10 feet,
 - b. the light-transmitting plastic is a minimum CC1 material,
 - c. is listed and labeled in accordance with nationally recognized standards, and
 - d. is installed in a building fully protected by automatic sprinklers in accordance with Section 903.3.1.1.
2. Signs exceeding the 10 foot limitation of Exception 1 are permitted provided the sign meets all the following:
 - a. the height does not exceed 10 feet,
 - b. the length does not exceed 60 feet,
 - c. the area does not exceed 500 square feet,
 - d. the light-transmitting plastic is a minimum CC1 material,
 - e. is listed and labeled in accordance with nationally recognized standards,
 - f. the top of the sign is within 15 feet of ceiling sprinklers,
 - g. the space in which the sign is installed is protected with an automatic sprinkler system of at least Ordinary Hazard Group 2, and
 - h. a Fire Protection Report is provided to substantiate the preceding requirements are met.

Section 2611.5 Encasement.

Add Section 2611.5 to read as follows:

2611.5 Encasement. Edges and backs shall be fully encased in metal.

Exception: Hanging or base supported signs need only have the non-illuminated portions fully encased in metal.

Table 2902.1 Minimum Number of Required Plumbing Fixtures.

Amend Table 2902.1 by removing all references to the International Plumbing Code which have correlating code sections, add "casino" line at A-2 Occupancy, and add footnotes "e" and "f" to read as follows, with the remainder of Table being unchanged:

[P] TABLE 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES ^a (See Sections 2902.2 and 2902.3)
--

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS ^e)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAINS ^f	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (see Sections 2902.2, 2902.4 and 2902.4.1)	A-2 ^d	Casino	1:1-100	3:1-50	1:1-200				1 service sink
				2:101-200	4:51-100	2:201-400				
				3:201-400	6:101-200	3:401-750				
				-----	8:201-400					
				Over 400, add one fixture each additional 250 males, and one for each 150 females.		Over 750, add one fixture for each additional 500 persons.				

e. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies. Trough urinals shall be prohibited.

f. Where water is served in restaurants and similar occupancies, drinking fountains shall not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required drinking fountains. Drinking fountains shall not be required in occupancies of 30 or less. Drinking fountains shall not be installed in toilet rooms.

Section 3002.4 Elevator Car to Accommodate Ambulance Stretcher.

Amend Section 3002.4 read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above grade or four or more stories below grade plane, at least one elevator, and no less than the minimum number specified in Table 3002.4, shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

Table 3002.4 Ambulance stretcher sized elevator cars.

Add Table 3002.4 to read as follows:

**TABLE 3002.4
AMBULANCE STRETCHER SIZED ELEVATOR CARS**

NUMBER OF BUILDING STORIES	NUMBER OF ELEVATOR CARS SIZED TO ACCOMMODATE AN AMBULANCE STRETCHER
1-30	1
31-60	2
61-90	3
91 and greater	4

Section 3003.1.3 Two or More Elevators.

Amend Section 3003.1.3 to read as follows:

3003.1.3 Two or more elevators. Where two or more elevators are controlled by a common operating system, all elevators shall automatically transfer to standby power within 60 seconds after failure of normal power where the standby power source is of sufficient capacity to operate all elevators at the same time. Where the standby power source is not of sufficient capacity to operate all elevators at the same time, all elevators shall transfer to standby power in sequence, return to the designated landing and disconnect from the standby power source. After all elevators have been returned to the designated level, at least one elevator, and all elevators installed in accordance with Section 3002.4, shall remain operable from the standby power source.

Section 3109.1 Swimming Pool Enclosures and Safety Devices.

Amend Section 3109.1 to read as follows:

3109.1 General. Swimming pools shall comply with the requirements of the Southern Nevada Pool Code.

Section 3109.2 Definitions through 3109.5.4 Pool cleaner fittings.

Delete Sections 3109.2 through 3109.5.4 without replacement.

Section 3110 Cabanas.

Add Sections 3110.1 through 3110.9 to read as follows:

SECTION 3110 CABANAS

3110.1 General. This section shall apply to cabanas on, or in close proximity to, buildings where the predominant building construction type would not otherwise allow cabanas to be constructed as membrane structures in accordance with Section 3102.3. Cabanas that are erected for a period of less than 180 days shall comply with the *International Fire Code*.

3110.2 Definitions. The following words and terms shall, for the purposes of this section, have the meanings shown herein:

CABANA. A structure used for temporary shelter, comfort and privacy of occupants located on, or in close proximity to, a building. Cabanas shall not be used for retail sales, bar service, food preparation, storage, or overnight sleeping.

CABANA GROUP. A group of individual cabanas that are not separated from each other as required within this section. The total area of the cabana group shall be used to determine code requirements for all cabanas contained within the cabana group.

3110.3 Design and Construction. Cabanas shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve the pressures or loads. Structural members shall be protected to prevent deterioration.

3110.3.1 Frame. Cabanas shall be constructed of a rigid, noncombustible frame that is permanently mounted to the roof or deck on which it is located.

3110.3.2 Membrane Covering. The membrane covering of the cabana shall either be noncombustible in accordance with Section 703.4 or be tested by an approved agency and pass Test 2 of NFPA 701.

3110.3.3 Openness. Each cabana shall be provided with a minimum of one opening to an exterior egress route. Such opening shall provide a minimum unobstructed opening of 5 feet (1524 mm) wide by 7 feet (2134 mm) high.

3110.3.4 Height. The highest point of a cabana shall not exceed 20 feet (4572 mm).

3110.3.5 Area. The area of any single cabana or cabana group shall not exceed 500 square feet (46.45 m²).

Exception: The area of cabanas that are constructed entirely of noncombustible materials shall not exceed 1000 square feet (92.90 m²).

3110.4 Location. Cabanas shall be located to minimize the hazard to the building, other cabanas, and the means of egress.

3110.4.1 Separation between cabanas. Cabanas shall be separated from all other cabanas by a minimum distance of 10 feet (3048 mm), as measured at the nearest horizontal projection. Where cabanas do not meet this spacing, the cabanas shall be considered a cabana group, and the cabana group shall meet the requirements set forth herein.

3110.4.2 Separation between cabana groups. Cabana groups shall be separated from all other cabanas by a minimum distance of 10 feet (3048 mm), as measured at the nearest horizontal projection.

3110.4.3 Separation to building. Cabanas shall be a minimum of 10 feet (3048 mm) from any wall or building opening, and shall not be located beneath any horizontal projection of the main building.

3110.4.4 Obstruction to means of egress. Cabanas shall be located and spaced such that the required means of egress is not obstructed by the cabanas for the entire height of the cabanas.

3110.5 Automatic sprinkler system. Cabanas and cabana groups shall be protected throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

Exception: An automatic sprinkler system shall not be required in cabanas or cabana groups that do not exceed 120 square feet (11.148 m²) in area.

3110.6 Cooking facilities. Cooking shall not be permitted within 20 feet (6096 mm) of a cabana or inside a cabana.

3110.7 Fuel-fired equipment. Fuel-fired equipment shall not be permitted within 20 feet (6096 mm) of a cabana or inside a cabana.

3110.8 Lighting. All lighting within or attached to cabanas shall be electric. Open flames for any purpose are prohibited within 20 feet (6096 mm) of a cabana or inside a cabana.

3110.9 Fire protection report. A fire protection report shall be submitted and shall address the type of construction of the main structure and the cabana(s), the size of the cabana(s), fire protection systems for the cabana(s), and the impact of the cabana(s) on the means of egress.

Section 3401.3 Compliance with Other Codes

Amend Section 3401.3 to read as follows:

3401.3 Compliance with other codes. Alterations, repairs, additions, and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions and changes to occupancy in the *International Fire Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, and *International Electrical Code*.

Appendices A, B, D, F, G and K.

Do not adopt Appendices A, B, D, F, G and K.

Appendices C, E, H, and I.

Adopt Appendices C, E, H, and I unchanged.

Appendix J Section J101 General.

Adopt Appendix J Section J101 through J101.2 unchanged.

Appendix J Section J102.1

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

For the purposes of this appendix chapter and Chapters 18 and 19 of this code, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

Adopt and amend Section J102.1 to include the following definitions:

BUILDING PAD. The soil, cut or fill site, outlined by the area of the footprint of the building plus a minimum of 5 additional feet (1529 mm) to the exterior. This includes any type of foundation system for the structure.

FAULT. A fracture or zone of fracturing in geologic materials (soil or rock) along which there has been displacement of the sides relative to one another parallel to the fracture.

FAULT, HOLOCENE ACTIVE. A fault with recognized activity within Holocene time (within the past 11,000 years).

FAULT, QUATERNARY ACTIVE. A fault with recognized activity within Quaternary time (within the past 1.6 million years).

FAULT INACTIVE. A fault without recognized activity within Quaternary time (within the past 1.6 million years).

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

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

PAD CERTIFICATION REPORT. An interim grading report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the geotechnical report of record.

PAD RECERTIFICATION REPORT. A report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the

recommendations set forth in the geotechnical report of record. This report contains explicit information and data that verifies compliance to the geotechnical report of record including any approved supplements or addendums.

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

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

Appendix J Section J103 Permits required.

Adopt Appendix J Section J103.1 through J103.2 unchanged.

Appendix J Section J103.3

Add Section J103.3 to read as follows:

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

Appendix J Section J104 Permit applications and submittals.

Adopt Appendix J Section J104.1 unchanged.

Appendix J Section J104.2 Grading Plan Requirements

Adopt and amend Section J104.2 to read as follows:

J104.2 Grading plan requirements. All grading plans shall be prepared, stamped, and signed by a registered design professional. The following items must be included on all grading plan submittals.

1. General vicinity of the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, proposed drainage channels and related construction.
4. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent

- owners that are within 100 feet of the property or that may be affected by the proposed grading operations.
5. Recommendations included in the geotechnical and the engineering geology report shall be incorporated in the grading plans or specifications as follows:
 - a. Locations and dimensions of all cut and fill slopes,
 - b. Locations of all cross sections presented in the geotechnical report,
 - c. Locations and sizes of all recommended remedial measures such as buttress fills, stability fills, deep foundation systems, reinforced earth, retaining walls, etc.,
 - d. Location and layout of proposed subdrainage system.
 6. A statement that the site shall be graded in accordance with the approved geotechnical report. This statement shall include the firm name that prepared the geotechnical report, the report number, and the date of the geotechnical report.
 7. Locations of other existing topographic features either natural or man-made such as streets, drainage structures, pavements, walls, mining pits, etc.
 8. The cut to fill transition line.
 9. Positive drainage away from the foundation per Section 1803.3.
 10. Details and cross sections at property lines, fence walls, retaining walls, berms, etc.
 11. Elevation datum and benchmarks (NAVD 88).
 12. Existing contours at least 100 feet beyond the property lines.
 13. Proposed finish contours or spot elevations at the property corners and at swale flow lines.
 14. Elevations of curbs or centerlines of roads or streets.
 15. Earthwork quantities in cubic yards.
 16. Finish floor elevations.
 17. Details and cross sections of typical fill slopes and cut slopes.
 18. Typical details of fill-over-natural slopes and fill-over-cut slopes where fill is to be placed on natural or cut slopes steeper than 5H:1V in accordance with Section J107.
 19. Setback dimensions of cut and fill slopes from site boundaries per Section J108.
 20. The placement of buildings and structures on and or adjacent to slopes steeper than 3H:1V (33.3% slope) shall be in accordance with Section 1805.3.
 21. Provide terracing in accordance with Section J109 for slopes steeper than 3H:1V (33.3% slope).
 22. Provide the locations and dimensions of all terrace drains for all slopes steeper than 3H:1V in accordance with Section J109.
 23. Registered design professional original seal (wet seal), signature and date or a Records stamp and signature stating, *"This is a true and exact copy of the original document on file in this office."*

Appendix J Section J104.3 Soils report.

Adopt Appendix J Section J104.3 through J104.4 unchanged.

Appendix J Section J105.1 Inspections.

Adopt and amend Section J105.1 to read as follows:

J105.1 General. Inspection of grading operations shall comply with the provisions of this section. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage an approved agency, if required by the Building Official.

Appendix J Section J105.1.1 Inspections.

Add Sections J105.1.1 through J105.1.7 to read as follows:

J105.1.1 Completion of work and final reports. Report submittal shall be in compliance with Section 1704.1.2.

J105.1.2 Final Grading report. Upon completion of pad grading (or foundation construction) and prior to a footing or foundation inspection, a Final Grading report shall be provided by an approved agency. Grading (or foundation construction) shall be observed and tested by an approved agency. The approved agency shall prepare the report, signed by a registered design professional certifying that the grading and earthwork are complete and substantially comply with the requirements of the geotechnical report of record including any approved supplements or addenda. At the option of the Building Official, a Pad Certification report submitted in accordance with Section J105.1.3 may be accepted as an interim report prior to a footing or foundation inspection. A Final Grading report will then be required prior to receiving a Final Inspection.

The Final Grading Report itself will contain all applicable test data and analysis of the data. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading. The report shall also include the following information:

1. Compaction test results, requirements, locations, depth of backfill at test locations and names of technicians conducting the tests.
2. Moisture Density values and curves that include classifications for all soils used in the grading operation.
3. Description of structure or pad including the proposed use.
4. Grading plan showing approximate locations of tests, dates and depths of over-excavation observations, original contours and finish pad elevations.
5. Swell and solubility test requirements and results. This information shall be provided if required by the geotechnical report of record, elsewhere in the code, or if imported soils were utilized.
6. Type of foundation system applicable to work being certified (i.e. spread footings, strip footings, combination footings, drilled shafts etc.).
7. Import material used, source of import, and tests indicating compliance with the geotechnical report of record recommendations, and classification in relation to ACI 318 Section 4.3.

8. A statement describing the process of pad grading. Where applicable, this shall include, but not be limited to the minimum depth of over-excavation, blending operations, the use of import soils, nested aggregate, organics encountered, and removal of unsuitable soils.
9. The preceding requirements shall be presented for each pad or structure being certified.

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

J105.1.3 Pad Certification report. This letter/report is used as an interim document until a Final Grading report is completed (i.e., a Final Grading report for the entire project or a particular phase(s) of a project). The approved agency shall prepare this report signed by a registered design professional and certifying that the grading and earthwork are complete and substantially comply with the requirements of the geotechnical report of record including any approved supplements or addenda. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading.

This report shall include the following information for each pad or structure:

1. The first test date of the final test of the final lift.
2. Permit number and pad or structure description.
3. Classification of foundation soils in relation to ACI 318 Section 4.3.
4. Classification of foundation soil for expansive properties (i.e. non-expansive or results from standard 60 pounds per square foot swell test).
5. The name(s) of the approved special inspector(s) and any technicians that observed grading or foundation improvements.

This report remains valid for no longer than six months after the completion of grading. The six month period begins at the first test date of the final test of the final lift of the structural pad. Upon expiration, a Final Grading report and Pad Recertification report will be required.

J105.1.4 Pad Recertification report. This report is required when a Final Grading report or Pad Certification report has expired or if required by the Building Official. The approved agency shall prepare this report signed by a registered design professional certifying the current suitability of the pad(s). The condition of the pad(s) is discussed, tests performed and their results are presented and discussed, and any additional grading or reworking is discussed. The conclusions are stated and based upon the current condition of the pad(s) compared to completion at original grading and a statement that the current condition of the pad(s) substantially complies with the requirements of the geotechnical report of record including any approved supplements or addenda.

As a minimum, pad moisture data and standard sixty pounds per square foot swell test results, if applicable, are included in this report. The tests shall be conducted on a representative number of pads.

The report remains valid for no longer than six months after the latest test date. Once expired, the pad(s) recertification will require an evaluation by a registered design professional to confirm the applicability of current site conditions.

J105.1.5 Finished Floor Elevation Certificate. A Nevada Professional Land Surveyor shall certify the lowest habitable finished floor elevation to the elevation on the approved plans upon completion of the slab inspection and placement or the placement of the final construction form for the finished floor. All certifications required by this section shall be provided to and accepted by the Building Official prior to performance of any additional inspections. The minimum finished floor elevation shall comply with the approved plans and the allowable tolerance shall be minus (-) 0.0 feet to plus (+) 0.3 feet of the finished floor elevation detailed on the approved plans.

J105.1.6 Drainage Compliance Report. Upon completion of final grading, and prior to the final building inspection, a statement of compliance for drainage shall be provided by the registered design professional of record or the developer when approved by the building official.

This report shall state that site conditions at the time of final construction provide positive drainage in compliance with the approved drainage plan or the plot and grading plan.

When engineered drainage features, facilities, or structures are required by the approved plans, the registered design professional of record shall verify that installed and constructed elements are in compliance with the approved plans. This includes site detention, lot to lot drainage, and drainage conveyance devices.

J105.1.7 Notification of Noncompliance. If in the course of fulfilling their respective duties under this appendix, the registered design professional or the approved agency finds that the work is not being done in conformance with this appendix or the approved plans the discrepancies shall be immediately reported in writing to the contractor, the permittee, and to the Building Official.

Appendix J Section J105.2 Special Inspections.

Adopt and amend Section J105.2 to read as follows:

J105.2 Special Inspections. The special inspection requirements of Section 1704 shall apply to work performed under a grading permit where required by the building official.

Appendix J Section J106 Excavations.

Adopt Appendix J Section J106 through J111 unchanged.

Appendix L Fences, walls and retaining walls.

Add Appendix L to read as follows:

Appendix L Fences, walls and retaining walls.

L101 General

L101.1 General. It shall be unlawful for any person, contractor, firm or corporation to erect, install, construct or replace any fence, wall or retaining wall contrary to the provisions of this code.

L101.2 Applicable regulations. All regulations and requirements of the Building Code and any amendments, deletions and additions thereto shall apply to the erection, installation or construction of any fence, wall and/or retaining wall except that which may be inconsistent with this chapter.

L102.0 DEFINITIONS

L102.1 Definitions. For the purpose of this appendix chapter, certain terms are defined as follows:

CUT. See Excavation.

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

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

FILL. The deposition of earth materials by artificial means.

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

ROCKERY WALL. A system of stacked rocks constructed to retain soil.

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

L103.0 PERMITS

L103.1 Permits required. No fence, wall or retaining wall regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each fence, wall or retaining wall is obtained from the Building Official.

L103.2 Separate permits required. A separate permit is required for each parcel of land upon which a fence, wall or retaining wall is to be located.

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

L103.3 Application for a fence, wall or retaining wall permit. To obtain a permit, the applicant shall first file an application on a form furnished by the jurisdiction for that purpose. The application shall include the following:

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

L103.4 Drawings and specifications. Drawings and specifications required for retaining walls shall be prepared by a registered design professional. The design shall be in accordance with the applicable chapters of the IBC. Rockery walls shall be designed in accordance with the IBC and the Southern Nevada Building Officials Rockery Wall Construction Standards.

Drawings or specifications for fences and walls need not be submitted unless required by the Building Official. Drawings and specifications shall be submitted for retaining walls showing that the retaining wall is designed in accordance with this code.

L104.0 GENERAL REQUIREMENTS AND LIMITATIONS

L104.1 General. General requirements and limitations shall be as follows:

1. No fence, wall and/or retaining wall shall be placed within a right-of-way unless granted permission by the authority having jurisdiction.
2. The height and location of a fence, wall and/or retaining wall shall comply with all zoning ordinances and regulations of the authority having jurisdiction.
3. Fences, walls and/or retaining walls shall be constructed in accordance with published standards of the department or agency having authority of utility easements, when located within a utility easement for any light standard, gas meter, water meter, or fire hydrant.

4. Special inspection, if required, shall be in accordance with the IBC. Rockery walls shall require special inspection in accordance with the IBC and the Southern Nevada Building Officials Rockery Wall Construction Guidelines.

L104.2 Required inspections

1. All footings shall be inspected to verify location to property line, structures, and compliance to the approved plans and permit. Footings shall be excavated and cast against the earth.
2. Concrete foundations shall not be placed until footings have been inspected and approved by the Building Official.
3. No wall and/or retaining wall shall be grouted until the reinforcing required has been inspected and approved by the Building Official.
4. No retaining wall shall be backfilled until verification of the required dampproofing and drainage has been inspected and approved by the Building Official.

L104.3 Natural drainage. No permits shall be issued for fences, walls and/or retaining walls, which would block any natural flow path.

L104.4 Prohibited materials. Walls, fences and retaining walls shall not be constructed of materials which impose a direct safety hazard, such as pointed posts, stakes or pickets, components intended for electrocution, embedded glass, nails, barbed or razor type wire, or other sharp, cutting objects.

EXCEPTION: Manufactured barbed or razor wire may be used when its detailed use, location, and construction requirements are approved by the authority having jurisdiction.

L105.0 IMPLEMENTATION

L105.1 Implementation. The Building Official is empowered to formulate procedural guidelines to be used in implementing this chapter.

Southern Nevada Amendments

To The

2006

International Residential Code

Published: October 12, 2006

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City of Henderson

240 Water Street
Henderson, NV 89015
(702) 267-3650

Boulder City

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

North Las Vegas

2240 Civic Center Drive
North Las Vegas, NV 89030
(702) 633-1577

City of Mesquite

11 East 100 South
Mesquite, NV 89024
(702) 346-2835

Pahrump Regional Planning District

1210 E. Basin Ave. St. 1
Pahrump, NV 89060
(775) 751-3773

PREFACE

This document comprises the Southern Nevada Amendments to the 2006 International Residential Code as published by the International Code Council. The Amendments were developed by the jurisdictions listed on the cover page to be adopted by reference. These Amendments are not to be considered part of a local government's building code unless they have been adopted by that local government. These Amendments are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided any alternate has been approved and its use authorized by the building official. This document is available to be adopted by any jurisdiction without permission or approval from the jurisdictions listed on the cover page.

CHAPTER 1 ADMINISTRATION

Chapter 1 is deleted in its entirety except Section R101.

R101.1 Title

Section R101.1 is amended to read as follows:

R101.1 Title These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of Las Vegas, City of North Las Vegas, City of Henderson, City of Boulder City, City of Mesquite, City of Pahrump and Clark County, and shall be cited as such and will be referred to herein as “this code.”

R101.2 Scope

Section R101.2 is amended to read as follows:

The provisions of the *International Residential Code for One- and Two-family Dwellings*, shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and townhouses not more than three stories above-grade in height with a separate means of egress and their accessory structures. Where this code refers to codes not adopted by the jurisdiction, the applicable code adopted by the jurisdiction shall govern.

R301.1.2 Construction systems

Section R301.1.2 is amended by adding a second paragraph to read as follows:

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

Table R301.2(1) Climatic and Geographic Design Criteria

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

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

GROUND SNOW LOAD	WIND SPEED ^d (mph)	SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM				DESIGN DRY-BULB TEMP ^e	ICE BARRIER UNDER- LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
			Weathering ^a	Frost line depth ^b	Termite ^c						
0<2000' 5<3600' 10<4500'	90	D ₀	Negligible	1'<5000'	Moderate to heavy		Winter 27°F Summer 112°F	No	*	35 (°F-days)	66.3°F

SPRING MOUNTAIN RANGE

GROUND SNOW LOAD	WIND SPEED ^d (mph)	SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM				DESIGN DRY-BULB TEMP ^e	ICE BARRIER UNDER- LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
			Weathering ^a	Frost line depth ^b	Termite ^c						
10<4500' 15<6000' IBC for Elevations >6000'	90	D ₀	Severe	1'<5000' 3'>5000'	Moderate to heavy		Winter 5°F Summer 92°F	Yes	*	734 (°F-days)	48.1°F

For SI: 1 pound per square foot = 0.0479 kN/m², 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weather column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.

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

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

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

e. The temperature shall be permitted to reflect local climate or local weather experience as determined by the building official.

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

* g. September 27, 2002 "The Flood Insurance Study for Clark County, Nevada and Incorporated Areas", as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".

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

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

R301.2.2 Seismic provisions

Section R301.2.2 is amended by deleting the Exception with no replacement.

R301.3 Story height

Section R301.3 items 1, 2, and 3 are amended to read as follows:

1. For wood wall framing, the laterally unsupported bearing wall stud height permitted by Table R602.3(5) plus a height of floor framing not to exceed 16 inches, except that a floor framing greater than 16 inches and not exceeding 24 inches, the braced wall length required by Table R602.10.1 shall be multiplied by 1.05.

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

2. For steel wall framing, a stud height of 10 feet, plus a height of floor framing not to exceed 16 inches. Where floor height is between 16 inches and 24 inches, the minimum percentage of full height structural sheathing shall be multiplied by 1.05.
3. For masonry walls, a maximum bearing wall clear height of 12 feet plus a height of floor framing not to exceed 24 inches.

Exception: An additional 8 feet is permitted for gable end walls.

Table R301.5 Minimum Uniformly Distributed Live Loads

Table R301.5 is amended by changing the live load figure for sleeping rooms as follows:

Sleeping rooms	40
----------------	----

Table R301.5 is further amended by adding footnote "j" to read as follows:

- j. Where it can be determined in designing floor that the actual live load will be greater than the value shown in Table R301.5, the actual live load shall be used in the design of such buildings or portions thereof. Special provisions shall be made for machine and apparatus loads.

R301.6 Roof load

Section R301.6 is amended by adding a second sentence, so that the section reads as follows:

R301.6 Roof load. The roof shall be designed for the live load indicated in Table R301.6 or the snow load indicated in Table R301.2(1), whichever is greater. Roof live loads in accordance with Section 1607.11 of the 2006 International Building Code may be used in place of the loads in Table R301.6.

R302.1 Exterior walls

Section R302.1 is amended by adding a second paragraph and a new exception 4.

To determine when protection is required by Table R302.1 the dimension shall be determined from the property line to the finish face of the wall, except where the foundation dimension from property line is 5 feet or greater the foundation dimension will be used for that wall only.

4. When the wall is at 5 feet or greater to the property line with no attic vents or gable end vents along that line a maximum of 12 inch unprotected eave overhang is permitted.

R305.1 Minimum height

Section R305.1 is amended by revising exception 4 to read as follows:

4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures. A shower or tub equipped with a shower head shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

R307.1 Space required

Section R307.1 and Figure R307.1 are deleted in their entirety without replacement.

R307.2 Bathtub And Shower Spaces

Section R307.2 is renumbered to R307.1

R307.21 Bathtub and shower spaces. (Section remains unchanged)

R309.1 Opening protection

Section R309.1 is amended to read as follows:

R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors, each with a self-closer.

R401.3 Drainage

Section R401.3 is deleted in its entirety and replaced with a new Section R401.3 to read as follows:

R401.3 Drainage. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5-percent slope) for a minimum distance of 10 feet (3048 mm) measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet (3048mm) of horizontal distance, a 5-percent slope shall be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 1 percent along the flow line where located within 10 feet (3048mm) of the building foundation. Impervious surfaces within 10 feet (3048mm) of the building foundation shall be sloped a minimum of 2 percent away from the building.

Exception: Where low expansive, low collapsible, low soluble soil conditions occur or where an exterior asphalt or concrete surface abuts a building, the slope of the ground away from the building foundation is permitted to be reduced to not less than one unit vertical in 48 units (2-percent slope).

R401.4 Soil tests

Sections R401.4, R401.4.1, Table R401.4.1, and R401.4.2 are deleted in their entirety, and replaced with a new Section R401.4 to read as follows:

R401.4 Soil tests. All structures or additions shall have a soils reports complying with IBC chapter 18.

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

1. Any structure, addition, or remodel associated with a single family residence with a footprint less than 600 square feet.
2. Fences.
3. Site retaining walls less than 5 feet in retained height.
4. Patio covers, decks, canopies, and carports associated with a single family residence.

Where no soils report is required by the building official the design will be based on maximum bearing pressure of 1,500 psf and assumes a severe sulfate exposure level.

R403.1.3 Seismic reinforcing

Section R403.1.3 is amended by deleting the Exception with no replacement.

R403.1.6.1 Foundation anchorage in Seismic Design Categories C, D₀, D₁, and D₂

Section R403.1.6.1 is amended by adding the following Exception after item 1 to read as follows:

Exception: Foundation anchorage, spaced as required to provide equivalent anchorage to ½-inch-diameter (13 mm) anchor bolts and square plate washers conforming to section R602.11.1.

R406.2 Concrete and masonry foundation waterproofing

Section R406.2 is amended so that the introductory paragraph, before items 1-8, reads as follows:

R406.2 Concrete and masonry foundation waterproofing. When the approved geotechnical report indicates there is a high water table or other severe soil-water conditions are known to exist, exterior foundation walls that retain earth and enclose interior spaces and floors below grade shall be waterproofed from the top of the footing to the finished grade. Walls shall be waterproofed in accordance with one of the following:

R502.3.1 Sleeping areas and attic joists

Subsection R502.3.1 is deleted in its entirety without replacement.

R602.6.1 Drilling and notching of top plate

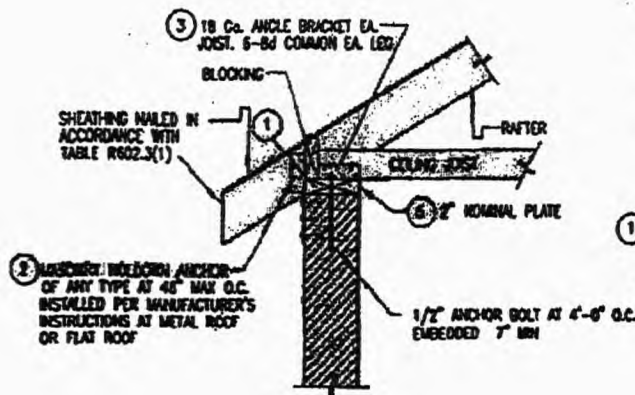
Section R602.6.1 is amended to read as follows:

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load-bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie of not less than 0.054 inch thick (1.37mm)(16 ga) and 1½ inches (38mm) wide shall be fastened across and to the plate at each side of the opening with not less than eight 1½" x 0.148" nails at each side or equivalent. See Figure R602.6.1

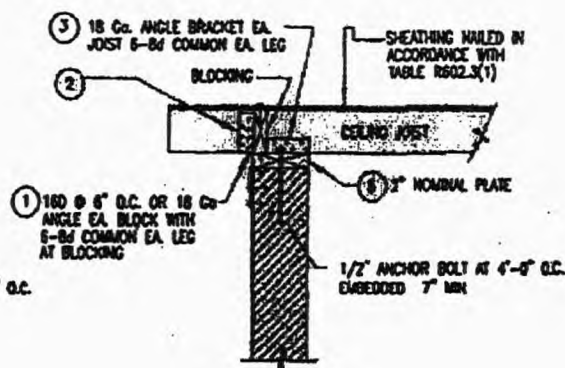
Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

FIGURE R606.11(1) ANCHORAGE REQUIREMENTS FOR MASONRY WALLS LOCATED IN SEISMIC DESIGN CATEGORY A, B OR C AND WHERE WIND LOADS ARE LESS THAN 30 PSF

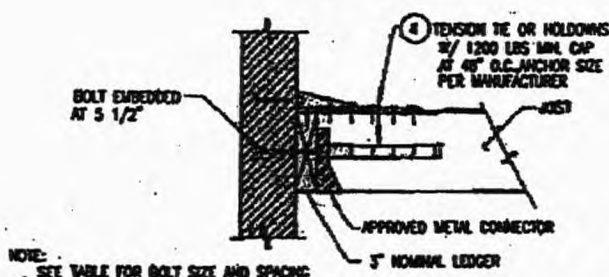
Figure R606.11(1) is deleted and replaced with a new Figure R606.11(1) to read as follows:



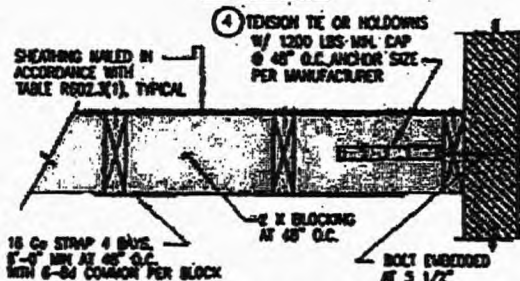
SLOPED ROOF



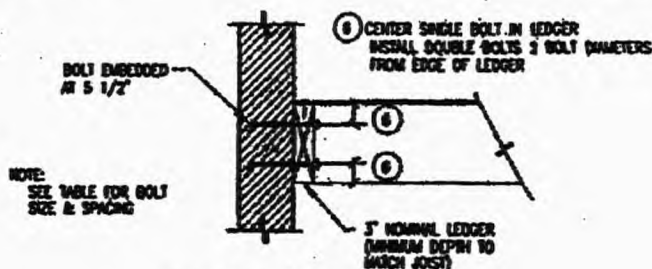
FLAT ROOF



JOIST PERPENDICULAR TO WALL



JOIST PARALLEL TO WALL



BOLTS AT LEDGER

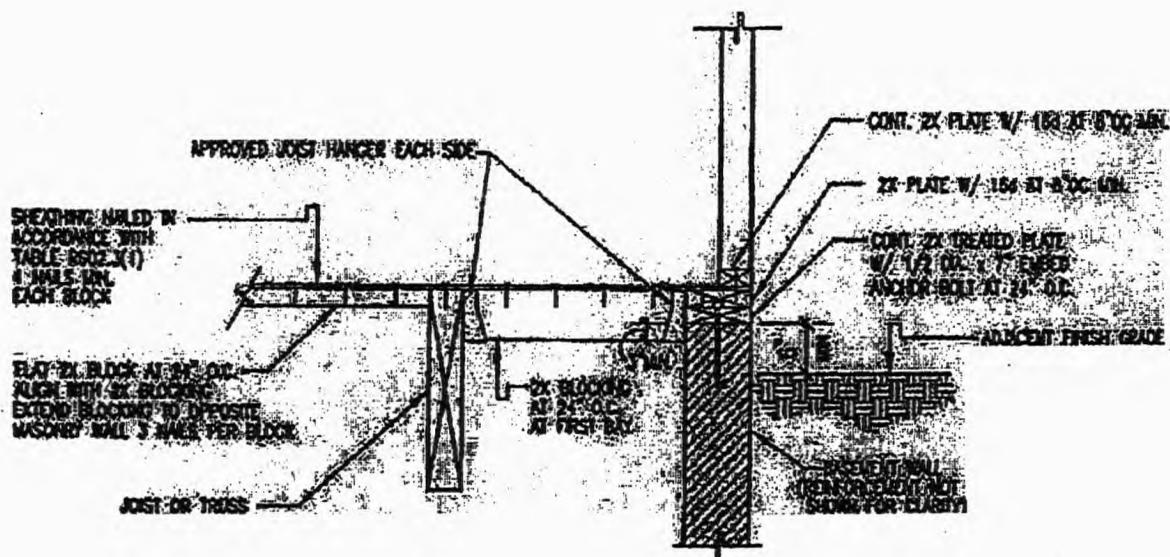
LEDGER BOLT SPACING AND SIZE¹

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

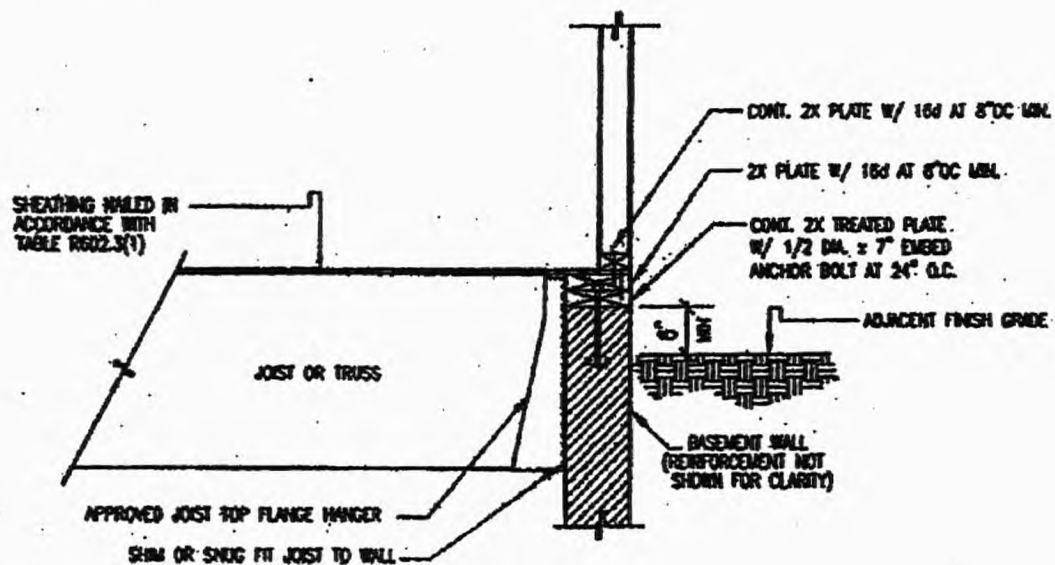
1. BOLTS SHALL BE INSTALLED WITH A METAL PLATE, METAL STRIP, OR WASHER NOT LESS THAN A STANDARD CUT WASHER BETWEEN THE WOOD AND THE BOLT HEAD AND BETWEEN THE WOOD AND THE NUT.

NOTE: WHERE BOLTS ARE LOCATED IN HOLLOW MASONRY, THE CELLS IN THE COURSES RECEIVING THE BOLT SHALL BE GROUTED SOLID.
FOR 32: 1 INCH = 25.4 MM, 1 FOOT = 304.8MM, 1 POUND PER SQUARE FOOT = 0.0479KPa/m²

FIGURE R606.11(1)



JOIST PARALLEL TO BASEMENT WALL



JOIST PERPENDICULAR TO BASEMENT WALL

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

FIGURE R606.11(1)
 ANCHORAGE REQUIREMENTS FOR MASONRY WALLS LOCATED IN SEISMIC DESIGN CATEGORY
 A, B OR C AND WHERE WIND LOADS ARE LESS THAN 30 PSI

R702.3.8 Water-resistant gypsum backing board

Section R702.3.8 is amended by adding an Exception to read as follows:

Exception: If sealing material is not specified by the manufacture, then a water-resistant flexible sealant meeting ASTM C920, Type S, Grade NS, class 25 material may be used.

R802.9 Framing of openings

Section R802.9 is amended to read as follows:

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

R807.1 Attic access

Section R807.1 is amended so that the first paragraph reads as follows:

R807.1 Attic access. Buildings with combustible ceiling or roof construction shall have at least one attic access opening. Additional access openings shall be provided to attic areas that have electrical, plumbing, or mechanical fixtures or equipment that require access for periodic maintenance.

Exception: Access openings are not required for non-contiguous enclosed attic spaces that do not have plumbing, mechanical, or electrical components that require access for periodic maintenance.

R905.7 Wood shingles

Section R905.7 is amended to read as follows:

R905.7 Wood shingles. Not permitted.

R905.8 Wood shakes

Section R905.8 is amended to read as follows:

R905.8 Wood shakes. Not permitted.

R1007 Types Of Fireplaces

A new section R1007 is added to read as follows:

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

- a) A fireplace equipped with gas logs with a nationally recognized listing approved by the Building Official.
- b) A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the Building Official.
- c) A dedicated wood-burning factory-built enclosed fireplace or heater that conforms to the "Phase II Environmental Protection Agency, Standards of Performance for New Stationary Sources, New Residential Heaters" as prescribed in 40 CFR Part 60, Subpart AAA, as verified by a nationally recognized listing approved by the Building Official.
- d) A masonry fireplace that includes the installation of a wood-burning insert which meets the standards described in Paragraph c of this Subsection and which is installed in accordance with the manufacture's instructions, or
- e) A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

R1008 Fireplace Requirements

A new section R1008 is added to read as follows:

R1008 Fireplace requirements. A gas or wood-burning fireplace installed within a dwelling unit shall comply with the following requirements:

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

CHAPTERS 11 through 42.

Delete chapters 11 through 42 in their entirety.

Appendices A through G, I, J, L through Q.

Delete Appendices A through G, I, J, and L through Q in their entirety.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-78 – Updates the City's Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will update the City's Administrative Code, which sets forth the administrative provisions that pertain to the City's various building and technical codes.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-78

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5884. City Clerk to proceed with second publication.

PAUL WILKINS, Director of Building and Safety, was present to answer any questions.

CITY COUNCIL MEETING OF: JANUARY 17, 2007

COUNCILMAN ROSS commended MR. WILKINS for his involvement with the industry.

TOM McGOWAN, Las Vegas resident, expressed support for the code changes, the industry and MR. WILKINS.



1 **BILL NO. 2006-78**

2 **ORDINANCE NO. _____**

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

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

Summary: Updates the City's Administrative
Code, relating to the administration of the
various building and technical codes.

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

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

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

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

26 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
27 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
28 required or the failure to do any act is made or declared to be unlawful or an offense or a
misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than

1 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
2 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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

6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

7 APPROVED:

8
9 By _____
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14 Val Steed 12-7-06
15 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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:

16

17 BARBARA JO RONEMUS, City Clerk

18

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**A SUPPLEMENTAL DOCUMENT AMENDING
THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION**

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

SECTION 2: Certain provisions of this code may be parallel or similar to provisions of the International Building Code, 2006 Edition; International Residential Code, 2006 Edition; the Uniform Plumbing Code, 2006 Edition; the Uniform Mechanical Code, 2006 Edition; the National Electrical Code, 2005 Edition; or other similar code adopted by the City. The provisions of this Code and the provisions of the other referenced codes shall be applied to the extent possible. The Building Official shall have the discretion, in the interest of convenience for the City or the public, to apply the provisions herein or corresponding administrative provisions in any of the above-referenced codes. In the event of any conflict in administrative provisions, the provisions of Section 104 of this Code shall govern, unless otherwise deemed appropriate by the Building Official. Unless otherwise specified, the term "Department" refers to the department of the City charged with the enforcement of the codes referred to in this Section, and the term "Director" refers to the director of that department.

SECTION 3: Section 102 is hereby amended by adding a new Subsection 102.9, reading as follows:

102.9 Professional Office Conversions. A professional office building with an area of 1500 square feet or less which is converted from a residential occupancy pursuant to a valid zoning approval and whose conversion involves only minor exterior remodeling as allowed by the Building Official without expansion of the existing building, is exempt from the requirements of the International Building Code for commercial buildings (other than those contained in Chapter 11 and Chapter 34 thereof). All conversions larger than 1500 square feet shall conform to the new constructions requirements for a B Occupancy.

SECTION 4: Section 202 is hereby amended by deleting Subsection 202.1 and 202.6 and substituting therefor a new Subsection 202.1 and 202.6 reading as follows:

202.1 General. The Building Official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the Building Official shall have the powers of a law enforcement officer. The Building Official shall have the sole power and discretionary authority to render interpretations, to modify or to suspend portions of this code and the referenced technical codes, and to adopt and enforce additional rules and regulations supplemental to this code and the referenced technical codes as may be deemed necessary to clarify and apply the provisions of this code and the referenced technical codes.

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

SECTION 5: Section 204 is hereby amended to add new Sections 204.3 and 204.4, reading as follows:

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

- The Director, a Deputy Director, or another designee.
- An Inspection Supervisor or the Supervisor's designee.
- The Plans Examination Supervisor or the Supervisor's designee.
- Additional inspectors or technical persons, at the Director's discretion.

An application for administrative hearing shall be filed on forms made available by the Building Official and must be filed no later than 4:30 p.m. on the day preceding the appeal meeting to be held that week. The application should contain sufficient information to enable the Committee to perform its review. A filing fee of one hundred dollars (\$100.00) will be charged for each hearing. The Committee will meet within eight (8) days after an application has been properly filed, with notice thereof to the applicant. The applicant may, but is not required to, attend the hearing. The decision of the Committee shall be made by the Director or his designee, after receiving input from other Committee members. An applicant who is aggrieved by the Committee's decision may appeal that decision in accordance with Sections 204.1 and 204.2.

204.4 Appeals to City Council.

1. Right of Appeal. In accordance with State law, any aggrieved party who alleges that there is an error in any decision made by the board of appeals pursuant to Subsections 204.1 and 204.2 may appeal that decision to the City Council.

2. Manner of Appeal. An appeal may be initiated by filing with the Building Official, within 20 days after the decision by the board of appeals, a written appeal containing:

- a. A heading in the words: "Before the City Council of the City of Las Vegas";
- b. A caption reading "Appeal of" followed by the names of all appellants participating in the appeal;
- c. A brief statement setting forth the legal interest of each of the appellants in the building or land involvement in the decision;
- d. A brief statement in ordinary and concise language of the specific aspects of the decision that are being challenged;
- e. A brief statement in ordinary and concise language of the relief sought, such as that the decision should be reversed or modified; and
- f. A statement setting forth the legal or equitable basis of the relief sought by the appellant.

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

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

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

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

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

SECTION 6: Section 301 is hereby amended by deleting Subsection 301.1 and substituting therefor a new Subsection 301.1 and a new Subsection 301.1.1, reading as follows:

301.1 Permits Required. Except as specified in Subsection 301.1.1 of this Section or in Section 26 of this Supplemental Document, no building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official. If work is commenced before a necessary and appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee (i.e., a double fee).

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

NOTE: Additional licensing requirements concerning plumbing work are contained in Sections 23 to 30, inclusive, of this Supplemental Document. Additional licensing requirements concerning mechanical work are contained in Sections 31 to 34, inclusive, of this Supplemental Document.

SECTION 7: Section 301 is hereby amended by deleting Subsection 301.2.1, including its constituent subdivisions and substituting therefor a new Subsection 301.2.1, reading as follows:

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

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

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

3. Oil derricks.

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

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

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

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

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

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

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

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

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

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

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

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

16. Any wall, including a retaining wall, that is not over two feet in height, measured from the low finished grade to the grade on the opposite side. This exemption does not apply to:

- a. Any wall that supports a surcharge;
- b. Any wall (including a patio wall) that retains flammable liquids; or
- c. Any wall of combined materials that exceeds 2 feet in height.

NOTE: Exemption from the permit requirements of this Code shall not be deemed to authorize any work to be done in violation of the provisions of the technical codes or any other City ordinances or regulations.

SECTION 8: Section 301 is hereby amended by adding thereto a new subsection, designated as Subsection 301.3, reading as follows:

301.3 Manufactured Housing, Travel Trailer and Recreational Vehicle Permits.

1. Manufactured Housing Installations (R-MH or R-MHP District).

Manufactured Housing installations are under the jurisdiction of the Nevada State Department of Business and Industry. The units shall bear a seal from a recognized approval agency.

2. Travel Trailers or Recreational Vehicles (R-MH or R-MHP District). Travel trailers or recreational vehicles are under the jurisdiction of the Nevada State Department of Business and Industry.

3. Temporary Residential Use Pending Construction. Nothing in this Code or the technical codes shall be deemed to prohibit any owner of a lot or parcel of land from parking his own manufactured home or recreational vehicle thereon and living therein. Before placing or parking the manufactured home or recreational vehicle, the owner must:

a. Obtain a building permit for a permanent residence to be located on the same lot and for the owner's use;

b. Execute in the City's favor a surety bond or equivalent, in accordance with the provisions of Paragraph (4) below:

c. Obtain a permit for the temporary placement of the manufactured home or recreational vehicle; and

d. Provide the proper sanitary facilities in the manner required by the Clark County Health District.

The period of occupancy may not exceed one year after the permit for temporary placement is issued. Upon written request, the Building Official may grant a single extension of time of up to six months.

4. Surety for Removal. The surety bond required by this Subsection shall be in the amount of one thousand dollars (\$1,000.00), shall secure the removal of the manufactured home or recreational vehicle, and shall be conditioned upon the owner's maintaining in force a valid building permit during the entire time the manufactured home or recreational vehicle is in place. As an alternative to the surety bond, the owner may deposit the sum of one thousand dollars (\$1,000.00):

a. With the City Treasurer, to be refunded upon full compliance with this Subsection; or

b. With a financial institution, provided that the owner, the City and the financial institution have entered into a security agreement that is acceptable to the City Attorney. The arrangement described in this Subparagraph (b) is referred to below as cash-in-lieu-of-bond.

5. Temporary Placement for Contractor/Security Purposes.

Nothing in this Code or the technical codes shall be deemed to prohibit the temporary placement of a manufactured home or travel trailer for the use of a contractor engaged in construction work on the same parcel of land. In addition, a manufactured home or travel trailer may be temporarily placed upon any commercially zoned lot or parcel of land to be used for security purposes when approved by the Building Official. Any placement of a temporary manufactured home or travel trailer for the purpose of living there shall be subject to the requirements concerning installation, permitting, bonding, and time limits as set forth in Paragraphs (3) and (4) above. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Subsection.

6. Temporary Placement of Manufactured Building for Commercial Operation. Nothing in this Code or the technical codes shall be deemed to prohibit a commercial operation from temporarily operating within a manufactured building when the use has been approved by the City Council. In the event of Council approval, the duration of the temporary use shall be in accordance with this Subsection or as determined by the City Council. The period of occupancy may not exceed one year from the date of approval. The Building Official may, upon written request, grant a single six-month extension, provided that a valid building permit is in force at the time the extension is requested and the City Council has approved the extension. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Subsection.

7. Enforcement. Enforcement of the provisions of this Subsection 301.3 shall be in accordance with this Paragraph (7). Each reference in this Paragraph (7) to the term "manufactured home" includes a travel trailer or recreational vehicle.

a. Whenever the Building Official or his designee finds that a manufactured home has remained on the permit holder's property for a period in excess of the limits specified above, he may issue a written notice and order to comply to the principal and to any surety on the bond. Notice to the principal is sufficient if sent by certified mail, return receipt requested, to the address provided by the principal on the application for the permit. The notice and order shall state the estimated cost of removal, and provide that if the manufactured home is not removed within (30) days from the date of notice, the bond shall be forfeited.

b. Any permit holder or surety who believes that no violation described in Paragraph (7)(a) above has occurred may, within 15 days after the date of the notice and order, apply in writing to the Department for a hearing. The Department shall forthwith set a date for said hearing, with at least five days written notice to the requesting party. The hearing shall be conducted by the Building Official or his designee.

c. The compliance order shall be stayed from the date a timely hearing request is received by the Department until a decision is rendered by the

Department, and by the City Council in the event of a timely appeal of the Department's decision.

d. After the requested hearing, the Building Official may rescind, modify or affirm the order of compliance.

e. Within ten days after the date the Department's decision is rendered, the permit holder or surety may, if dissatisfied, appeal to the City Council by filing a written notice of appeal with the Department.

f. Upon receipt of an application from the person required to remove the manufactured home and an agreement by such person to comply with the order if allowed additional time, the Building Official or his designee may, at his discretion, grant an extension of time, not to exceed an additional one hundred and eighty (180) days, within which to remove the manufactured home. The Building Official or his designee's authority to extend time is limited to the removal of the manufactured home and shall not in any way affect the time to appeal the notice and order.

g. After receipt of a notice and order to comply, the surety must, within the time limits specified above, either cause the manufactured home to be removed or pay over to the Department the cost of removal after said manufactured home is removed by the Department. The Building Official or his designee may proceed by such mode as is deemed convenient to cause the manufactured home to be removed. The Building Official or his designee may, in accordance with City contracting procedures, hire a private contractor to remove manufactured home.

h. If a cash bond has been posted, notice of default as provided shall be given to the principal, and if the compliance is not obtained within the time limits specified, the Building Official or his designee may proceed without further notice to use the cash deposit or any portion of such deposit to cause the manufactured home to be removed, by contract or otherwise. The balance, if any, of such cash deposit shall, upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

i. If cash-in-lieu of bond has been deposited, the notice of default shall be given to the principal, and if the compliance is not obtained within the thirty (30) days specified, the Building Official or his designee may withdraw the deposited funds and use them to cause the manufactured home to be removed by contract or otherwise. The balance, if any, shall upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

j. In any instance where the Building Official or his designee has caused a manufactured home to be removed, such manufactured home may be placed in storage at any location within Clark County, Nevada, and all costs of that storage shall be borne by the owner of such mobile home upon reclaiming the

manufactured home. Upon the owner's failure to pay storage costs, such manufactured home may be sold in accordance with NRS Chapter 108.

k. Any costs in excess of the forfeited bond amounts shall be charged to the principal. Where the full amount due to the City is not paid by the principal within 60 days after the City has removed the manufactured home, the Building Official or his designee may request the City Attorney to commence appropriate legal proceedings to obtain payment.

8. Adoption of Guidelines. The Department may adopt procedural guidelines to be used in implementing this Subsection 301.3.

SECTION 9: Section 301 is hereby amended by adding thereto three new subsections, designated as Sections 301.4, 301.5 and 301.6, respectively, reading as follows:

301.4 Grading Permit-Acreage Limitations. In order to minimize the environmental impacts of large-scale grading, a grading permit shall authorize the grading of no more than 120 acres at a time. The Building Official may increase the acreage authorized for grading in the case of:

1. Golf course development; or
2. Other large-scale development, if the applicant or permittee demonstrates to the satisfaction of the Building Official that enhanced dust control mitigation measures are in place to ensure that the increase in grading activity will not adversely impact neighboring properties.

301.5 Moving of Buildings.

1. In order to move any building or structure to or from a location within the City, a moving permit must be obtained in advance. The application for a permit must describe the proposed new location for the building or structure. After a permit is issued, but before the building or structure is moved, the applicant must contact a Supervisor of Building Inspections to schedule field inspections of the building that is to be moved and the site from which it is being moved. Field inspections may include, without limitation, the following items:

- a. Visible structural integrity of the structure.
- b. Required or proposed means of egress.
- c. Electrical wiring and grounding.

d. Plumbing and gas line location, and compliance with applicable codes.

e. Site safety, including the capping of lines, disconnection of electrical power, filling of holes, and removal of other potential hazards.

The moving of buildings shall be subject to the requirements (and the prior approval, if applicable) of the Traffic Engineering Division of the Department of Public Works, the Nevada Department of Transportation, and any other agency having jurisdiction.

2. With regard to any structure proposed to be moved to a location within the City, whether it is proposed to be moved from another location within the City or from a location outside the City, the application for a moving permit shall be accompanied by an application for a building permit, including the submittal of plans of the type and extent that would be required for the initial erection of that structure and comply with current codes. The Department is authorized to require letters from design professions verifying structural integrity and compliance with the International Energy Code. The review and approval of those plans shall also include and be subject to review and verification by the Department of Planning and Development, and the Land Development Division that the proposed location of the building, whether permanent or temporary, is permissible and appropriate under applicable zoning and development regulations.

301.6 Demolition Permits. A separate permit is required for each building, address or suite at which demolition is to occur. Any sewer investigation permit which is required must be obtained prior to the issuance of a demolition permit.

SECTION 10: Section 302 is hereby amended by deleting Subsection 302.3 and substituting therefor a new Subsection 302.3, reading as follows:

302.3 Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon substantial paper whose sheets will be of a uniform size not to exceed 42 x 30 inches in size. The plans and specifications shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that the work will conform to the provisions of the technical codes and all relevant laws, ordinances, rules and regulations.

SECTION 11: Section 303 is hereby amended by deleting Subsection 303.4 and substituting therefor a new subsection 303.4, reading as follows:

303.4 Expiration. Every permit issued by the Building Official with respect to work governed by the technical codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, as documented by an inspection, or if the building or work authorized by such permit is suspended or abandoned at any time after

the work is commenced for a period of 180 days, as documented by an inspection. Permits shall also expire when corrections which have been required by means of a notice to correct have not yet been completed within thirty (30) days after such inspection. Before such work can be recommenced, a new permit therefor shall first be obtained, and the fee therefor shall be one half the amount required for a new permit for such work, provided that no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee and shall be subject to all development/impact fees current at the time of the new permit.

Any permittee holding an unexpired permit may apply for an extension of the time within which to commence work under that permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. The Building Official may extend a permit more than once.

SECTION 12: Section 304 is hereby amended by deleting Subsection 304.1, 304.2, and 304.3, and substituting therefor new Subsections 304.1, 304.2, and 304.3, reading as follows:

304.1 General. Fees shall be assessed in accordance with the provisions of this Section and the fee schedules adopted in connection with this Supplemental Document. Political subdivisions which by law are exempt from the payment of building permit fees are not exempt from:

1. The plan review fees described in this Section 304:
2. Sewer connection fees; or
3. Any other development-related fee, except to the extent provided by law.

304.2 Permit Fees. The fee for each permit shall be provided in set forth in Table Nos. 3-A through 3D, as adopted in connection with this Supplemental Document and amended by the City Council from time to time.

The determination of value or valuation under this Code or any of the technical codes shall be made by the Building Official. The valuation to be used in establishing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment. In order for the Building Official to determine the valuation for purposes of establishing the building permit and building plan review

fees, the applicant must provide a total construction valuation for each project, including the builder's profit, if applicable. The valuation to be used by the Building Official shall be the greater of the declared valuation or the valuations as calculated from the Chart of Minimum Valuation Per Square Foot, which is attached to Table No. 3-A.

304.3 Plan Review Fees.

1. When the submission of plans or other data is required by Section 302, a plan review fee shall be paid at the time plans and specifications are submitted. The building plan review fee for buildings or structures shall be as set forth in Table No. 3-A, calculated at 65 percent of the building permit fee. An additional fee shall be charged for zoning requirement review.

2. No separate plan review fee shall be charged for repetitive permits for electrical, mechanical or plumbing work when all permits (building, electrical, mechanical, and plumbing) are sought on one application. When separate permits by trade area are requested, plan review fees for electrical, mechanical and plumbing work for each permit shall be as set forth in the Notes to Table No. 3A.

3. The plan review fee for grading work shall be as set forth in Table No. 3-B.

4. If two or more buildings (residential dwellings) are to be built from a single model building plan without substantial modifications, as determined by the Building Official, and the model building plan is submitted by any one building contractor while the Building Code under which the plans were approved by the Building Official are in effect, then:

a. The plan review fees for each model building plan shall be sixty-five percent (65%) of the aggregate building permit fees, plus \$50.00 for each additional exterior design elevation.

b. An additional issuance fee for each subsequent use of that model plan (tract house) shall be paid, in the amount of \$50.00.

5. Plan review for repetitive plans is valid for the period during which the Building Code under which plans were reviewed is in effect. Plans must be resubmitted within 6 months after the adoption of a more recent edition of the Building Code. Plan review fees shall be sixty-five percent (65%) of the building permit fee.

6. Plan review for non-repetitive plans is valid for 6 months after approval. Unless permits are issued within that period, plans must be re-reviewed under the then-current Building Code and new plan review fees paid.

7. The plan review fees described in this Subsection 304.3 are separate and in addition to the permit fees described in Subsection 304.2 of this Section.

8. Where plans are incomplete or are changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table No. 3-C.

9. Where a permit has been issued, and subsequently the builder, owner or representative requests a change in the plan which would require the preparation of new permit documentation, an additional fee shall be charged in the amount of \$50.00 for each new permit required.

SECTION 13: Section 304 is hereby amended by adding to Subsection 304.6 thereof a new paragraph, reading as follows:

Except with respect to fees erroneously collected, administrative issuance fees and zoning requirement review fees will not be refunded.

SECTION 14: Section 304 is hereby amended by adding thereto three new subsections, designated respectively as Subsections 304.7, 304.8 and 304.9, reading as follows:

304.7 Moving Permit Fees. For moving a building or structure, the fee shall be as set forth in Table No. 3-C.

304.8 Demolition and Related Permit Fees. The fee for any demolition permit and related sewer investigation permit, as set forth in Table No. 3-C, shall be paid at the time of issuance of the permit and prior to any demolition work being done by the permittee. The fee must be paid for each permit required by or described in Subsection 301.6.

304.9 Other Fees. See Table Nos. 3-C and 3-D.

SECTION 15: Section 305 is hereby amended by deleting Subsection 305.5 and substituting therefor a new Subsection 305.5, reading as follows:

305.5 Required Building Inspections. All work regulated by this Code and the technical codes must be inspected and approved before being covered or concealed, and finished work must be inspected and approved before occupancy. The sequence and types of required inspections will be indicated on the inspection report card. The absence of such indication shall not be deemed to waive any inspection requirement. The Building Official, upon notification, shall make inspections that may include, but are not limited to, the following, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent of construction that fails to comply with this Code or the technical codes:

1. Foundation Inspection. To be made after excavations for footing are complete and required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the Building Official.

2. Concrete slab or under-floor inspection. To be made after in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

3. Frame inspection. To be made after the floor, framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes, and ducts are approved.

4. Lath and/or wallboard inspection. To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joists and fasteners are taped and finished.

5. Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

SECTION 16: Section 306 is deleted in its entirety with no substitution.

SECTION 17: Section 307 is deleted in its entirety with no substitution.

SECTION 18: Section 308 is hereby amended by adding thereto two new subsections, designated as Subsections 308.3 and 308.4, respectively, reading as follows:

308.3 Construction Power. The Building Official may authorize temporary construction power, which is a privilege granted solely for convenience.

308.4 Revocation of Temporary Connection or Construction Power. Temporary connections of construction power may be revoked, upon written notice, for the use of temporary construction power for permanent occupancy, and may be revoked with or without notice for tampering with the electrical service panel in violation of the National Electrical Code and utility company requirements, or in the event work is suspended or abandoned as described in Subsection 303.4.

SECTION 19: Subsection 309.1 is hereby amended by deleting both the first paragraph thereof and the exception that follows and substituting for that paragraph and exception the following paragraph:

309.1 Use or Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has approved the building or structure for occupancy, either by means of a Certificate of Occupancy or by the approval of a final inspection.

SECTION 20: Subsection 309.3 is hereby amended by adding thereto a new paragraph, reading as follows:

For purposes of enforcing this Code, existing buildings for which a Certificate of Occupancy has never been issued shall be deemed to have been issued a Certificate. Nothing in this paragraph, however, shall be construed to mean or imply that any such building complies with the requirements and provisions of the technical codes.

SECTION 21: Section 309 is hereby amended by adding thereto a new subsection, designated as Subsection 309.7, reading as follows:

309.7 Utilities. Upon revocation of a Certificate of Occupancy, the Building Official may order the disconnection or discontinuance of utility services upon at least three (3) days written notice to the owner and occupant.

SECTION 22: Table Nos. 3-A to 3-H, inclusive, are hereby deleted in their entirety, and new Table Nos. 3-A, 3-B, 3-C, and 3-D, which are attached hereto and incorporated by this reference, are adopted in lieu thereof.

PROVISIONS RELATING TO THE PLUMBING CODE

SECTION 23: In connection with the administration and enforcement of the Uniform Plumbing Code, 2006 Edition, the provisions which are set forth as Sections 24 to 30, inclusive, of this Supplemental Document are hereby adopted.

SECTION 24: GENERAL PROVISIONS.

A. It is unlawful for any person to conduct, carry or engage in the business of plumbing or act in the capacity of a plumbing contractor without first having obtained a license from the State of Nevada Contractor's Board to carry on the trade of plumbing.

B. It is unlawful for any person to conduct, carry on or engage in the business of installing, altering or repairing sewers or private sewage disposal systems without first having obtained a license from the State of Nevada Contractors Board to carry on the trade of plumbing.

C. The minimum job site requirement for an individual leading or directing the installation of plumbing shall be a Southern Nevada licensed journeyman plumber.

D. Contractors and their employees engaged in the construction of underground utility lines are exempt from provisions of this Chapter requiring a Certificate of Qualification, but such contractors must possess both valid State Contractor's License and a City business license to carry on the business of contracting, as distinct from engaging in the business of plumbing.

SECTION 25: DEFINITIONS AND QUALIFICATIONS OF CONTRACTORS AND PLUMBERS.

A. A Plumbing Contractor is a person who holds a license from the State of Nevada Contractors Board and a business license from the City to carry on the trade of plumbing.

B. A licensed Journeyman Plumber is a person who has successfully passed an examination issued by an approved agency in Clark County.

C. A Qualified Individual or QI is a person who has passed an appropriate examination(s) of the State of Nevada Contractors Board subsequent to July 1, 1985, and otherwise meets the qualifications of, and has been accepted by, the State of Nevada Contractors Board as a Qualified Individual in one or more of the subcategories of plumbing contracting (or as appropriate to the work to be permitted) after July 1, 1985.

D. Notwithstanding anything to the contrary in Sections 301 through 309 of this Code, as adopted by the City, the Building Official may authorize approved contractors to install, inspect and verify the proper installation of water heaters and water softeners, without the need to obtain a permit prior to the installation or to obtain an inspection of the work by the City following the installation. In such cases, the Building Official may issue permits for the installation of water heaters and water softeners after the work has been completed and charge an appropriate fee in connection therewith. Each installation must be properly verified, tagged and documented in accordance with procedures set forth by the Building Official. For the purposes of this Subsection, an "approved contractor" is one who:

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

SECTION 26: PERMITS; WORKSITE REQUIREMENTS

A. Permits may be issued to plumbing contractors having a State of Nevada Contractor's license and City business license for any plumbing or drainage work regulated by the Uniform Plumbing Code.

B. Permits may be issued to any properly licensed person to install, alter or enlarge irrigate systems, providing that required backflow prevention devices are installed to existing water lines.

C. Permits may be issued to licensed fire sprinkling contractors or licensed plumbing contractors for the installation of automatic fire extinguishing systems, provided that all work conforms to the requirements of the most recent edition of the National Board of Fire Underwriters Standard #13.

D. Permits may be issued to any person to do plumbing or drainage work regulated by the Uniform Plumbing Code in a single family dwelling used exclusively for living purposes, including the usual accessory buildings or quarters in connection with such buildings, provided that such person is the bona fide owner of such dwelling and accessory buildings or quarters, and the same are occupied or designated to be occupied by said owner.

E. A permit may be issued for the original installation of permanent and rental water softening equipment, provided the work done involves only minor changes in the existing water lines. Every application for a permit shall be accompanied by a sketch or drawing of the proposed installation. The person making the installation, at a minimum, must have successfully passed an examination given by an approved agency for a limited certificate of competency, permitting the holder to make minor changes in the present water system to install only permanent and rental water softening equipment. If the installation involves connecting to the drainage system, this work must be done by a certified plumber unless the building is provided with a drain connection suitable for the purpose of connecting a water softener. For purposes of this paragraph, "minor changes" in the water system shall be construed to mean that no more than one cut into the existing water lines will be required.

F. A permit may be issued to any general engineering contractor, or to any sewer, sewage disposal, drain and pipelaying contractor, pipeline contractor or industrial piping contractor licensed by the State of Nevada, for work within that contractor's respective specialty or specialties, for the construction and installation of sewer, water, or other underground utility lines on private or public property up to a point not less than five (5) feet from the building and, with respect to a manufactured home or recreational vehicle park, for installation of pipeline systems in accordance with approved plans.

G. A permit may be issued to any refrigeration or air conditioning contractor who holds both a valid State of Nevada Contractor's License, Classification

C-21 (a) or (b), and a valid business license issued by the City, to install gas piping which is directly related and necessary to the repair or replacement of a refrigeration, heating or air conditioning system, not exceeding 500,000 BTUH per permit (based on natural gas input). The permittee shall only use qualified workers who have met City requirements for installation of gas lines. The permittee shall not modify or alter any gas piping except for that gas piping allowed by this Subsection.

H. At least one licensed Journeyman Plumber must be on any job site while work is being performed.

I. Notwithstanding anything to the contrary in Sections 301 through 309 of this Code, as adopted by the City, the Building Official may authorize approved contractors to install, inspect and verify the proper installation of water heaters and water softeners, without the need to obtain a permit prior to the installation or to obtain an inspection of the work by the City following the installation. In such cases, the Building Official may issue permits for the installation of water heaters and water softeners after the work has been completed and charge an appropriate fee in connection therewith. Each installation must be properly verified, tagged and documented in accordance with procedures set forth by the Building Official. For purposes of this Subsection (I), an "approved contractor" is one who:

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

SECTION 27: PLAN/CALCULATION PREPARATION

When plans and calculations are not stamped with the seal of an architect or engineer who is responsible for the work, the plumbing contractor shall be responsible for design and conformance with this Code. The plumbing contractor shall provide on any plans a title block which includes the plumbing contractor's company and individual names and the State Contractor's License Number.

EXCEPTION: An owner-builder may prepare plans for the owner-builder's own home. An owner-builder shall provide a title block and sign the building plans.

SECTION 28: OCCUPANCY FEES FOR SEWER CONNECTION (See Chapter 14.04 of the Las Vegas Municipal Code for Schedule of Fees.)

Occupancy fees for sewer connection shall be due at the time of issuance of building permit or occupancy change. An application for occupancy change shall include the deposit for any additional fees that required to be paid. Credit for existing

sewer shall be applied to the new sewer fees based on previous type of occupancy and only when the new occupancy requires an additional fee. The Building Official may authorize the refunding of sewer connection fees which are erroneously paid or collected and in instances where construction is not performed. All applications for refunds must be filed in writing by the original permittee not later than 180 days after the date of payment. All refunds are subject to an administrative fee to cover the processing of permits and refund applications. The administrative fee shall be \$50.00, or twenty percent (20%) of the total connection fee, whichever is less.

SECTION 29: SEWER TRUNK EXTENSION AND OVERSIZING REFUNDING AGREEMENTS

A. Sewer trunk extensions and oversizing necessary to serve real property within the City which is incapable of being served by existing sewer trunks may be installed pursuant to refunding agreements, at the discretion of the Director of Public Works, in accordance with the following procedures:

1. An applicant for a "sewer extension" refunding agreement will file an application with the Department of Public Works, accompanied by an approved design of the proposed installation.

2. When a "sewer oversizing" refunding agreement is required, the Department of Public Works shall designate the sizing for the proposed trunk extension; the depth at which it shall be installed; the number, location and type of appurtenances to be included therein; and the location of the area from which the refund therefor will be derived. Two designs shall be prepared for the project, an oversizing design and a base design meeting the capacity needs of the development. Both designs shall have matching pipe crown elevations.

3. Upon receipt of approved design plans, the applicant shall submit to the Department of Public Works at least three (3) written bids (sealed) from licensed sewer contractors for the construction of the proposed sewer extension in accordance with the approved plans therefor; provided, however, that the Director of Public Works, at his discretion and upon good cause shown, may waive the requirement of those written bids.

4. Sewer refunding agreements are based on the lowest responsible bid. Oversizing costs are based on the lowest cost differential between the oversizing design bid and the base design bid. Reimbursable extension costs are based on the lowest bid minus the oversizing costs. Costs involving rock or hard material excavation shall not be included in the original refunding agreements. If the developer encounters rock or hard material excavation, the developer shall notify Off-site Inspection and Testing who will document the amount of hard material excavation encountered. The developer may request an amendment to the agreement based on the amount of hard material excavation encountered. As a prerequisite for City

consideration for payment for rock or hard material excavation, notification will be provided to the City prior to commencement of work.

5. Any sewer trunk extension and appurtenant installation under a refunding agreement shall conform to Design and Construction Standards for Wastewater Collection Systems then in force in the City, and shall be subject to the acceptance by the City prior to the use thereof.

6. Upon the completion of construction of any such sewer trunk extension, "as built" plans of said installation shall be filed with the Department of Public Works.

B. Recovery of extension costs shall apply only to that portion of the extended sewer trunk in excess of two hundred (200) feet from its connection to the existing sewer trunk (the "trunk extension subject to refunding") and terminating at the nearest point of the development. The amount recoverable thereunder shall be as specified in the agreement but not to exceed ninety-five (95%) of the amount, based on the lowest acceptable bid, actually expended by the applicant, after any appropriate adjustment in cost, in the construction of the trunk extension subject to refunding; provided, however, that the cost resulting from any oversizing of such extended sewer trunk at the request of the City shall be pursuant to separate agreement and shall be paid after the acceptance by the City of such extended sewer trunks, or as specified in the agreement.

C. Unless otherwise provided by agreement, refunds pursuant to each refunding agreement shall be made by the City on or before the anniversary date of the refunding agreement in each year on the basis of and shall be limited to \$125.00 for each sewer connection fee received during the preceding 12 months from properties adjacent to the limits of the extension agreement. The right to any refund thereunder shall expire on the tenth anniversary of the execution of such agreement. In no event shall the aggregate refund to be made under any such refunding agreement ever exceed ninety-five percent (95%) of the costs expended by the applicant in connection with the installation of the trunk extension subject to refunding.

D. Unless otherwise specified by agreement, refunds associated with sewer extensions and reimbursements associated with oversizing shall be made to the applicant.

SECTION 30: FEES. Fees related to plumbing permits and plumbing work shall be as set forth in Table Nos. 3-A and 3-C.

PROVISIONS RELATING TO THE MECHANICAL CODE

SECTION 31: In connection with the administration and enforcement of the Uniform Mechanical Code, 2006 Edition, the provisions which are set forth as Sections 32 to 34, inclusive, of this Supplemental Document are hereby adopted.

SECTION 32: LICENSING. Any person, firm or corporation engaged in the business of installing, repairing, servicing, maintaining or improving heating and air conditioning equipment or ductwork in the City shall first secure a State of Nevada Contractor's License and a City business license. Those licenses must be kept valid as long as the licensee is engaged in any business described in this section.

SECTION 33: QUALIFIED PERSONS.

A. It is unlawful for any person to install, alter, reconstruct, repair or maintain any heating, ventilating, air conditioning or refrigeration equipment or evaporative cooler or cooling tower as described in this Code, unless such person is a qualified person or a regular salaried employee of a qualified person, in which latter case the qualified person shall be responsible for all work done by such employee.

B. The term "qualified person" shall be deemed to mean a person, firm or corporation holding both a valid contractor's license issued by the State of Nevada and a valid City business license, or a person who qualifies under Subsection (C) of this Section.

C. Any permit required by this Code may be issued to any person doing any construction or work regulated by this Code in a single family dwelling used exclusively for living purposes, including usual accessory buildings and quarters in connection with such single family dwelling, provided that:

1. Such person is a bona fide owner of such dwelling, accessory building and quarters;
2. The same are occupied by or intended to be occupied by such owner;
3. For the installation of any equipment, such owner applies for and obtains a permit for such construction work; provided, however, that no permit will be required for the repair, service or maintenance of existing equipment.

SECTION 34: Fees.

Fees related to mechanical permits and mechanical work shall be in accordance with Fee Table No. 3-A and 3-C.

TABLE NO. 3-A BUILDING PERMIT FEES

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

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

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

VALUATION IN DOLLARS	BLDG PERMIT FEE	PLAN CHECK FEE	ZONING CHECK FEE	MECH PERMIT FEE*	PLUMB PERMIT FEE*	ELEC PERMIT FEE*	M P E PERMIT FEE*
64001 to 65000	421	274	21	63	84	84	231
65001 to 66000	428	278	21	64	86	86	236
66001 to 67000	431	280	22	65	86	86	237
67001 to 68000	433	281	22	65	87	87	239
68001 to 69000	437	284	22	66	87	87	240
69001 to 70000	442	287	22	66	88	88	242
70001 to 71000	446	290	22	67	89	89	245
71001 to 72000	449	292	22	67	90	90	247
72001 to 73000	452	294	23	68	90	90	248
73001 to 74000	457	297	23	69	91	91	251
74001 to 75000	462	300	23	69	92	92	253
75001 to 76000	467	304	23	70	93	93	256
76001 to 77000	469	305	23	70	94	94	258
77001 to 78000	471	306	24	71	94	94	259
78001 to 79000	478	311	24	72	96	96	264
79001 to 80000	482	313	24	72	96	96	264
80001 to 81000	486	316	24	73	97	97	267
81001 to 82000	488	317	24	73	98	98	269
82001 to 83000	492	320	25	74	98	98	270
83001 to 84000	497	323	25	75	99	99	273
84001 to 85000	502	326	25	75	100	100	275
85001 to 86000	507	330	25	76	101	101	278
86001 to 87000	509	331	25	76	102	102	280
87001 to 88000	512	333	26	77	102	102	281
88001 to 89000	515	335	26	77	103	103	283
89001 to 90000	520	338	26	78	104	104	286
90001 to 91000	527	343	26	79	105	105	289
91001 to 92000	529	344	26	79	106	106	291
92001 to 93000	531	345	27	80	106	106	292
93001 to 94000	538	350	27	81	108	108	297
94001 to 95000	542	352	27	81	108	108	297
95001 to 96000	545	354	27	82	109	109	300
96001 to 97000	548	356	27	82	110	110	302
97001 to 98000	551	358	28	83	110	110	303
98001 to 99000	555	361	28	83	111	111	305
99001 to 100000	561	365	28	84	112	112	308

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

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

- NOTE:
1. The administrative issuance fee of \$50.00 applies to each permit.
 2. The minimum permit fee is \$14.00 (exclusive of Plan Check Fees and Zoning Check Fees).
 3. The Plan Check Fee is 65% of the Building Permit Fee.
 4. The Zoning Check Fee is based upon Planning Department requirements.
 5. If all sub-trades are issued as part of the primary residential permit issuance, the following fees will be in effect.
 - The Mechanical Permit Fee is 15% of the Building Permit Fee.
 - The Plumbing Permit Fee is 20% of the Building Permit Fee.
 - The Electrical Permit Fee is 20% of the Building Permit Fee.
 - The M P E Permit is 55% of the Building Permit Fee.
 6. If separate trade permits (electrical, plumbing, mechanical) are required or requested, fees shall be based upon contract valuation as designated in the Table.

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

OCCUPANCY AND TYPES		PER SQFT VALUE	OCCUPANCY AND TYPES		PER SQFT VALUE
1.	APARTMENT HOUSES:		7.	CHURCHES:	
	Type IA or IB*	73.00		Type IA or IB*	82.00
	Type II or			Type IIA	61.00
	Type V - Masonry	60.00		Type IIB	58.00
	Type V - Wood	53.00		Type IIIA	67.00
	Type I Bsmt Garage	31.00		Type IIIB	64.00
	(Balcony = 1/2 sq ft cost)			Type VA	62.00
				Type VB	59.00
2.	AUDITORIUMS:		8.	CONVALESCENT HOSPITALS:	
	Type IA or IB	87.00		Type IA or IB*	115.00
	Type IIA	63.00		Type IIA	80.00
	Type IIB	59.00		Type IIIA	82.00
	Type IIIA	66.00		Type VA	77.00
	Type VA	63.00			
	Type VB	59.00	9.	DWELLINGS:	
3.	BANKS:			Type V Wood > 4000 sf	64.00
	Type IA or IB*	123.00		Type V Wood ≤ 4000 sf	46.00
	Type IIA	90.00		Type V Masonry	63.00
	Type IIB	87.00		Bsmts, Finished	35.00
	Type IIIA	100.00		Bsmts, Unfinished	21.00
	Type IIIB	96.00	10.	EXHIBIT HALLS/CONVENTION CNTR	
	Type VA	90.00		Type IA or IB	50.00
	Type VB	86.00		Type IIA or VA	29.00
4.	BOWLING ALLEYS:			Type IIB or VB	28.00
	Type IIA	42.00		Type IIIA	33.00
	Type IIB	39.00		Type IIIB	32.00
	Type IIIA	46.00	11.	FIRE STATIONS:	
	Type IIIB	43.00		Type IA or IB	95.00
	Type VA	31.00		Type IIA	62.00
5.	CASINOS:			Type IIB	59.00
	Type IA or IB*	95.00		Type IIIA	68.00
	Type IIA	67.00		Type IIIB	65.00
	Type IIB	64.00		Type VA	64.00
	Type IIIA	72.00		Type VB	60.00
	Type IIIB	70.00	12.	HOSPITALS:	
	Type VA	65.00		Type IA or IB*	136.00
	Type VB	63.00		Type IIIA	112.00
6.	CLUBHOUSE/RECREATION BLDGS:			Type VA	107.00
	Type IIA	56.00	13.	HOTELS/MOTELS:	
	Type IIB	53.00		Type IA or IB*	82.00
	Type IIIA	61.00		Type IIIA	72.00
	Type IIIB	58.00		Type IIIB	69.00
	Type VA	56.00		Type VA	63.00
	Type VB	53.00		Type VB	62.00

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

*** Deduct 11 % for Mini-warehouses

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

<u>OCCUPANCY AND TYPES</u>	<u>PER SQFT VALUE</u>	<u>OCCUPANCY AND TYPES</u>	<u>PER SQFT VALUE</u>
14. INDUSTRIAL PLANTS:		20. RESTAURANTS:	
Type IA or IB*	47.00	Type IIA	80.00
Type IIA	32.00	Type IIIB	78.00
Type IIB	30.00	Type VA	74.00
Type IIIA	36.00	Type VB	71.00
Type IIIB	34.00		
Type VA	34.00	21. SCHOOLS:	
Type VB	31.00	Type IA or IB	92.00
Tilt-up	24.00	Type IIA	63.00
		Type IIIA	67.00
15. LIBRARIES:		Type IIIB	64.00
Type IA or IB	96.00	Type VA	63.00
Type IIA	70.00	Type VB	60.00
Type IIB	67.00		
Type IIIA	74.00	22. SERVICE STATIONS:	
Type IIIB	71.00	Type IIB	55.00
Type VA	70.00	Type IIIA	58.00
Type VB	67.00	Type VA	49.00
		Canopies	23.00
16. MEDICAL OFFICES:			
Type IA or IB*	99.00	23. STORES:	
Type IIA	76.00	Type IA or IB*	68.00
Type IIB	72.00	Type IIA	41.00
Type IIIA	80.00	Type IIB	40.00
Type IIIB	77.00	Type IIIA	51.00
Type VA	74.00	Type IIIB	47.00
Type VB	72.00	Type VA	42.00
		Type VB	39.00
17. OFFICES:			
Type IA or IB*	88.00	24. THEATERS:	
Type IIA	59.00	Type IA or IB	91.00
Type IIB	56.00	Type IIIA	66.00
Type IIIA	64.00	Type IIIB	63.00
Type IIIB	61.00	Type VA	62.00
Type VA	60.00	Type VB	59.00
Type VB	56.00		
		25. WAREHOUSES: ***	
18. PRIVATE GARAGES:		Type IA or IB	41.00
Masonry	20.00	Type IIA	24.00
Wood Frame	22.00	Type VA	24.00
Open Carport	13.00	Type IIB / VB	22.00
		Type IIIA	27.00
19. PUBLIC GARAGES:		Type IIIB	26.00
Type IA or IB*	40.00		
Type IIA	23.00	26. CONVERSIONS:	
Type IIIA	30.00	Garage to Living	18.00
Type IIIB	27.00	Carport to Living	25.00
Type VA	28.00	Cov Patio to Living	25.00
		Carport to Garage	7.00
		Finish Basement	21.00

* Add 0.8 % to total cost for each story over three

** Deduct 20 % for shell-only Bldgs

*** Deduct 11 % for Mini-warehouses

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

<u>OCCUPANCY AND TYPES</u>	<u>PER SQFT VALUE</u>	<u>OCCUPANCY AND TYPES</u>	<u>PER SQFT VALUE</u>
27. ADDITIONS:		32. AGRICULTURAL BLDGS:	
Room	35.00	Stables / Kennels	14.00
Finish Basement	29.00	Animal Shelters	14.00
Unfinished Basement	21.00	Storage Sheds	9.75
28. CARPORT/PATIO COVER ADDITIONS:		33. FIREPLACES (Unit Cost):	
(Add flatwork cost if no existing floor)		Standard Single	1834.00
Alum / Steel	5.00	Double	2755.00
Wood	9.00	Triple Sided	3676.00
Wood Lattice	7.00	Free Standing Stove	861.00
Balcony / Sun Deck	15.00	Free Standing BBQ	1377.00
Screen Room	14.00	Precast Tilt-up	1533.00
29. EQUIPMENT:		34. FENCES:	
Air Conditioning:		Chain Link	1.25
Commercial	4.75	Ornamental Iron	2.50
Residential	3.75	Block	5.50
Sprinkler System	2.25	Brick / Stone	7.00
30. SWIMMING POOLS / SPAS:		Concrete	4.25
Based on contract valuation		Wood, Solid	1.25
		Wood, Picket / Grape	0.75
		Retaining Walls	6.25
31. FLATWORK:		35. ROOFING:	1.75 sqft
Pool Kool Decking	4.00		
Concrete	4.00	36. TRAILER / MOBILE HOME PARKS:	
Brick Paving / Vaneer	7.00	Contract Price	
Asphalt	1.25		

NOTE: The permit cost is based upon the calculated construction valuation or contract price, whichever is higher. The values shown may be changed without notice to reflect a more realistic valuation

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

TABLE 3-B - GRADING FEES

Issuance Fee - \$50.00

Grading Permit Fees:

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

Earth Moving - \$25.00 minimum

50 cubic yards or less - \$25.00

51 to 100 cubic yards - \$29.00

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

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

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

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

Grading, Clearing and Grubbing prior to Obtaining a Permit

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

**TABLE 3-C
OTHER FEES AND CHARGES**

1. **Moving Permit moving within or into the City):** \$300.00 for each building or structure (or portion thereof).
2. **Moving Permits (moving out of the City):** \$62.00 plus administrative issuance and zoning fees, for each building or structure (or portion thereof).
3. **Certification and Certificate of Occupancy Fees:** \$50.00 per dwelling unit, guest room or tenant space. For more than four units, the fee shall be \$200.00 plus \$10.00 per additional dwelling unit in excess of four.
4. **Additional Plan Review Service Charge:** \$75.00 per hour or any part thereof. An additional \$100.00 per hour is charged if the review is done on overtime requested by the applicant.
5. **Inspections Outside of Normal Business Hours:**
 - (a) \$80.00 per hour if contiguous to work hours (minimum, 1 hour).
 - (b) Same-day (Express) inspections by appointment during regular working hours will be charged at the rate of \$100.00 per hour, minimum, with \$25.00 for each additional quarter hour or portion thereof. Express inspections after regular working hours will be charged at the rate of \$150.00 per hour minimum, and \$37.50 for each additional quarter hour or portion thereof.
 - (c) Planned Saturday callouts will be a minimum of three hours (\$240.00) and \$80.00 an hour for each hour or portion thereof over three hours.
 - (d) Emergency after hours calls (with less than 12 hours notice) and Holiday callouts will be \$240.00 for a three hour minimum, and then an additional \$80.00 for each hour or portion thereof over three hours.
 - (e) Fire investigations for permits: \$100.00, for the first hour, then \$80.00 per hour thereafter.
6. **Reinspection Under Provisions of Section 305.8:** \$75.00
7. **Demolition Permit Fee:** \$62.00, or estimated value of demolition contract, whichever is higher, plus administrative issuance and zoning fees. NOTE: Some demolitions may require the issuance of a sewer investigation permit, whose fee is the same as for a demolition permit.
8. **Expired Permit:** Permit fees for renewal/issuance for an expired permit shall be per Section 303.4

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

9. **Special Investigation:** \$100.00 or \$100.00 per hour, whichever is greater. The Special Investigation results may generate a request for a review from the Building Official's Hearing Committee.
10. **Product Approval Fee:** \$500.00 submittal fee, plus \$100 per hour for review and evaluation of a building product not yet approved by the International Code Council (ICC).
11. **Amusement Ride Certificate:** \$250.00 (on an annual basis from date of issuance).
12. **Change of address:** If address change is requested by the applicant / owner after permits have been issued, a \$350.00 Administrative Processing Fee per address will be charged.
13. **Change of Contractor:** \$50.00 (plus the administrative issuance fee).
14. **Request for Review from the Building Official's Hearing Committee or Appeal to City Council:** \$100.00.
15. **Special Occupancy Verification:** \$100.00, which includes research time, calculations, and resulting letter.
16. **Administrative Issuance:** \$50.00.
17. **Deferred Submittals:** \$100.00 for each deferred submittal, plus review time and administrative fee.
18. **Fees and Charges for Noncompliance Relating to Special Inspection Agencies, Special Inspectors and Steel Fabricators:** As set forth in Table No. 3-D.

Table No. 3-D
Administrative and Investigative Fees
Relating to Special Inspection Agencies,
Special Inspectors and Steel Fabricators

Approved SI Agency	Special Inspector	Approved Steel Fabricator
Performance of Special Inspection activities on a site without an approved permit. \$400.00 ea occurrence	Performance of Special Inspection activities on a site without an appropriate permit. \$100.00 ea occurrence	Failure to perform necessary inspection activities. \$250.00 ea occurrence
Performance of Special Inspection activities by an unapproved person. \$400.00 ea occurrence	Performance of Special Inspection activities when not approved for inspection items. \$100.00 ea occurrence	Failure to document inspection activities. \$250.00 ea occurrence
Failure of agency to perform necessary Special Inspection activities. \$250.00 ea occurrence		
Failure of agency to document Special Inspection activities \$250.00 ea occurrence		

10-16-06

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-79 – Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

During its last session, the Nevada Legislature adopted provisions to encourage the development and use of wind energy systems. This bill is intended to follow up that legislation by setting forth the circumstances under which small wind energy systems will be allowed in certain residential areas. The bill will allow the use as a conditional use in the R-A, R-E and R-D Zoning Districts.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-79

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5885. City Clerk to proceed with second publication.

BILL NO. 2006-79

ORDINANCE NO. _____

AN ORDINANCE TO ALLOW SMALL WIND ENERGY SYSTEMS AS A CONDITIONAL USE IN THE R-A, R-E AND R-D ZONING DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts.

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

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to allow the use "Small Wind Energy System" as a conditional use in the R-A, R-E and R-D Zoning Districts. In order to reflect the amendment, a new use category shall be added to the "Utilities, Communication & Transportation" Element of the Land Use Tables, to read as follows:

RESIDENTIAL												USE
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	UTILITIES, COMMUNICATION & TRANSPORTATION
	C	C	C									Small Wind Energy System

Description:

A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 100kW and which is intended primarily to reduce on-site consumption of utility power. The use is not to be deemed an accessory structure.

Conditional Use Regulations:

1. The minimum parcel size shall be two acres (net).
2. No small wind energy system is eligible for approval if all or part of the property is within a conservation easement or scenic highway corridor, or is listed on the State or National Registers of Historic Places, unless the applicant submits satisfactory evidence that the addition of a small wind energy system is not a violation of the rules that govern the development of the property.
3. The tower height (meaning the height above grade of the fixed portion of the tower, excluding the wind turbine itself) may not exceed the lesser of the following:
 - a. The maximum height recommended by the manufacturer or distributor of the system, as demonstrated by evidence included with the application; or
 - b. A height of 90 feet for a qualifying parcel less than 2 net acres in size, or a height of 110 feet on a parcel of 5 net acres or more in size.
4. In the R-D Zoning District, the entire system must be set back at least 30 feet from the front property line and at least 10 feet from the side and rear property lines. In the R-A and R-E Zoning Districts, the entire system must be set back at least 50 feet from the front and side property lines, and at least 10 feet from the rear property line.
5. No part of a system, including guy wire anchors, may be closer to any residential building or outbuilding than the sum of the following distances: the length of the tower, plus half the length of the blade diameter, plus an additional 10 feet.
6. A system shall not exceed 60dBA, as measured by a sound level meter at the closest neighboring inhabited dwelling. However, this level may be exceeded during short term events such as utility outages or severe windstorms.
7. The applicant must submit proof of turbine certification approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

- 1 8. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. For locations within the
2 Airport Overlay District, the system must comply with all regulations and requirements applicable to that district.
- 3 9. A system must comply with all applicable fire codes and building codes.
- 4 10. A building permit application for a system must be accompanied by:
- 5 a. Standard drawings of the wind turbine structure including base, tower and footings;
 - 6 b. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional
7 engineer; and
 - 8 c. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the
9 National Electrical Code.
- 10 11. Before the installation of a system, the applicant must provide satisfactory evidence that the electrical utility provider has been informed of the
11 applicant's intent to install a system. An off-grid system shall be exempt from this requirement if the property is not served by an electrical utility provider.
- 12 12. No system shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the
13 construction of the main building.
- 14 13. The Special Use Permit provisions of Section 19.04.040(B) do not apply to this use.
- 15 **On-site Parking Requirement:** No additional parking required beyond that which is required for the principal use on the site.

16
17 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
18 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
19 amending the description of the use "Utility Installation, Other than Listed" in the "Utilities,
20 Communications & Transportation Element" of Table 2 to read as follows:

21 **Description:**

22 A facility or area used as (or for) a utility installation not specifically listed in this Title. This use does
23 not include any type of wind energy conversion system.

24 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to add thereto the following term, along with
26 its corresponding definition:

27 "Small Wind Energy System" means a wind energy conversion system consisting of a wind turbine,
28 a tower and associated control or conversion electronics, which has a rated capacity of not more than
100kW and which is intended to primarily reduce on-site consumption of utility power. For purposes
of this Title, the use shall not be deemed an accessory structure.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "Utility
Installation, Other than Listed" to read as follows:

"Utility Installation, Other than Listed" means a facility or area [for] used as (or for) a utility
installation not specifically listed in this Title. The term does not include any type of wind energy

1 conversion system.

2 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010
3 and 19.20.020 are deemed to be subchapters rather than sections.

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

12 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

16 APPROVED:

17
18 By _____
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 _____
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24 Val Steel 12-7-06
25 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

☒

Augmentation Required

☐

Budget Funds Available

Amount: \$245,052.00

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

The District is being formed to provide annual funding for the general maintenance of the Fremont Street Pedestrian Improvements. The property owners will be billed in four (4) quarterly installments each year for the actual cost of maintenance based on contractor bids. The cost of the initial SID is estimated to be \$245,052.00. The maintenance of the pedestrian improvement project is funded 100% by the property owners through this SID.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

Bill No. 2006-80

Motion made by LOIS TARKANIAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5886. City Clerk to proceed with second publication.

Summary- An ordinance creating the City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street), ratifying action taken by City officers toward the creation of such District and providing other matters related thereto.

BILL NO. 2006-80

ORDINANCE NO. _____

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA,
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH
STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

WHEREAS, the City Council of the City of Las Vegas in the State of Nevada (the "Council," "City" and "State," respectively) has determined and does declare that the public convenience and necessity require, and the Council deems it necessary to create, the City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District"), to defray the annual costs of a Commercial Area Vitalization Project (the "Project"), as defined in Nevada Revised Statutes ("NRS") 271.063; and

WHEREAS, by a resolution previously passed and approved (the "Provisional Order Resolution"), the Council declared its determination to create the District for the purpose of acquiring, improving and maintaining the Project, stating therein the character and location of the Project, what portion of the entire expense thereof shall be paid by special assessments, and that the assessments are to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

WHEREAS, the Council has previously determined that 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 Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

WHEREAS, among other documents, the City's Director of Public Works, together with the City Engineer Division of the City and certain consulting engineers (collectively, the "Engineer") made out a preliminary assessment roll and an assessment plat for the District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known, stating that the name is "unknown"; a description of each lot, tract, or parcel of land to be

assessed; the market value of each lot; the amount of the estimated assessment to be levied thereon; and the amount of maximum special benefits (and corresponding market value increases); and the Engineer has reported to the Council the preliminary assessment roll and assessment plat, and has prepared and reported the "Engineer's Report to the City Council on Benefits" (the "Engineer's Report") and has filed the assessment plat, the preliminary assessment roll and the Engineer's Report with the City Clerk of the City (the "City Clerk"); and

WHEREAS, pursuant to the Provisional Order Resolution, the Council gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, preliminary assessment roll, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits (and corresponding market value increases), and of the time and place of a hearing thereon; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interest; and

WHEREAS, all owners of property to be assessed, any tenants who reside or own businesses located within the District and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, December 1, 2006, to appear before the Council on Wednesday, December 6, 2006, to be heard as to the propriety and advisability of acquiring, improving and maintaining the Project provisionally ordered, as to the estimated cost thereof, the manner of payment therefor, and as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District; and

WHEREAS, the written and oral complaints, objections and protests received represented less than one third (1/3) of the area to be assessed in the District; and

WHEREAS, the written and oral complaints, objections and protests received were duly considered by the Council, and the Council has determined that it is in the best interests of the District, the City, and the inhabitants thereof to create the District; and

WHEREAS, every written complaint, protest and objection was found to be without sufficient merit and was overruled by the Council by the Improvement District No. 1516 Protest Disposal Resolution except as otherwise provided in said resolution; and

WHEREAS, any person filing a written complaint, protest or objection shall have the right within 30 days after the Council has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the Council and officers of the City have done all things necessary and preliminary to the creation of the District, including, without limitation, the filing with the City Clerk of an accurate estimate of cost, full and detailed revised and final plans and specifications, revised assessment plat, revised and final map, and a report on benefits by the Engineer, and the Council desires now to authorize the Project and to create the District by this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as, and may be cited by, the short title "Improvement District No. 1516 Creation Ordinance" (the "Ordinance").

Section 2. The Council has previously determined and now confirms that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same previously has been by the Improvement District No. 1516 Protest Disposal Resolution, overruled and finally passed upon by the Council, except as otherwise set forth in the Improvement District No. 1516 Protest Disposal Resolution.

The Council has also determined and does declare as follows:

- (a) The public convenience and necessity require the creation of the District.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 4. There is created in the City an improvement district designated the "City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street)" for the purpose of financing the Project in and along the following street:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

Section 5. Except as shown on the preliminary plans and specifications now on file in the Office of the City Clerk and in the office of the Special Improvement District, Department of Public Works in Las Vegas, Nevada, the character of the Project which will be financed is described more particularly as follows: The Project will consist of all or part of the following: the beautification and improvement of the public portions of any area zoned primarily for business or commercial purposes, including, without limitation, public restrooms, facilities for outdoor lighting and heating, decorations, fountains, landscaping, facilities or equipment, or both, to enhance protection of persons and property, ramps, sidewalks, rehabilitation or removal of existing structures, promotional activities including the promotion of public events that benefit business or real property, providing music in any public place, promotion of tourism marketing and economic development, including the recruitment and retention of retail business, providing services related to security, sanitation, the removal of graffiti, the cleaning of streets and sidewalks and providing other municipal services that are supplemental to those typically provided by the City and any other activity that benefits businesses and real property located in the District. The District is being formed to finance the annual costs of providing the Project. The City will annually adopt a budget for the Project and will annually assess the costs of the Project against all benefited tracts in the District.

Section 6. The Council has determined that the cost of the Project is of special benefit and shall be paid in part by special assessments against the lots, tracts and parcels of land benefited. That the total cost of the Project shall be apportioned and assessed as follows:

Total Cost	Estimated Amount of Special Assessment	Amount Available from Other Sources
\$245,052	\$245,052	\$0

The amounts to be assessed for the Project will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessments against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project.

The boundaries of the District shall be the exterior boundary of each parcel of property bounded by Las Vegas Boulevard, Carson Avenue, Eighth Street, and Ogden Avenue.

Section 7. The portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Preliminary Assessment Roll."

Section 8. The Engineer is authorized to advertise for the doing of the work and making the improvements in the Las Vegas Review Journal, a daily newspaper published in Las Vegas, Nevada, and of general circulation in the City. Such notice shall be published at least once, not less than

seven days before the opening of bids. The notice shall be in substantially the form provided by the plans, specifications, and contract documents.

Section 9. After the award of the contract, the Council shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the Council shall provide that the assessments will be payable in four (4) substantially equal quarterly installments of principal without interest.

Section 10. All action, proceedings, matters and things previously taken, had and done by the City, and the officers thereof (not inconsistent with the provisions of this Ordinance), concerning the District, including, but not limited to, the performing of all prerequisites to the creation of the District, providing of the Project, the specially benefited property in the District, the determination that the lots, tracts and parcels of land in the District will receive special benefits and market value increases, and the levy of assessments for that purpose be, and the same are, ratified, approved and confirmed.

Section 11. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, construction contracts, engineering specifications, contract addenda, and other items necessary or desirable for the completion of the levying of the assessments for the District.

Section 12. In accordance with subsection 6 of NRS 271.325, upon the final adoption of this Ordinance the City Clerk is authorized and directed to immediately file in the office of the Clark County Recorder a certified copy of the Preliminary Assessment Roll (the list of the tracts to be assessed). The Clark County Recorder is to record such assessment roll for the purpose of establishing of record the lien or liens against the lots, tracts, and parcels of land and the amounts of maximum benefits estimated to be assessed against each tract in the assessment area as set forth in this Ordinance.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, previously repealed.

Section 14. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA,
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH
STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas at her office in the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on December 20, 2006 and will be considered for adoption at the regular meeting of the City Council to be held on January 17, 2007.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 15. This Ordinance shall be in effect on the date of publication as hereinafter provided. After this Ordinance is adopted and signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. ____

ORDINANCE NO. ____

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA,
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH
STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on December 20, 2006 and that such Ordinance was passed at a regular meeting of the City Council on January 17, 2007 by the following vote of the City Council:

Those Voting Aye:

Oscar B. Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Lois Tarkanian
Steve Wolfson
Steven D. Ross

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 21st day of January, 2007 (i.e., the date of the publication of such Ordinance by its title only).

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada has caused this Ordinance to be published by title only.

DATED this January 17, 2007.

/s/ Oscar B. Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

Section 16. If any section, paragraph, clause or 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 provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 20, 2006, PASSED, ADOPTED AND APPROVED January 17, 2007.

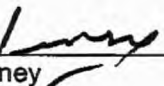
(SEAL)

OSCAR B. GOODMAN, Mayor

Attest:

City Clerk

Approved as to Form:

7 DEC 06 H Z / 
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after January 21, 2007, i.e., the day after the publication of such Ordinance by its title only.

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), 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 of the City (the "Council") on December 20, 2006 and finally adopted and approved on January 17, 2007.

2. The following members of the Council were present at the December 20, 2006 meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Lawrence Weekly
	Lois Tarkanian
	Steve Wolfson
	Steven D. Ross

3. The foregoing Ordinance was first proposed and read by title to the Council on December 20, 2006, and referred to a committee composed of the _____ for recommendation; thereafter said committee reported favorably on said Ordinance on January 17, 2007, which was a regular meeting of said Council; that as said regular meeting, the proposed Ordinance was again read by title to the Council and adopted. The members of the Council were present at the January 17, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Lois Tarkanian
	Steve Wolfson
	Steven D. Ross

Those Voting Nay:	_____
Those Absent:	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City,

and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on December 20, 2006 and January 17, 2007. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

(a) By posting a copy of the notice at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) Bulletin Board (next door to Metro Records)
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
City Clerk's Bulletin Board, 2nd Floor Skybridge
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 S. 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 to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibits A and B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City
this January __, 2007.

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting held December 20, 2006)

EXHIBIT B

(Attach Copy of Notice of Meeting held January 17, 2007)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services [NOTE: This item will be trailed to be heard immediately following the public hearing (Item 84) in the afternoon session]

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Nevada Power Company, Inc. currently provides residents of the City with electric service pursuant to a non-exclusive franchise issued to it by the City, which agreement was renewed in 2004 for an additional three-year term. The City proposes the issuance of a new eighteen-year non-exclusive franchise to Nevada Power, in accordance with the terms and conditions of the Franchise Agreement incorporated in this bill. As consideration for this franchise, Nevada Power will pay the City annually five percent (5%) of its gross revenue in accordance with the provisions of LVMC 6.67.040.

RECOMMENDATION:

ADOPTION at 1/17/2007 City Council meeting pursuant to the 1/2/2007 Recommending Committee.

First Reading – 12/20/2006; First Publication – 1/5/2007

BACKUP DOCUMENTATION:

1. Bill No. 2006-81
2. Franchise Agreement

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,

CITY COUNCIL MEETING OF: JANUARY 17, 2007

GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

Second reading and bill adopted as recommended as Ordinance No. 5887. City Clerk to proceed with second publication.

See Item 84 for related discussion.



1 **BILL NO. 2006-81**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO GRANT A NON-EXCLUSIVE FRANCHISE TO NEVADA POWER
4 COMPANY TO PROVIDE ELECTRICAL SERVICES WITHIN THE CORPORATE LIMITS OF
5 THE CITY IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT BETWEEN
6 THE CITY AND NEVADA POWER COMPANY, AND TO PROVIDE FOR OTHER RELATED
7 MATTERS.

8 Proposed by: Mark R. Vincent, Director
9 Department of Finance and Business Services

Summary: Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical services to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company, incorporated by reference into this Ordinance.

10
11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
12 AS FOLLOWS:

13 SECTION 1: The City of Las Vegas, Nevada, hereby grants to Nevada Power
14 Company, a Nevada Corporation, the non-exclusive right, privilege, authority and permission to own,
15 construct, operate, maintain, upgrade, and repair an electrical distribution system upon the surface of
16 and the space above and below any and all public highways, streets, roads, alleys avenues, tunnels,
17 parkways, and easements granted to the City, including easements created or reserved in favor of the
18 City for any road or public utility purposes in any patent granted by the United States of America, or
19 in any other recorded map, plat or recorded document, as the same now or may hereafter exist within
20 the City, including State highways now or hereafter established within the City to whatever extent the
21 City may have jurisdiction to authorize the use stated above, for the sole purpose of providing
22 electrical service to consumers within the City, subject to and in accordance with the terms and
23 conditions of that certain document entitled Franchise Agreement, commencing on the 1st day of
24 February, 2007, by and between the City of Las Vegas and Nevada Power Company, a copy of which
25 said Franchise Agreement is on file with the Clerk of the City of Las Vegas and by this reference
26 incorporated herein as part of this Ordinance.

27 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
28 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

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

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

10 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:

18 Larry G. Bellis 12-11-06
19 Date
20
21
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28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2006, 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 _____, 2007, 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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FRANCHISE AGREEMENT

between

City of Las Vegas, Nevada

and

Nevada Power Company

Effective February 1, 2007

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FRANCHISE AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into by and between the City of Las Vegas, Nevada, a municipal corporation ("City"), and Nevada Power Company, a Nevada corporation ("Franchisee"), collectively, the "Parties." In consideration of the covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows:

Section 1. Definitions.

For the purposes of this Franchise Agreement, the following terms, phrases, words, and their derivations shall have the meanings set forth herein, unless the context clearly indicates that another meaning is intended. Words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive.

- (A) "Abandoned" means Franchisee's voluntary relinquishment or transfer of its Facilities to the City.
- (B) "Affiliate" means each person who falls into one or more of the following categories:
 - (1) Each person having, directly or indirectly, a controlling interest in Franchisee.
 - (2) Each person in which Franchisee has, directly or indirectly, a controlling interest.
 - (3) Each person that, directly or indirectly, is controlled by a third party which also directly or indirectly controls Franchisee.
 - (4) Affiliate shall in no event mean any creditor of Franchisee solely by virtue of its status as a creditor and which is not otherwise an affiliate by reason of owning a controlling interest in, being owned by, or being under common ownership, common management, or common control with, Franchisee.
- (C) "Business License" means the written authorization of the City to engage in the business for which the license was issued.
- (D) "City" means the City of Las Vegas, Nevada, a municipal corporation of the State of Nevada in its incorporated form or in any subsequent consolidated, reorganized, enlarged or reincorporated form.
- (E) "City Council" means the elected governing body of the City.
- (F) "City Manager" means the person appointed by the City Council to perform such administrative functions of the City government as may be required of him or her by the City Council or City Charter, or his or her designee.

- (G) "Code" or "City Code" means the Las Vegas Municipal Code as amended from time to time.
- (H) "CPI-U" means the Consumer Price Index, All Urban Consumers, U.S. City Average, as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C.
- (I) "Director" means the Director of the Public Works Department of the City, or any successor department, or his or her designee.
- (J) "Easement" means an interest in and the right to use the real property of another, but not including licenses or leases.
- (K) "Electrical Service" or "Electricity Service" means the provision, sale, distribution or transmission of electric energy and power in the Franchise Area over or through Electrical Distribution System Facilities located in the City's Rights-of-Way.
- (L) "Electrical Distribution System" or "System" means any Facilities in the Rights-of-Way, in whole or in part used to provide Electrical Service.
- (M) "Emergency" means those conditions which are not in the control of Franchisee, including, but not limited to, natural disasters, civil disturbance and severe weather.
- (N) "Facility" or "Facilities" means, collectively, any and all electric transmission and distribution systems used or useful in the transmission and distribution of electrical light, heat and power, including but not limited to poles, wires, lines, conduits, ducts, cables, braces, guys, anchors and vaults, transformers, generators, switches, meter-reading devices, fixtures, studs, platforms, crossbars, manholes, cutouts, communication circuits, appliances, attachments, appurtenances and any other property to be located in, upon, along, across, under or over the City's Rights-of-Way.
- (O) "Franchise" means the nonexclusive privilege granted by the City to Franchisee to construct, operate and maintain its Electrical Distribution System in the City's Rights-of-Way.
- (P) "Franchise Agreement" or "Agreement" means this agreement.
- (Q) "Franchise Area" means the area within the jurisdictional boundaries of the City and any area annexed by the City during the term of this Agreement.
- (R) "Franchisee" means Nevada Power Company and its lawful successors or assigns.
- (S) "Gross Revenue" means all cash, credits, property or other consideration of any kind or nature arising from, attributable to, or in any way derived directly or

indirectly by Franchisee or its affiliates from the operation of Franchisee's Electrical Distribution System in the City. Gross Revenue shall include by illustration and not limitation all revenue received by Franchisee from customers within the Franchise Area from charges, however denominated, for the following:

- (1) Sales of electric energy to customers;
- (2) Facility Charges Max Demand;
- (3) Electric Adjustments;
- (4) Facility Charge -- Customer Specific Flat -- LGS-XP;
- (5) Facility Charge -- Maintenance -- LGS-XT;
- (6) Broken Meter Charge;
- (7) Broken Seal Charge;
- (8) Connection Charge;
- (9) Charges by Meter Validity (Meter Tampering);
- (10) Facility Charge -- Customer Specific Flat -- (LGS-3P);
- (11) Gold Band Charge;
- (12) Facility Charge -- Maintenance -- LGS-1;
- (13) Facility Charge -- Maintenance -- LGS-2P;
- (14) Reconnect Charges;
- (15) Remote Meter Charge;
- (16) Returned Check Charge: and
- (17) Same Day Service Charge.

Gross Revenue shall also include by illustration and not limitation all revenue received for Franchisee's transmission and distribution of electrical energy generated by others for sale within the Franchise Area. Gross Revenue shall not include: (a) any revenue or charges by Franchisee for transmission of electrical energy to customers outside of the Franchise Area; (b) any bad debt; provided, however, that any portion of such debt which is written off but subsequently collected shall be included in Gross Revenue in the period collected; or (c) any taxes on services furnished by Franchisee that are imposed directly on any customer or user by the State, the City or other governmental entity and which are collected by Franchisee on behalf of said governmental unit.

- (T) "JPA" means the Joint Pole Agreement made between Nevada Power Company and Central Telephone Company--Nevada, dated June 1, 1964, as amended, which establishes pole ownership, operating practices and use.
- (U) "NRS" means the Nevada Revised Statutes.
- (V) "Person" means a natural person or any form of business or social organization, including but not limited to the estate of a natural person, a corporation, limited-liability company, partnership, association, trust, or any other form of legal entity.
- (W) "Public Improvement" means any improvements for roadways and pavements, sidewalks, curbs and gutters, landscaping, street lights, foundations, poles and traffic signal conduits, water mains, sanitary and storm sewers, tunnels, subways, people movers, viaducts, bridges, underpasses, overpasses, public buildings or

public structures, or other public installations or improvements which are to be used by the general public.

- (X) "Public Utilities Commission" or "PUCN" means the Public Utilities Commission of the State of Nevada, and its predecessors and successors.
- (Y) "Rights-of-Way" means the surface of, and the space above and below, any and all public highways, streets, roads, alleys, avenues, tunnels, parkways, and Easements granted to the City (including Easements created or reserved in favor of the City for any road and public utility purposes in any patent granted by the United States of America, or in any other recorded map, plat or recorded document), as the same now or may hereafter exist within the City, including State highways now or hereafter established within the City to whatever extent the City may have jurisdiction to authorize the use of same for the purposes herein specified.
- (Z) "Transfer" or "Assignment" means any transaction in which: (1) any ownership or other right, title or interest of more than 5% in Franchisee or its Facilities is transferred, sold, assigned, leased or sublet, directly or indirectly, in whole or in part; (2) there is any change or transfer of control of Franchisee or its Facilities; (3) the rights and/or obligations held by Franchisee under this Agreement are transferred, directly or indirectly, to another party; or (4) any change or substitution occurs in the managing general partners of Franchisee, if applicable. A "transfer" or "assignment" shall not include a mortgage, pledge or other encumbrance as security for money owed.

Section 2. Term.

This Agreement shall commence on the first day of February, 2007 ("Effective Date"), and shall supersede all prior franchise agreements between the parties, including the parties' Franchise Agreement dated November 14, 1979 and the Renewal of Franchise Agreement dated November 3, 2004. This Agreement shall continue in full force and effect through January 31, 2025, or until this Agreement shall be terminated for noncompliance by Franchisee with the terms and conditions imposed herein, or with such reasonable restrictions, limitations and regulations as the City Council may from time to time impose by ordinance, or until the State of Nevada or other public corporation duly authorized shall purchase, by voluntary agreement or under the power of eminent domain, all property actually used and useful in the exercise of the Franchise situated within the City, or until Franchisee shall permit its corporate existence to expire without renewal, whichever of the foregoing shall first occur. The Franchise shall not terminate solely by reason of a merger, sale or other consolidation if the PUCN approves such merger, sale or other consolidation and a successor to Franchisee assumes the obligations of Franchisee hereunder.

Section 3. Non-Exclusivity.

- 3.1 NON-EXCLUSIVE GRANT OF FRANCHISE. The Franchise granted by this Agreement is not exclusive, and the City hereby reserves the right, power, and

authority to grant similar rights, privileges, permission and authority to any person at any time.

- 3.2 CITY OWNERSHIP OF ELECTRICAL DISTRIBUTION SYSTEM.** The City reserves the right to acquire, including the property of Franchisee, construct, own, operate and maintain an Electrical Distribution System to serve all or any portion of the City at any time during the term of this Agreement, and to fully exercise such right in accordance with applicable law.

Section 4. Grant of Franchise.

- 4.1 FRANCHISE.** Subject to the terms and conditions of this Agreement and applicable City ordinances, the City hereby grants Franchisee the right to own, construct, operate, maintain, upgrade, and repair an Electrical Distribution System along the Rights-of-Way within the Franchise Area, for the sole purpose of providing Electrical Service for which it holds a certificate of public convenience and necessity issued by the PUCN.
- 4.2 USE OF SYSTEM.** Franchisee is authorized to allow a third party, including affiliates, to use capacity on its Electrical Distribution System for use in providing electrical service.

Section 5. Limitations on Grant of Franchise.

- 5.1 ELECTRICAL USE ONLY.** Nothing contained in this Agreement shall be construed as authorizing Franchisee to use, or permit the use of, any portion of its Electrical Distribution System for any purpose other than those reasonably necessary for the transmission or distribution of Electrical Service, including Facilities necessary for intra-Company communications, unless prior written approval is obtained from the City.
- 5.2 SHARED USE OF RIGHTS-OF-WAY.** The right of Franchisee to maintain Facilities in the Rights-of-Way pursuant to this Agreement and the City Code shall be equal to similar rights of other utilities, except that earlier-installed facilities shall have a prior right to occupy the necessary and reasonable amount of space in the Rights-of-Way.
- 5.3 PRIVILEGE/EXEMPTION.** No privilege or exemption is granted by or to be inferred from this Agreement except those specifically described herein.
- 5.4 FRANCHISEE'S ACQUISITION OF PROPERTY RIGHTS.** Franchisee shall not acquire as a result of the location of its Facilities in any existing or proposed Rights-of-Way, even though such location was approved by the City, any vested right or interest in any particular Rights-of-Way location by virtue of the Franchise.

5.5 AMERICANS WITH DISABILITIES ACT ("ADA").

- (a) Facilities installed in the Rights-of-Way during the term of this Agreement, or Facilities in the Rights-of-Way which are altered such that application of the ADA is triggered, shall comply with the requirements of the ADA.
- (b) With respect to existing Facilities located in Rights-of-Way which prevent disabled persons' use of and access to buildings, structures, facilities, sidewalks, streets, alleys or other paths of travel in violation of the requirements of the ADA, the Franchisee shall correct such violations in good faith, up to an annual maximum of \$100,000, which amount shall escalate annually in accordance with the CPI-U, during the term of the Agreement so long as access barriers caused by the Facilities remain ("ADA Fund").
- (c) Franchisee will meet periodically with the City to coordinate and establish plans and time frames for removal of access barriers caused by the Facilities, with priority given to more serious access barriers. Further, within thirty (30) days of the Franchisee's receipt of a notice of a third-party complaint from the City or others identifying Facilities that may cause access barriers in violation of the ADA, the Parties shall meet to review the complaint and determine an appropriate response and required repair, if any. If repair is required, the Parties shall establish plans and time frames for the repair. Franchisee's scope of work shall consist of removal and or relocation of Facilities, and the ADA Fund shall be limited to the costs to accomplish such work, including costs to acquire Easements for relocated Facilities, if necessary. The City's underground utility installations provisions, Chapter 13.52 of the City Code, shall not apply to repairs performed pursuant to this Section.
- (d) Notwithstanding the Parties' efforts to eliminate access barriers in the City, Franchisee does not assume the City's duties and obligations under the ADA, and nothing in this Agreement shall be deemed by the Parties to modify the Franchisee's obligations with regard to its Facilities under the ADA.

Section 6. Franchisee's Use of City Property.

6.1 FRANCHISEE'S FUTURE ATTACHMENTS TO CITY PROPERTY.

The Franchise granted herein does not authorize Franchisee to attach any part of its Facilities to City property located within or outside of the Rights-of-Way until and unless Franchisee has entered into a separate written agreement (herein "Master Attachment Agreement") with the City for the rights of attachment and use. When such Master Attachment Agreement is effective for any particular City Property, such Master Attachment Agreement shall supersede the provisions of this Section 6 concerning Franchisee's attachments to and use of the particular City property. Nothing in this Agreement obligates the City to approve

Franchisee's attachments to any use of any particular City property, and the City may, in its sole discretion, withhold its consent to any such proposed attachments and use.

- 6.2 FRANCHISEE'S PRIOR ATTACHMENTS TO CITY PROPERTY.** Franchisee acknowledges that, prior to the Effective Date of this Agreement, it has attached some of its Facilities to City property without separate written agreements with the City authorizing the attachments to and use of such property. No later than six months after the Effective Date of this Agreement, Franchisee shall provide the City a list of all City-owned, known facilities to which Facilities are attached. Franchisee shall notify the City of additional attachments to City facilities within a reasonable amount of time, as it becomes aware of them throughout the course of Franchisee's normal operations, but no less than semiannually.
- 6.3 MASTER ATTACHMENT AGREEMENT.** No later than twelve months after the Effective Date of this Agreement, Franchisee shall either enter into a Master Attachment Agreement with the City for its attachments to and use of each particular City property or, if no such agreement is reached for a particular City property, remove such attachment at its own expense. Newly discovered attachments reported after the initial execution of the Master Agreement pursuant to Subsection 6.2 shall either be subject to the Master Attachment Agreement or removed at Franchisee's expense. Franchisee shall promptly repair and restore any City property from which one of Franchisee's attachments has been removed to as good condition as the City's property was in prior to the attachment.
- 6.4 NO RETROACTIVE EFFECT OF FEE REQUIREMENTS.** City may charge the Franchisee an administrative fee for the purpose of reviewing an application and inspecting the installation. Nothing in this Section 6 shall require Franchisee to pay any attachment, rental, or other fees to the City for attachments to and the use of City property prior to the Effective Date or during the term of this Agreement.
- 6.5 INDEMNIFICATION OBLIGATIONS.** Franchisee acknowledges that its indemnification obligations under Section 23 of this Agreement extend to any and all claims or liabilities of whatever nature arising out of Franchisee's attachments to or use of City property.

Section 7. Third-Party Attachment to Franchisee's Facilities; Undergrounding; Pole Ownership.

- 7.1 PRIOR AUTHORIZATION BY CITY REQUIRED FOR ATTACHMENT TO FRANCHISEE'S FACILITIES BY THIRD-PARTY.** Franchisee shall not allow the attachment to any of its Facilities in the Rights-of-Way by a third party unless the third party is authorized by the City, as follows: 1) Upon a third party's initial request to enter into an attachment agreement, Franchisee shall notify City in writing of the name and address of such third party. 2) Upon verification by City that said third party is duly licensed, franchised or otherwise permitted to occupy the Rights-of-Way, or if no response is provided by City within 45 days after Franchisee's notification to City, Franchisee may permit such third party to attach

its facilities to Franchisee's Facilities within the Rights-of-Way. 3) If the third party presents written confirmation from the City of its legal right to use the Rights-of-Way, including but not limited to an appropriate franchise agreement, rights-of-way agreement, license agreement or similar agreement between the City and the third party, Franchisee shall not be required to verify the third party's status with the City.

- 7.2 UNAUTHORIZED USE OF RIGHTS-OF-WAY / ENFORCEMENT.** Franchisee acknowledges that, notwithstanding any legal rights that a telecommunications provider, cable television provider or any other service provider may have to use the Franchisee's Facilities in Rights-of-Way, including pole attachments, the City retains a paramount interest in managing the Rights-of-Way. The City shall be solely responsible for enforcement of its permitting requirements as a result of a third party's use of Facilities. If Franchisee permits a third party to use its Facilities without satisfying the requirements of Subsection 7.1, it may be subject to a claim for liquidated damages pursuant to Section 22.
- 7.3 PERMISSION REQUIRED TO TRANSFER FRANCHISEE'S FACILITIES TO THIRD PARTY.** Franchisee shall not transfer ownership of any of its Facilities in the Rights-of-Way that are no longer used by Franchisee for purposes of providing Electrical Service to any third party without the express written consent of the Director, which consent may be withheld or conditioned in his or her sole discretion. Such restriction does not apply to Facilities transferred pursuant to the JPA when such transfer is made to provide for pole parity and a sharing of costs between the parties to that agreement, unless the transfer has the effect of avoiding the application of the City's underground utility installations provisions, Chapter 13.52 of the City Code, or Franchisee's obligations pursuant to Subsection 5.5.
- 7.4 UNDERGROUND REQUIREMENTS.** Whenever Franchisee intends to relocate and place underground any of its overhead Facilities which are in the Rights-of-Way, Franchisee shall, at the earliest date possible, provide written notice to the Director and to all third parties that have attached their own facilities to such overhead Facility of the anticipated relocation of the overhead Facility. Such notice shall include an estimated timetable for completion of the relocation and specify that all third-party attachments must be removed from the overhead Facilities no later than 30 days after Franchisee's Facilities are placed underground. Franchisee cannot transfer any ownership interest in its overhead Facility to any third party without the express written consent of the Director, which the Director may withhold or condition in his or her sole discretion, except that such restriction does not apply to Facilities, or portions thereof, transferred pursuant to the JPA, when such transfer is done to provide for pole parity and a sharing of costs between the parties to that agreement, unless the transfer has the effect of avoiding the application of the City's underground utility installations provisions, Chapter 13.52 of the City Code, or Franchisee's obligations pursuant to Subsection 5.5. As between the City and Franchisee, Franchisee shall remain responsible for all claims and liabilities of whatever nature related to the overhead Facility, excluding any claims caused solely by the overhead Facility remaining in

the Right-of-Way after properly noticed third parties have failed to remove their attachments therefrom, until such time as such Facility has been completely removed and the Rights-of-Way repaired and restored to the satisfaction of the Director, or until such time as ownership of the overhead Facility has been transferred to a third party with the Director's consent. If Franchisee has provided required notices to other users, Franchisee shall not be liable for liquidated damages, fines, or other penalties to City as a result of other users' failure to remove their attachments from the overhead Facilities, but Franchisee shall continue its good faith efforts to have the third-party attachments removed in order to fully implement the undergrounding requirements.

- 7.5** AGREEMENTS PERTAINING TO THIRD PARTY'S USE OF FRANCHISEE'S FACILITIES. Franchisee shall, upon request, promptly provide the City with a list of all third parties currently authorized to use any of Franchisee's Facilities in the Rights-of-Way and with copies of all pole attachment agreements or similar agreements concerning the use of Franchisee's Facilities by third parties.

Section 8. Quality of Use; Construction; Maintenance; Expansion; Reconstruction.

- 8.1** WORKMANLIKE MANNER. Franchisee agrees that all of its Electrical Distribution System within the City shall be installed, used and maintained in a good, workmanlike manner and in accordance with good engineering practices, and in compliance with all applicable laws, ordinances, rules and regulations of the United States, the State of Nevada, and the City from time to time in effect, including but not limited to applicable portions of the National Electrical Safety Code, all applicable City Code provisions and the "Uniform Standard Specifications for Off-Site Construction, Clark County Area."
- 8.2** SAFETY AND QUIET ENJOYMENT OF PROPERTY. Franchisee agrees that the installation, use, and maintenance of its Electrical Distribution System, including, but not limited to, all poles and power lines shall be attached and secured, or otherwise constructed and maintained, in such a manner as to avoid unreasonable danger to persons and property and as to cause minimum interference with the proper use of public roads or with any reasonable use and enjoyment of adjacent property by owners.
- 8.3** INTERFERENCE WITH CITY FACILITIES. The installation, use and maintenance of Franchisee's Electrical Distribution System within the Rights-of-Way shall be in a manner so as not to interfere with the placement, construction, use and maintenance of City street lighting, water pipes, drains, sewers, traffic signal systems or other City systems that have been, or may be, authorized by the City Council, City Manager or Director, or the City Council acting as the governing body of any special district or entity, now or hereafter created for any purpose.
- 8.4** PERMITS. Prior to the installation, construction, reconstruction, replacement, extension or relocation of any portion of the Electrical Distribution System

authorized herein, Franchisee shall apply for and obtain from the City a permit. The City shall issue such permit to Franchisee on such conditions as are reasonable and necessary to ensure compliance with the terms and conditions of this Agreement.

- 8.5 NOTICE TO ADJOINING PROPERTIES.** Except in the case of an emergency, before commencing a project (for which Franchisee, or its contractor, has pulled the applicable permit) in Rights-of-Way upon which residential property is located or is abutting thereto, Franchisee shall notify such abutting residents at least two (2) days prior to the date that Franchisee proposes to commence construction. Notice shall be in writing by one of the following methods: in person, by posted notice on the Rights-of-Way where the proposed project is scheduled to be built (which notice is to be capable of being read by passing motorists), by door hanger, or by mail, with a description of the proposed project and the name of Franchisee and its telephone number.
- 8.6 RESTORATION OF RIGHTS-OF-WAY.** With respect to projects for which Franchisee, or its contractor, has pulled the applicable permit, Franchisee shall, at its own expense, after installation, construction, relocation, maintenance, removal or repair of any of Franchisee's Facilities within the Rights-of-Way, restore the surface of the Rights-of-Way and other City property which may be disturbed or damaged by such work, to at least the same condition as it was in immediately prior to any such work. The City shall have the final approval of the condition of the Rights-of-Way and any other City property after restoration pursuant to the provisions of applicable City Codes, ordinances, regulations standards and procedures, including the "Uniform Standard Specifications for Off-Site Construction, Clark County Area" as now exist or may be hereafter amended or suspended.
- 8.7 SURVEY MONUMENTS.** All survey monuments which are disturbed or displaced by Franchisee in its performance of any work under this Agreement shall be referenced and restored by Franchisee in accordance with all pertinent federal, state and local standards and specifications.

Section 9. Work by Others; Abandonment of Rights-of-Way.

- 9.1 CITY AND OTHER UTILITY PROVIDERS.** The City reserves the right to lay and permit to be laid, sewer, gas, water, electrical, telecommunications, cable television and other pipe lines or cables and conduits, and to do and permit to be done, any underground and overhead work, and any attachment, restructuring or changes in aerial facilities that the City Manager requires in, across, along, over or under any Rights-of-Way occupied by Franchisee, and to change any curb or sidewalk or the grade of any street. The City also reserves the right to lay, construct, erect, install, use, operate, repair, remove, relocate, re-grade, widen, realign or maintain any public roads or any surfaces or subsurface improvements. In allowing work to be performed, the City shall not be liable to Franchisee for any damages, except those caused by the willful misconduct of the City; provided, however, nothing herein shall relieve any other person or entity, including any

contractor, subcontractor, or agent of the City from liability for damages to Franchisee.

- 9.2 ADJACENT PROPERTY OWNERS / ABANDONMENT OF RIGHTS-OF-WAY.** In the event that during the term of this Agreement, the City authorizes abutting landowners to occupy space under the surface of any Rights-of-Way, such grant to an abutting landowner shall be subject to the rights herein granted to Franchisee. In the event that the City abandons a segment of the Rights-of-Way that contains a portion of Franchisee's Facilities, the City shall grant to Franchisee an easement for the Facilities to allow Franchisee to use, operate, maintain, upgrade, and repair such Facilities in the abandoned Rights-of-Way.

Section 10. Undergrounding of Facilities.

UNDERGROUNDING POLICY. Franchisee acknowledges that the City desires to promote a policy of undergrounding of Facilities within the Franchise Area. The City acknowledges that Franchisee provides electrical service on a non-preferential basis subject to and in accordance with applicable tariffs on file with the PUCN. Subject to and in accordance with such tariffs, Franchisee shall cooperate and participate with the City in the formulation of policy and development of an underground management plan with respect to Franchisee's aerial Facilities within the City.

Section 11. Relocation of Facilities.

- 11.1 REMOVAL OR RELOCATION OF FACILITIES BY FRANCHISEE.** Subject to Franchisee's rights set forth in the Franchise Agreement, including Subsection 11.12, upon written notice from the City, Franchisee shall, at its own expense, remove, relocate, or reconstruct any portion of its Facilities as reasonably necessary to accommodate the rights reserved by the City in the Franchise.
- 11.2 PERMITS FOR REMOVAL OF FACILITIES.** Franchisee agrees to obtain a permit as required under Subsection 8.4, and to remove, relocate, or reconstruct said Facilities as provided herein. To the extent that relocation is required by the City for a City project, the City shall waive the permit fee.
- 11.3 NOTICE TO RELOCATE / FRANCHISEE'S ACKNOWLEDGMENT OF NOTICE TO RELOCATE / DESIGNATION OF NEW LOCATION.**
- (a) Upon initiation of a new public improvement project ("Improvement"), the City shall notify the Franchisee in a timely manner of the general scope of the Improvement and requirement to reconstruct, remove or relocate its Facilities ("Notice"). The Notice shall include the plans ("Plans") for the Improvement, including, but not limited to (as applicable) grading (current and future grades), channel and storm drainage, utility (current and future utility locations and depths), trails, bridge and wall, and other designs and construction plans for the Improvement. Within thirty (30) days after receiving the Notice and the Plans, the Franchisee shall meet with the City and establish a time schedule ("Schedule"), mutually agreeable to the

Parties, reasonable in the circumstances given the nature and scope of the work required for removal or relocation of said Facilities and based on standard practices in the construction industry. To the extent that the Plans require the relocation of critical Facilities, Franchisee may not be required to relocate such Facilities from June 1 to September 30, in Franchisee's sole discretion. Notwithstanding the foregoing, in order to expedite the completion of the relocation work, Franchisee shall in good faith perform such portions of the relocation work not affecting the reliability or safety of the critical Facilities and which work may reasonably be accomplished without materially increasing Franchisee's costs.

- (b) The Schedule shall be reduced to writing by the City with the Franchisee to receive a copy in accordance with this Section. If Franchisee identifies a recommended location for its relocated Facilities within the Rights-of-Way, the Director shall provide that location or a reasonable alternate location within the Rights-of-Way, if sufficient space is available.
- (c) To assist the City in scheduling the timing of the Improvement work and the potential effect of Franchisee's relocation work, the City will deliver to Franchisee project information equivalent in detail to thirty percent (30%) or more of final design for the Improvement. Within thirty (30) days of receipt of such information, Franchisee will notify the City of critical Facilities located in the area of the Improvement that might be affected by such work. For purposes of Subsection 11.3, "critical Facilities" shall mean: "(i) transmission Facilities and (ii) certain feeder distribution Facilities which, in the reasonable professional judgment of Franchisee, may suffer compromised reliability or safety if relocated during periods of peak loads that occur during summer months."

11.4 Intentionally Omitted.

11.5 REVISION IN SCOPE OF WORK / EXTENSION OF TIME / APPEAL OF EXTENSION DENIAL. If, following the delivery of the Plans for an Improvement in equivalent to one-hundred percent (100%) of final design, there is a substantial change in the scope of the relocation work related to the Improvement, or other circumstances beyond the control and without the fault or negligence of Franchisee, including, but not limited to, changes in elevation or changes affecting Rights-of-Way alignment and widths of alignment, the City shall notify Franchisee of the substantial changes. Based on the substantial changes, Franchisee may seek an extension of the Schedule by written application submitted to the Director along with relevant supporting information. The Director shall grant such request if he or she determines additional time is required due to circumstances beyond the control and without the fault or negligence of Franchisee, such as: (1) changes or revisions in the Plans which alter the relocation work subsequent to delivery of the Plans, (2) changes in required equipment or supplies or the delays in the delivery of such equipment and supplies, (3) changes in the scope of the relocation work that must be

completed, (4) the failure by others to timely complete work that must be completed as a pre-condition for Franchisee to complete its relocation work, (5) the inability to use Rights-of-Way or to secure necessary Easements for the relocated Facilities, and (6) interference by others with Franchisee's relocation work. If the request for extension of time is denied, Franchisee may appeal the denial to the City Council by notice to the City Manager within fourteen (14) days from the receipt of notice of denial. The decision of the City Council shall be final.

- 11.6 EMERGENCY RELOCATION / COST / CONTACT NUMBER.** In the event an emergency posing a threat to public safety or welfare requires the relocation of Franchisee's Facilities, the City shall give Franchisee notice of the emergency as soon as reasonably practicable. Upon receipt of such notice from the City, Franchisee shall, at its own expense, respond as soon as reasonably practicable to relocate the affected Facilities. Franchisee shall at all times keep the City informed of Franchisee's contact persons for emergencies and their telephone numbers where they can be reached twenty-four (24) hours a day.
- 11.7 THIRD PARTY REQUEST.** Whenever any third party requires the relocation of Franchisee's Facilities to accommodate work of such third party within the Franchise Area, including requests by the City on behalf of or for the benefit of such third party, Franchisee shall have the right as a condition of any such relocation to require payment by such third party to Franchisee, at times and upon terms acceptable to Franchisee, for any and all costs and expenses incurred by Franchisee in the relocation of the Facilities.
- 11.8 MANDATORY RELOCATION UPON THIRD PARTY REQUEST.** Any condition or requirement imposed by the City upon any third party (including, without limitation, any condition or requirement imposed pursuant to any contract or in conjunction with approvals or permits obtained pursuant to any zoning, land use, construction or other development regulation) which requires the relocation of Franchisee's Facilities shall be a condition or requirement causing relocation of Franchisee's Facilities to occur in accordance with the provisions of Subsection 11.7 above.
- 11.9 REMOVAL OF FACILITIES BY CITY / DAMAGES.** If Franchisee fails to remove or relocate its Facilities as required by this Section, the City may remove or relocate said Facilities and charge the cost of removal or relocation to Franchisee. The City will not be held liable for any losses or damages resulting from the City's removal or relocation of such Facilities. In addition to any other remedy for damages provided in this Agreement, the City may recover from Franchisee actual third-party damages incurred by the City if Franchisee fails to complete the reconstruction, removal or relocation of its Facilities within the time schedule established pursuant to this Section 11.
- 11.10 COOPERATION.** The City and Franchisee will cooperate on the planning for the relocation and selection of a new location for any of Franchisee's Facilities to minimize the cost of such relocation.

- 11.11 TEMPORARY REMOVAL / RELOCATION.** If applicable, Franchisee shall, on request of any person holding a permit to move a building, temporarily raise or lower its wires or cables to permit the movement of the building. The expense of temporary removal or raising or lowering of wires and cables shall be paid by the person requesting the same, and Franchisee shall have the authority to require such payment in advance. Franchisee shall be given at least thirty (30) days advance written notice to arrange for such temporary removal or relocation.
- 11.12 PRIOR RIGHTS OF FRANCHISEE.** Notwithstanding any other provision of this Agreement to the contrary, if the City requires Franchisee to relocate any Facilities that are located in the Rights-of-Way and (1) the Franchisee holds an Easement on which such Facilities are located, such as but not limited to an Easement or a patent for utility use granted by the United States Bureau of Land Management; or (2) the Facilities were installed in such location prior to the time at which such location was dedicated to or otherwise acquired by the City as Rights-of-Way, the City shall be responsible for Franchisee's actual costs of relocating such Facilities pursuant to this Section 11. Franchisee shall not be required to relocate such Facilities until such time as the City Council has approved the expenditures for such relocation. Furthermore, in the event such Facilities are located on an Easement held by Franchisee, the City shall grant Franchisee a replacement Easement within the Rights-of-Way or acquire on Franchisee's behalf a replacement Easement outside the Rights-of-Way in the event there is not space within the Rights-of-Way for relocation. If the Facilities are not located on an Easement held by Franchisee, the City shall not be required to grant or acquire a replacement Easement on behalf of Franchisee as a condition of Franchisee's relocation pursuant to this Section 11. If the City requires that Franchisee relinquish an Easement it holds in the Rights-of-Way which does not have Franchisee's Facilities located thereon, Franchisee shall not be required to relinquish such Easement until the City has either granted Franchisee a replacement Easement within the Rights-of-Way or has compensated Franchisee for its Easement. All other provisions of this Section 11 shall apply to Franchisee's work in performing the relocation of any Facilities covered by this Subsection 11.12.
- 11.13 STATE CONTRIBUTIONS.** Nothing in this Agreement shall be construed as to prohibit or restrict payment to Franchisee from the State of Nevada for relocation of all or any portion of Franchisee's Electrical Distribution System pursuant to the provisions of NRS 408.407.
- 11.14 PUCN TARIFFS.** The Parties acknowledge and agree that this Agreement does not abrogate or modify the Parties' responsibility to comply with applicable PUCN tariffs with respect to services provided by Franchisee to the City.

Section 12. City's Use of Facilities.

- 12.1 JOINT USE AGREEMENT.** During the term of this Agreement, and with respect to poles that are owned by Franchisee (in whole or part), the City may, subject to

the Franchisee's prior written consent, which shall not be unreasonably withheld, install and maintain City-owned, street lights, communications equipment, wires and/or fiber. The City's use of such wires or fibers shall be for noncommercial municipal lighting or communications purposes and such use will be administered under a joint facilities use agreement between Franchisee and the City.

12.2. INSTALLATION / MAINTENANCE. Installation and maintenance shall be done by the City at its sole risk and expense, in accordance with all applicable laws, and subject to such reasonable requirements as Franchisee may specify from time to time including, without limitation, requirements accommodating Franchisee's Facilities or the facilities of other parties having the right to use Franchisee's Facilities.

12.3 LIABILITY / DAMAGES. Except in the event of willful misconduct by Franchisee, Franchisee shall have no obligation arising under the indemnity and insurance provisions of this Agreement as to any circumstances directly or indirectly caused by or related to such City-owned lighting or communications equipment, wires and/or fiber or the installation or maintenance thereof.

12.4 COST / FEES. Franchisee shall not bear any cost or expense in connection with any such installation and/or maintenance by the City. Franchisee may charge the City an administrative fee for the purpose of reviewing an application and inspecting the installation, but shall not charge the City any attachment, rental, or other fees for the use of Franchisee's poles.

Section 13. Coordination; Shared Excavations.

13.1 COORDINATION. Franchisee and the City shall exercise reasonable efforts to coordinate any construction work that either may undertake within the Franchise Area so as to promote the orderly and expeditious performance and completion of such work as a whole. Such efforts shall include, at a minimum, reasonable and diligent efforts to keep the other party and other utilities within the Franchise Area informed of its intent to undertake such construction work. Franchisee and the City shall further exercise reasonable efforts to minimize any delay or hindrance to any construction work undertaken by the other party or other utilities within the Franchise Area.

13.2 SHARED EXCAVATIONS. If either Franchisee or the City shall cause excavations to be made within the Franchise Area, the party causing such excavation to be made shall afford the other, upon receipt of a written request to do so, an opportunity to use such excavation, provided that: (1) such joint use shall not delay the work of the party causing the excavation to be made; and (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties.

Section 14. Business License.

Franchisee shall maintain a valid, unexpired business license and pay all applicable business license fees in accordance with the City Code during the entire term of this Agreement.

Section 15. Franchise Fee In Lieu of Business License Fee.

If the business license fee provisions of the City Code relative to Franchisee are repealed or declared invalid by a court of competent jurisdiction during the term of this Agreement, Franchisee agrees as compensation for the use of the Rights-of-Way to pay the City a franchise fee. The franchise fee shall be five percent (5%) of Franchisee's Gross Revenue as defined in this Agreement.

Section 16. Conflicts between City Code and Agreement.

This Agreement hereby incorporates all applicable provisions of the City Code. Any conflict between the provisions of this Agreement and the City Code, except as otherwise provided in this Agreement, shall be resolved in favor of the provisions of the City Code. The City represents that it is unaware of any conflicts between this Agreement and the City Code.

Section 17. Public Records.

- 17.1 ACKNOWLEDGMENT OF PUBLIC RECORDS LAW. Franchisee acknowledges that information submitted to the City is open to public inspection and copying under Nevada Public Record Law, Chapter 239 of the Nevada Revised Statutes.
- 17.2 IDENTIFYING CONFIDENTIAL RECORDS. Franchisee may identify information, such as trade secrets, proprietary financial records, customer information or technical information, submitted to the City as confidential. Franchisee shall prominently mark any information for which it claims confidentiality with the word "Confidential" on each page of such information prior to submitting such information to the City. The City shall treat any information so marked as confidential until the City receives any request for disclosure of such information. Within five (5) working days of receiving any such request, the City shall provide Franchisee with written notice of the request, including a copy of the request. Franchisee shall have five (5) working days within which to provide a written response to the City before the City may disclose any of the requested confidential information. The City retains the final discretion to determine whether to release the requested confidential information, in accordance with applicable laws.

Section 18. Records of Installation and Planning.

- 18.1 POTENTIAL IMPROVEMENTS. Upon the City's reasonable request, Franchisee shall provide to the City copies of any plans prepared by Franchisee for potential improvements, relocations and conversions of its Facilities within the Franchise Area; provided, however, any such plans so submitted shall be for

informational purposes only and shall not obligate Franchisee to undertake any specific improvements within the Franchise Area.

- 18.2 "AS-BUILT" DRAWINGS.** The City may inspect Franchisee's drawings and maps at Franchisee's offices upon reasonable notice. At no cost to the City, Franchisee shall supply the City with a set of "as-built" drawings of its Facilities related to public works projects. Additional "as-built" drawings of other Facilities shall be provided to the City for its use as the Parties reasonably agree. The drawings shall be submitted in the Franchisee's standard format and may be delivered in either paper or electronic form at the discretion of the Franchisee. Such additional drawings remain the property of Franchisee and are to be held confidential for public safety and security concerns, are for the internal use of the City, and shall not be provided to third parties unless the third party is working for the City on related matters and the third party signs a confidentiality and non-disclosure agreement, subject to the requirements of public records disclosure laws.
- 18.3 LOCATION DRAWINGS.** Upon the City's request, Franchisee shall provide to the City copies of available drawings in use by Franchisee showing the location of its Facilities at specific locations within the Franchise Area. As to any such drawings so provided, Franchisee does not warrant the accuracy thereof and, to the extent the locations of Facilities are shown, such Facilities are shown in their approximate location.
- 18.4 VOLTAGE INFORMATION.** Upon the City's request, Franchisee shall provide to the City records, drawings and any other information reasonably requested by the City concerning the voltage capacities and usage of all of Franchisee's Facilities.
- 18.5 PUBLIC WORK PROJECTS.** Upon the City's request, in connection with the design of any public works project, Franchisee shall verify the location of its underground Facilities within the Franchise Area in accordance with the requirements of applicable law, and may, in the City's discretion, excavate (e.g. pothole) to locate such Facilities, at no expense to the City, except where required by PUCN tariffs. In the event Franchisee performs such excavation, the City shall not require any restoration of the disturbed area in excess of restoration to the same condition as existed immediately prior to the excavation.
- 18.6 USE OF DRAWINGS.** Any drawings and/or information concerning the location of Franchisee's Facilities provided by Franchisee shall be used by the City solely for management of the Franchise Area, exercising due care for Franchisee's safety and security concerns.
- 18.7 REQUIREMENT TO DISCLOSE LOCATION OF UTILITY FACILITIES.** Notwithstanding the foregoing, nothing in this Section 18 is intended (nor shall be construed) to relieve either party of its respective obligations arising under applicable law with respect to determining the location of utility facilities.

Section 19. Service Interruption.

Whenever it is necessary to shut off or interrupt services for the purposes of installing, maintaining, or using any of its Facilities, Franchisee shall do so at such time as will cause the least amount of inconvenience to its customers, and unless such interruption is unforeseen and immediately necessary, it shall comply with all requirements set by the PUCN regarding service interruptions, including, if applicable, notice to its customers.

Section 20. Right of Acquisition.

This Agreement shall not in any way or to any extent impair or affect the right of the City to acquire the property of Franchisee, either by purchase or through the exercise of eminent domain, and nothing herein contained shall be construed to contract away, modify, or abridge the City's right to exercise the power of eminent domain.

Section 21. Transfers and Assignments.

The following conditions for transfer or assignment of this Agreement and the Franchise shall apply:

- (A) Franchisee must give written notice to the City of its intent to sell, transfer, assign, lease or otherwise dispose of, in whole or in part, voluntary or involuntary, any of the rights, privileges, permission, or authority granted pursuant to the provisions of this Agreement.
- (B) The intended buyer, transferee, assignee or lessee must hold a valid, unexpired City business license and furnish the same information required of other franchise applicants pursuant to the City Charter and City Code.
- (C) If Franchisee holds a certificate of convenience and necessity issued by the PUCN, and transfer or assignment of its certificate of public convenience and necessity has been approved by the PUCN, the Franchise may be transferred or assigned to the same person to whom the certificate of public convenience and necessity was transferred or assigned, or to such other person as approved by the PUCN, without the prior approval of the City Council, except that the transferee or assignee must obtain a valid City business license pursuant to the City Code within thirty (30) days of the transfer or assignment, and Franchisee and its transferee or assignee must provide a notarized document to the City Manager acknowledging the transfer or assignment and the assumption by the transferee or assignee of all terms and conditions of this Agreement, including all obligations and/or defaults under this Agreement occurring prior to the transfer (whether known or unknown), signed by Franchisee's and its transferee's or assignee's respective officers duly authorized to do so, on a form approved by the City Manager.

Section 22. Violation; Default; Remedies; Liquidated Damages.

- 22.1 VIOLATION.** This Franchise is granted upon each and every condition herein, and each of the conditions is a material and essential condition to the granting of this Franchise. Except for causes beyond the reasonable control of Franchisee, if Franchisee fails to comply with any of the conditions and obligations imposed hereunder the City shall deliver to Franchisee a reasonably detailed written notice describing the violation on the part of the Franchisee. If Franchisee fails to correct such defect within thirty (30) days, the City shall have the right to terminate this Agreement, in addition to any other rights or remedies set forth in this Agreement or provided by law.
- 22.2 CONDITIONS BEYOND REASONABLE CONTROL OF FRANCHISEE.** If the nature of the violation is such that it cannot be fully cured within thirty (30) days, the period of time for Franchisee to cure the violation is extended for such additional time reasonably necessary to complete the cure, provided that: (1) Franchisee promptly begins its efforts to cure, and (2) Franchisee diligently pursues its efforts to cure.
- 22.3 LIQUIDATED DAMAGES.** If a violation has not been cured within the time allowed under Subsections 22.1 or 22.2, Franchisee shall be liable for liquidated damages as follows:
- (a) Failure to comply with the City's requirements concerning the usage of the City's Rights-of-Way: FIVE HUNDRED DOLLARS (\$500.00) per day, and for each day such failure continues.
 - (b) Failure to comply with any other provisions of this Agreement, including but not limited to failure to promptly provide data, documents, reports or information to the City, or to provide insurance or security for the performance of Franchisee's obligations hereunder: TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per day, and for each day such failure continues.
- 22.4 NOT EXCLUSIVE REMEDY.** No provision in this Agreement made for the purpose of securing enforcement of the terms and conditions of this Agreement shall be deemed an exclusive remedy or to afford the exclusive procedure for the enforcement of said terms and conditions, but the remedies herein provided are deemed to be cumulative.
- 22.5 WAIVER.** The City reserves the right to waive any specific breach of the terms and conditions imposed by this Agreement, and such waiver shall not be deemed to be continuous with respect to any future breaches on the part of Franchisee.
- 22.6 DENIAL OF PERMITS.** When in default of this Agreement, Franchisee may be denied further encroachment, excavation or similar permits until such time as Franchisee comes in compliance.

Section 23. Indemnification and Hold Harmless.

- 23.1 INDEMNIFY / DEFEND / HOLD HARMLESS.** Franchisee, for itself and its agents, employees, subcontractors, and the agents and employees of any subcontractors, shall, at its own expense and throughout the term of this Agreement, indemnify, defend, and hold harmless the City, and any of its elected or appointed officers and employees, from any and all claims, demands, actions, damages, decrees, judgments, attorney fees, costs, and expenses which the City, or such elected or appointed officers or employees, may suffer, or which may be recovered from, or obtainable against the City, or such elected or appointed officers or employees, as a result of, by reason of, or arising out of the installation, use, or maintenance by Franchisee of its Electrical Distribution System, or the exercise by Franchisee of any or all of the rights, privileges, permission, and authority conferred herein, or as a result of any alleged act or omission on the part of Franchisee in performing or failing to perform any of its obligations under this Agreement. Franchisee is not, however, liable and is not required to indemnify or hold harmless the City for any damages caused by the negligence of any agents, servants and/or employees of the City.
- 23.2 RISKS ASSOCIATED WITH OPERATION OF FRANCHISEE'S FACILITIES / LIABILITY LIMITS.** Franchisee shall assume all risks in its operations of Facilities and shall be solely responsible and answerable for any and all injuries to persons or property arising out of the existence or performance of this Agreement. The amounts and types of required insurance coverages, as set forth in this Agreement, shall in no way be construed as limiting the scope of indemnity or liability set forth in this Section.
- 23.3 RECOURSE FOR LOSS.** Franchisee shall have no recourse whatsoever against the City for any loss, cost, expense, or damage arising out of the enforcement or lack of enforcement of any provision or requirement of the City Code or this Agreement.
- 23.4 DAMAGES RELATED TO UNTIMELY REMOVAL / RELOCATION.** Franchisee shall indemnify, hold harmless, and defend the City, its elected or appointed officers and employees from claims for damages asserted by third parties against the City, including but not limited to costs, expenses, fees, and the actual amount of damage asserted by third parties, arising from delays of reconstruction, removal, or relocation work of Franchisee, beyond the time period provided for completion of such work by this Agreement.
- 23.5 NOTICE OF CLAIM / TERMINATION OF CLAIM.** In the event a claim against Franchisee and the City is received first by the City, the City will promptly notify Franchisee of such claim. The parties will fully cooperate with each other in defense of such claim. The City will not settle or otherwise compromise any claim covered by Franchisee's indemnity without Franchisee's written consent. Any claim against the City which is covered by this Section which is settled or compromised by Franchisee shall contain written provisions in

such settlement or compromise terminating with prejudice such claim against the City.

23.6 The following procedures shall apply to all claims for indemnification under this Section 23.

- (a) If the City receives notice of or otherwise has actual knowledge of a claim which it believes is within the scope of indemnification owed to it under this Section 23 by Franchisee, it shall by writing as soon as practicable:
 - (i) Inform the Franchisee of such claim;
 - (ii) Send to Franchisee a copy of all written materials the City has received asserting such claims; and
 - (iii) Notify Franchisee that either (1) the defense of such claims is being tendered to the Franchisee or (2) the City has elected to conduct its own defense for a reason set forth in Subsection 23.6 (e) below.
- (b) If the insurer under any applicable insurance policy accepts tender of defense, the Franchisee and the City shall cooperate in the defense as required by the insurance policy. If no defense is provided by insurers under potentially applicable insurance policies, then Subsections 23.6 (c), (d), (e) and (f) below shall apply.
- (c) If the defense is tendered to the Franchisee, it shall within 45 days of said tender deliver to the City a written notice stating that the Franchisee:
 - (i) Accepts the tender of defense and confirms that the claims are subject to full indemnification hereunder without any "reservation of rights" to deny or disclaim full indemnification thereafter;
 - (ii) Accepts the tender of defense but with a "reservation of rights" in whole or in part; or
 - (iii) Rejects the tender of defense if it reasonably determines it is not required to indemnify against the claims under this Section 23.

If such notice is not delivered within such 45 days, the tender of defense shall be deemed rejected.

- (d) If the City gives notice under Subsection 23.6 (a)(iii)(1) above, the Franchisee shall have the right to select legal counsel for the City, and the Franchisee shall otherwise control the defense of such claims, including settlement, and bear the fees and costs of defending and settling such claims. During such defense:

- (i) The Franchisee shall at the Franchisee's expense, fully and regularly inform the City of the progress of the defense and of any settlement discussions; and
 - (ii) The City shall, at the Franchisee's expense, (1) fully cooperate in said defense, (2) provide to the Franchisee all materials and access to personnel it requests as necessary for defense, preparation and trial and which or who are under the control of or reasonably available to the City, and (3) maintain the confidentiality of all communications between it and the Franchisee concerning such defense.
- (e) City shall be entitled to select its own legal counsel and otherwise control the defense of such claims if:
- (i) The defense is tendered to the Franchisee and it refuses the tender of defense, or fails to accept such tender within 45 days, or reserves any right to deny or disclaim such full indemnification thereafter; or
 - (ii) City, at the time it gives notice of the claims or at any time thereafter, reasonably determines that (1) a conflict exists between it and the Franchisee which prevents or potentially prevents the Franchisee from presenting a full and effective defense, (2) the Franchisee is otherwise not providing an effective defense in connection with the claims or (3) the Franchisee lacks the financial capacity to satisfy potential liability or to provide an effective defense.
 - (iii) City may assume its own defense pursuant to this Subsection 23.6 (e) by delivering to the Franchisee written notice of such election and the reasons therefor. A refusal of, or failure to accept, a tender of defense may be treated by City as claims against the Franchisee.
- (f) If City is entitled and elects to conduct its own defense pursuant hereto, all reasonable costs and expenses it incurs in investigating and defending claims for which it is entitled to indemnification hereunder shall be reimbursed by the Franchisee on a current basis. In the event the City is entitled to and elects to conduct its own defense, then it shall have the right to settle or compromise the claims with the Franchisee's prior written consent, which shall not be unreasonably withheld or delayed, or with approval of the court, and with the full benefit of the Franchisee's indemnity.

Section 24. Insurance.

- 24.1 SECURING AND MAINTAINING INSURANCE.** Franchisee shall procure and maintain for the duration of the Franchise insurance against all claims for injuries

to persons or damages to property which may arise from or in connection with the exercise of the rights, privileges and authority granted hereunder to Franchisee, its agents, representatives or employees.

24.2 PROOF OF INSURANCE / POLICY LIMITS. Franchisee shall provide evidence of an insurance certificate, together with an endorsement naming the City, its elected and appointed officers and employees as additional insureds, to the City for its inspection prior to the commencement of any work or installation of any Facilities pursuant to this Agreement or not later than ten (10) days after approval of this Agreement by the City Council, whichever comes sooner, and such insurance certificate shall evidence the following minimum coverages:

- (a) General liability insurance, with minimum limits of FIVE MILLION DOLLARS (\$5,000,000.00) per occurrence, which includes coverage for products liability, completed operations, blanket contractual liability and broad form property damage, including but not limited to coverage for explosion, collapse and underground hazard;
- (b) Automobile liability insurance, with a minimum combined single limit occurrence of FIVE MILLION DOLLARS (\$5,000,000.00), and which includes coverage for non-owned and hired automobile liability. Automobile liability insurance may be included as part of the general liability insurance; and
- (c) Workers' compensation insurance in accordance with NRS Chapters 616A, 616B, 616C, 616D and 617.

24.3 SINGLE PRIMARY / UMBRELLA POLICY. The minimum limits may be provided for through a single primary insurance policy providing such coverage or through addition of an umbrella policy written in excess of the general liability and automobile liability policies.

24.4 CERTIFICATE OF INSURANCE REQUIREMENTS. Any certificate of insurance required by this Section 24 shall provide that:

"The described policies and coverages in this certificate will not be canceled or modified before the expiration date thereof, without the issuing company giving sixty (60) days written notice to the certificate holder and those named as additional insureds."

In the event of said cancellation, modification or intent not to renew, Franchisee shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section 24 by the cancellation or modification date.

24.5 CLAIMS-MADE FORM. If insurance coverage is obtained on a claims-made form, Franchisee shall provide proof of coverage for "prior acts" and proof of coverage for claims reported within two years of any occurrence.

- 24.6 POLICY LIMIT INCREASES.** The insurance policy limits required by this Section 24 shall be adjusted every five (5) years after the Effective Date of this Agreement based upon the percentage of change in the CPI-U. Policy limits changes shall be effective as of July 1 following the fifth, tenth, and fifteenth anniversary dates of this Agreement, and shall be based upon the percentage change in the CPI-U for the preceding five calendar years.
- 24.7 COMPLIANCE WITH STATE REQUIREMENTS.** All primary and excess insurance obtained for meeting the requirements of this Section 24 must be provided in compliance with NRS Title 57, and any commercial insurance carrier providing any required coverage must have an A.M. Best rating of A-VII or higher.

Section 25. Security for Performance.

- 25.1 CASH DEPOSIT / PLEDGE OF CERTIFICATE OF DEPOSIT / LETTER OF CREDIT / PERFORMANCE BOND.** No later than ten (10) days after approval of this Agreement by the City Council, Franchisee, as security for compliance with the terms of this Agreement and applicable City Code provisions, shall provide security to the City in the form of either cash deposited with the City Manager, or an irrevocable pledge of certificate of deposit, an irrevocable letter of credit, or a performance bond, payable in each instance to the City, in an amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), to remain in full force and effect for the term of this Agreement, any or all of which may be claimed by the City as payment for fees, liquidated damages and penalties, and to recover losses resulting to the City from Franchisee's failure to perform its duties pursuant to this Agreement.
- 25.2 BOND CONDITIONS.** If bonds are used to satisfy these security requirements, they shall be in accordance with the following:
- (a) All bonds shall, in addition to all other costs, provide for payment of reasonable attorneys' fees.
 - (b) All bonds shall be issued by a surety company authorized to do business in the State of Nevada, and which is listed in the U.S. Department of the Treasury Fiscal Service (Department Circular 570, Current Revision): companies holding certificates of authority as acceptable sureties on federal bonds and as acceptable reinsuring companies.
 - (c) Franchisee shall require the attorney-in-fact who executes the bonds on behalf of the surety to affix thereto a certified and current copy of his or her power of attorney.
 - (d) All bonds shall guarantee the performance of all of Franchisee's obligations under this Agreement and all applicable laws.

25.3 REPLENISH SECURITY. If at any time the City draws upon such performance security, Franchisee shall within thirty (30) days of notice from the City replenish such performance security to the original minimum amount required by this Section 25.

25.4 ADJUSTMENT OF BOND AMOUNT. The bond amount required by this Section 25 shall be adjusted every five (5) years after the Effective Date of this Agreement based upon the percentage of change in the CPI-U. Bond amount changes shall be effective as of July 1 following the fifth, tenth, and fifteenth anniversary dates of this Agreement, and shall be based upon the percentage change in the CPI-U for the preceding five calendar years.

Section 26. Accounts; Records; Reports; Investigations; Late Payment Penalty.

26.1 RECORD KEEPING. Franchisee shall at all times maintain complete and accurate books of account and records regarding Franchisee and operation of its System, including, without limitation, chart of accounts, account summary detail, books of account and records adequate to enable Franchisee to demonstrate that at all times it has been in compliance with the Franchise Agreement. The City shall have the right to inspect, copy and audit the following at any time during normal business hours, and after giving reasonable advance notice of not less than fifteen (15) business days, at Franchisee's office in the greater Las Vegas Valley: all books, receipts, as-built maps, financial statements, contracts, records of requests for service, computer records, legends, or any other records used in the normal course of business and disks or other storage media and other like material which are appropriate in order to monitor compliance with the terms of this Agreement. This includes not only the books and records of Franchisee, but any books and records, to the extent such books or records relate to a larger system of Franchisee's affiliates, and upon a showing by the City that such affiliates' records are necessary to monitor compliance with this Agreement. Franchisee is responsible for collecting the information and producing it at the location specified above, and by accepting this Franchise it affirms that it can and will do so. Franchisee may request that the inspection take place at some other location, provided that: (1) Franchisee must make necessary arrangements for copying documents selected by the City after review; (2) Franchisee must pay all travel and additional copying expenses incurred by the City in inspecting those documents or having those documents inspected by its designee; (3) Franchisee shall maintain financial records that allow analysis and review of its Gross Revenue within the Franchise Area; and (4) access to Franchisee's records shall not be denied by Franchisee for any reason, including alleged proprietary information.

26.2 GROSS REVENUE REPORTS. Franchisee shall submit quarterly reports of Gross Revenue in such form as may be agreed to by City and Franchisee. Franchisee agrees to cooperate with City to develop such reporting forms in such formats as will provide the City with usable information regarding usage and revenue trends and patterns, and that do not require Franchisee to incur an unreasonable level of expenses to develop and implement.

- 26.3 RECORD RETENTION.** Franchisee shall maintain such records as required by NRS 364.210 and keep said records once an audit is commenced until completion of the audit.
- 26.4 RECORD REQUESTS BY CITY.** Franchisee shall provide records within fifteen (15) business days of a request by the City for production of the same unless the City agrees to additional time. Failure to provide records in a timely manner shall subject Franchisee to liquidated damages under Section 22. If any person other than Franchisee maintains records on Franchisee's behalf, Franchisee shall be responsible for making such records available to the City for auditing purposes pursuant to this Section.
- 26.5 AUDIT EXPENSE / ADDITIONAL PAYMENTS BASED ON AUDIT FINDINGS.** The City's audit expenses shall be borne by the City unless the audit discloses an underpayment in excess of five percent (5%) of the amount paid during the audit period, in which case the costs of the audit shall be borne by Franchisee as a cost incidental to the enforcement of the Franchise. The City may recompute any amounts determined to be payable under this Agreement based on this audit findings. Any additional amount due to the City shall be paid within thirty (30) days following written notice to Franchisee by the City, and such delinquent amount shall be subject to a penalty of 2% simple interest a month on the unpaid balance, computed from the date the fees were due. Penalties and interest shall not be included in the determination of responsibility for audit costs.
- 26.6 CITY'S REQUEST FOR ADDITIONAL INFORMATION.** The City may require such additional information, records, and documents from Franchisee from time to time as are appropriate and reasonable in order to monitor compliance with the terms of this Agreement.

Section 27. Conservation.

The City and Franchisee mutually recognize the desirability of and the benefits that accrue to the citizens of the City from the wise, efficient use of electrical energy. The City and Franchisee therefore agree to work cooperatively for greater energy efficiency within the City for City facilities and for the citizens of the City. Franchisee will work with the City to support the City's Green Building Program and to make available to the City all conservation, renewable energy, and distributed energy programs offered by Franchisee, subject to available budgets and on a non-preferential basis, for City facilities. The City will cooperatively work with Franchisee to promote the benefits of Franchisee's conservation, renewable energy, and distributed energy programs to the citizens of the City.

Section 28. Severability.

If any section, subsection, sentence, clause, phrase, or other portion of this Agreement is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the

Section 32. Force Majeure.

The time within which Franchisee shall be required to perform any act under this Agreement shall be extended by a period of time equal to the number of days performance is delayed due to force majeure, and Franchisee shall not be subject to any penalty hereunder because of acts or failure to act due to force majeure. The term force majeure shall mean delays due to acts of God, fire, unavoidable casualty, construction delays due to weather, failure of suppliers, or for other similar causes beyond the control of Franchisee, but does not include civil disturbances.

Section 33. Construction of Agreement.

The terms and provisions of this Agreement shall not be construed strictly in favor of or against either party, regardless of which party drafted any of its provisions. This Agreement shall be construed in accordance with the fair meaning of its terms.

Section 34. Regulation of Rates and Service.

Franchisee shall maintain and operate its Facilities and render efficient service in accordance with the rates, rules, tariffs, and regulations prescribed by the PUCN.

Section 35. Franchise Has No Monetary Value.

The acceptance of the Franchise granted herein shall be deemed to be an arrangement on the part of Franchisee to place no monetary value upon the Franchise in the event that any property of Franchisee is obtained by the City through legal right of condemnation or by other legal means.

Section 36. Law Governing.

This Agreement and the Franchise granted herein will be governed by the laws of the State of Nevada with respect to both their interpretation and performance.

Section 37. Binding Effect.

All of the rights and obligations under this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted transferees and assigns.

Section 38. Compliance with Federal, State and Local Laws / Police Power.

Franchisee shall at all times comply with all applicable federal, state and local laws, rules and regulations, including all ordinances, rules or regulations adopted in the future by the City.

Section 39. Transfer of Authority by City Council.

Any right or power in, or duty impressed upon any officer or employee of the City by virtue of this Agreement shall be subject to transfer by the City Council to any other officer or employee of the City.

Section 40. Section and Paragraph Headings.

The headings of the sections and paragraphs of this Agreement are for convenience of reference only and are not intended to restrict, affect or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

Section 41. Survival of Provisions.

All provisions, conditions and requirements of this Agreement that may be reasonably construed to survive the termination or expiration of this Agreement shall survive the termination or expiration of this Agreement, including, but not limited to, all of Franchisee's indemnification obligations under Section 23 of this Agreement.

Section 42. Time of the Essence.

The parties agree that time is of the essence with regard to the performance of Franchisee's obligations under this Agreement.

Section 43. Gifts.

No officer or employee of Franchisee shall offer to any officer or employee of the City, either directly or indirectly, any rebate, contribution, gift, money, service without charge, or other thing of value whatsoever, unless permitted by law and given with the consent and approval of the City, except where given for the use and benefit of the City. The provisions of this Section 43 requiring consent and approval of the City does not apply to campaign contributions.

Section 44. Additional Representations and Warranties.

In addition to the representations, warranties, and covenants of Franchisee to the City set forth elsewhere herein, Franchisee represents and warrants to the City and covenants and agrees (which representations, warranties, covenants and agreements shall not be affected or waived by any inspection or examinations made by or on behalf of the City) that as of the Effective Date of this Agreement:

- (A) Franchisee is a corporation duly organized, validly existing and in good standing under the laws of the State of Nevada and is duly authorized to do business in the State of Nevada and in the Franchise Area.
- (B) Franchisee is in substantial compliance with all laws, ordinances, decrees and governmental rules and regulations applicable to the System and has obtained all

government licenses, permits, and authorizations necessary for the operation and maintenance of the Facilities.

Section 45. Disclosure of Principals.

Pursuant to Resolution R-79-99 adopted by the City Council effective October 1, 1999, and amendments thereto by the City Council on November 17, 1999, Franchisee warrants that it has disclosed, on the form attached hereto as Exhibit A, all principals, including partners, of Franchisee, as well as all persons and entities holding more than 1% interest in Franchisee or any principal of Franchisee. If Franchisee, principals, or partners described above are required to provide disclosure under federal law (such as disclosure required by the Securities and Exchanges Commission (SEC) or the Employee Retirement Income Security Act ("ERISA")), and attaches current copies of such federal disclosures to Exhibit A, the requirement of this Section shall be satisfied. Throughout the term hereof, Franchisee shall within ten (10) days notify City in writing of any material change in the above disclosure. Copies of new federal disclosure filings shall also be sent to the City within ten (10) days of any such filing.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the Effective Date set forth in Section 2.

CITY OF LAS VEGAS, NEVADA,
a municipal corporation,

by: _____
Oscar B. Goodman, Mayor

ATTEST:

City Clerk

Approved as to form:

Fanny G. Bettio 12-12-06
Date

NEVADA POWER COMPANY,
a Nevada corporation,

by: Jeff Ceccarelli
Jeff Ceccarelli, Corporate Senior Vice
President, Service Delivery and Operations

Approved as to form:

Dan G. Brown 12/12/06
Date

Exhibit "A"**CERTIFICATE
DISCLOSURE OF OWNERSHIP/PRINCIPALS****1. Definitions**

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1	<u>Contracting Entity</u>
Name	Nevada Power Company
Address	6226 W. Sahara Ave. Las Vegas, NV 89146
Telephone	702-367-5000
EIN or DUNS	00-697-1006

Block 2	<u>Description</u>
Subject Matter of Contract/Agreement:	
Utility Franchise Agreement	
RFP #	

Block 3	<u>Type of Business</u>		
☐ Individual	☐ Partnership	☐ Limited Liability Company	☒ Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

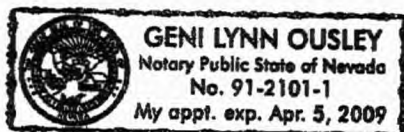
Block 5 Disclosure of Ownership and Principals - Alternate

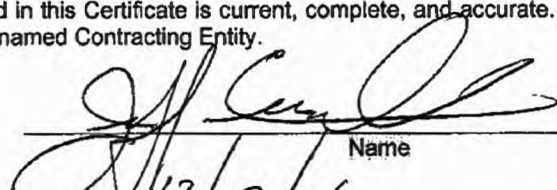
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Security Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: 2005 Sierra Pacific Resources Form 10-K (see pgs. 3, 188-190)

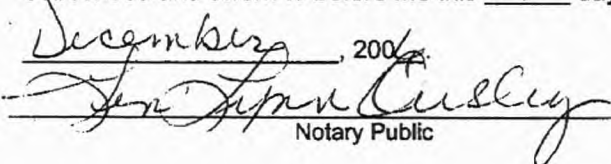
Date of Attached Document: March 6, 2006 EP 12.12.06

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.




 Name
12/12/06
 Date

Subscribed and sworn to before me this 12 day of

December, 2006

 Notary Public

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 10-K

ANNUAL REPORT PURSUANT TO SECTION 13 OR 15 (d) OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended December 31, 2005

<u>Commission File Number</u>	<u>Registrant, Address of Principal Executive Offices and Telephone Number</u>	<u>I.R.S. Employer Identification Number</u>	<u>State of Incorporation</u>
1-08788	SIERRA PACIFIC RESOURCES P.O. Box 30150 (6100 Neil Road) Reno, Nevada 89520-3150 (89511) (775) 834-4011	88-0198358	Nevada
2-28348	NEVADA POWER COMPANY 6226 West Sahara Avenue Las Vegas, Nevada 89146 (702) 367-5000	88-0420104	Nevada
0-00508	SIERRA PACIFIC POWER COMPANY P.O. Box 10100 (6100 Neil Road) Reno, Nevada 89520-0024 (89511) (775) 834-4011	88-0044418	Nevada

(Title of each class)

(Name of exchange on which registered)

Securities registered pursuant to Section 12(b) of the Act:

Securities of Sierra Pacific Resources:

Common Stock, \$1.00 par value

7.803% Senior Notes Due 2012

Securities of Nevada Power Company and subsidiaries:

8.2% Cumulative Quarterly Income

Preferred Securities, Series A, issued by NVP Capital I

7³/₄% Cumulative Quarterly Trust Issued

Preferred Securities, issued by NVP Capital III

New York Stock Exchange

New York Stock Exchange

New York Stock Exchange

New York Stock Exchange

Securities registered pursuant to Section 12(g) of the Act:

Securities of Sierra Pacific Power Company:

Class A Preferred Stock, Series I, \$25 stated value

Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in Rule 405 of the Securities Act:

Sierra Pacific Resources Yes ☒ No ☐ Nevada Power Company Yes ☐ No ☒ Sierra Pacific Power Company Yes ☐ No ☒

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes ☐ No ☒

Indicate by check mark whether each of the registrants (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of the registrants' knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☐

Indicate by check mark whether any registrant is a large accelerated filer, an accelerated filer, or a non-accelerated filer. (See definition of "accelerated filer and large accelerated filer" in Rule 12b-2 of the Exchange Act).

Sierra Pacific Resources: Large accelerated filer ☒ Accelerated filer ☐ Non-accelerated filer ☐

Nevada Power Company: Large accelerated filer ☐ Accelerated filer ☐ Non-accelerated filer ☒

Sierra Pacific Power Company: Large accelerated filer ☐ Accelerated filer ☐ Non-accelerated filer ☒

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes ☐ No ☒ (Response applicable to all registrants)

State the aggregate market value of Sierra Pacific Resources' common stock held by non-affiliates. As of June 30, 2005: \$ 1,458,239,815

Indicate the number of shares outstanding of each of the issuer's classes of Common Stock, as of the latest practicable date.

Common Stock, \$1.00 par value, of Sierra Pacific Resources outstanding at March 1, 2006: 200,879,752 Shares

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$1.00 stated value, of Nevada Power Company.

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$3.75 par value, of Sierra Pacific Power Company.

DOCUMENTS INCORPORATED BY REFERENCE:

Portions of Sierra Pacific Resources' definitive proxy statement to be filed in connection with the annual meeting of shareholders, to be held May 1, 2006, are incorporated by reference into Part III hereof.

This combined Annual Report on Form 10-K is separately filed by Sierra Pacific Resources, Nevada Power Company and Sierra Pacific Power Company. Information contained in this document relating to Nevada Power Company is filed by Sierra Pacific Resources and separately by Nevada Power Company on its own behalf. Nevada Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Nevada Power Company.

Information contained in this document relating to Sierra Pacific Power Company is filed by Sierra Pacific Resources and separately by Sierra Pacific Power Company on its own behalf. Sierra Pacific Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Sierra Pacific Power Company.

FORWARD LOOKING STATEMENTS

The discussion of forward looking statements in Item 7, Management's Discussion and Analysis of Financial Condition and Results of Operations, is incorporated herein by reference.

PART I

ITEM 1. BUSINESS

SIERRA PACIFIC RESOURCES

Sierra Pacific Resources (SPR) is an investor-owned holding company that was incorporated under Nevada law on December 12, 1983. The company's stock is traded on the New York Stock Exchange under the symbol "SRP". SPR's mailing address is P.O. Box 30150 (6100 Neil Road), Reno, Nevada 89520-3150 (89511).

SPR has six primary, wholly-owned subsidiaries: Nevada Power Company (NPC), Sierra Pacific Power Company (SPPC), Tuscarora Gas Pipeline Company (TGPC), Sierra Pacific Communications (SPC), Sierra Pacific Energy Company (SPE), and Lands of Sierra (LOS). References to SPR refer to the consolidated entity, except where the context provides otherwise. NPC and SPPC are referred to collectively in this report as the "Utilities."

The Utilities operate three regulated business segments, as defined by FASB Statement No. 131, *Disclosure about Segments of an Enterprise and Related Information*: NPC electric; SPPC electric; and SPPC natural gas service. Electric service is provided to Las Vegas and surrounding Clark County, northern Nevada and the Lake Tahoe area of California. Natural gas services are provided in the Reno-Sparks area of Nevada. The Utilities are the major contributors to SPR's financial position and results of operations. Other subsidiaries either do not meet or are below the quantitative threshold for separate segment disclosure and are combined under "all other" in the following pages. Parenthetical references are included after each major section title to identify the specific entity or entities addressed in the section. See Note 2, Segment Information of the Notes to Financial Statements, for further discussion.

PART III

ITEM 10. DIRECTORS AND EXECUTIVE OFFICERS OF THE REGISTRANT

(a) Directors

The following is a listing of all the current directors of SPR, NPC, and SPPC, and their ages. There are no family relationships among them. Directors serve three-year terms with three (or four) terms of office expiring at each Annual Meeting, or until their successors have been elected and qualified.

Directors whose terms expire in 2006:

Mary Lee Coleman, 69

President of Coleman Enterprises, a developer of shopping centers and industrial parks. She is also a director of First Dental Health, Inc.. Ms. Coleman has served as a Director of NPC since 1980, and was elected a Director of SPR and SPPC in July 1999.

Theodore J. Day, 56

Chairman of Dacole Company, an investment firm, and President of Nevada Superior, Inc., a mining company. Formerly or Partner of Hale, Day, Gallagher Company, a real estate brokerage and investment firm. Mr. Day has served as a Director of NPC since 1986, of SPR since 1987, and was elected a Director of NPC in July 1999. He is also a Director of the W.M. Keck Foundation, the W.K. Day Foundation, the Boy Scouts of America, Nevada Area Council, the Reno Air Race Association, Sierra Nevada College, Western Exploration and Development, Ltd., and the National Cowboy and Western Heritage Museum.

Jerry E. Herbst, 68

Chief Executive Officer of Terrible Herbst, Inc., a gasoline retail company, since 1968. Mr. Herbst has served as a Director of NPC since 1990, and was elected a Director of SPR and SPPC in July 1999.

Donald D. Snyder, 58

Mr. Snyder retired in March 2005, as President of Boyd Gaming, a gaming entertainment company. Previously, he was Chairman and CEO of First Interstate Bank of Nevada from 1987 to 1991. He is Chairman of the Las Vegas Performing Arts Center Foundation and Fremont Street Experience LLC. He is Director of BankWest of Nevada, Western Alliance Bancorporation, Cash Systems, Inc., Nathan Adelson Hospice, the Nevada Development Authority, University of Nevada Las Vegas Foundation, and Tournament Players Club at Summerlin. Mr. Snyder was elected a Director of SPR, SPPC and NPC in November, 2005.

Directors whose terms expire in 2007:

James R. Donnelley, 70

Partner, Stet and Query, Ltd., a family-owned investment company, since June 2000. He retired from R.R. Donnelley & Sons Company in June 2000, where he served as Vice Chairman of the Board from July 1990 to June 2000 and as a Director from 1976 to May 2005. He is also a Director of PMP Limited, and Chairman of National Merit Scholarship Corporation. Mr. Donnelley has served as a Director of SPR since 1987, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Walter M. Higgins, 61

Chairman, President and Chief Executive Officer of SPR and Director and Chief Executive Officer of NPC and SPPC since August 2000. Mr. Higgins served as Chairman, President and Chief Executive Officer of AGL Resources, Inc., from January 1998 to August 2000. He is also a director of AEGIS Insurance Services, Inc., Edison Electric Institute, American Gas Institute, Desert Research Institute Foundation Board, Western Energy Institute and several not-for-profit organizations.

John F. O'Reilly, 60

Chairman and Chief Executive Officer of the law firm of O'Reilly Law Group LLC and John F. O'Reilly, APC, Chairman and an Officer and/or a Board member of various family-owned business entities and related investments and businesses. He serves as a Director of the Community Board of Wells Fargo Bank Nevada, N.A., Director of Herbst Gaming, Inc., UNLV Foundation, Nevada Development Authority, Advisory Board of Boys and Girls Clubs of Las Vegas, a member of the Las Vegas Chamber of

Commerce Government Affairs Committee, and is involved in various other capacities in other not-for-profit organizations, including Vision 2020, on which he serves as Chairman/CEO and Board member.

Directors whose terms expire in 2008:

Joseph B. Anderson, Jr., 63

Chairman and CEO of TAG Holdings, LLC. Mr. Anderson is on the Board of Rite Aid Corporation, Quaker Chemical Corporation and ArvinMeritor, Inc., the Board of Governors of the Center for Creative Leadership, and the Board of Trustees for the National Recreation Foundation. He is Director of the Original Equipment Suppliers Association and Director of the Society of Automotive Engineers Foundation. Mr. Anderson was elected as a Director of SPR, SPPC and NPC in February 2005.

Krestine M. Corbin, 68

President and Chief Executive Officer of Sierra Machinery, Incorporated, a machine tool manufacturing company, since 1984 and a director of that company since 1980. Ms. Corbin has served as a Director of SPR since 1989, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Philip G. Satre, 56

Mr. Satre retired January 1, 2005, as Chairman of the Board, Harrah's Entertainment, Inc., a gaming entertainment company. Previously he was CEO of Harrah's Entertainment from 1993 to 2003. He is a Director of the National Center for Responsible Gaming, the Nevada Cancer Institute, TABCORP Holdings Limited (Australia), Nordstrom, Inc., and Rite Aid Corporation. He is a Trustee of Stanford University, The National D-Day Museum Foundation and the UC Davis School of Law Alumni Association Board. Mr. Satre was elected as a Director of SPR, SPPC, and NPC in January 2005.

Clyde T. Turner, 68

Owner and Manager of Turner Investments, a general-purpose investment company, Global Trust Ventures, LLC and Global Trust Ventures Management, LLC, Private Equity Fund and several special-purpose real estate development companies known as Spectrum Companies and TurnKee, Ltd. Mr. Turner is the retired Chairman and Chief Executive Officer of Mandalay Bay Resort & Casino. He was elected a Director of SPR, NPC, and SPPC in November 2001.

Messrs. Day and Higgins are Directors of Tuscarora Gas Pipeline Company; Mr. Higgins is a Director of Lands of Sierra, Inc., Great Basin Energy Company, Sierra Pacific Energy Company, Sierra Pacific Communications, Sierra Water Development Company, Sierra Gas Holdings Company, Piñon Pine Co. LLC, SPPC Funding LLC, and Nevada Electric Investment Co. All of the above-listed companies are subsidiaries of Sierra Pacific Resources, with the exception of Piñon Pine Co. LLC, and SPPC Funding LLC which are subsidiaries of Sierra Pacific Power Company and Nevada Electric Investment Co. which is a subsidiary of Nevada Power Company.

(b) Executive Officers

See Executive Officers of the Registrant immediately following Item 4.

(c) Although all outstanding shares of SPPC's common stock are held by SPR and it is SPR's common stock which is traded on the New York Stock Exchange, SPPC has one series of non-voting preferred stock outstanding and registered under the Securities Exchange Act of 1934 (the Act). As a technical matter, SPPC is thus deemed an "issuer" for purposes of the Act whose officers are required to make filings with respect to beneficial ownership, if any, of those non-voting preferred securities. SPPC's officers, all of whom are currently reporting pursuant to Section 16(a) of the Act with respect to SPR's common stock, have filed reports with respect to SPPC's preferred stock, which reports show no past or current beneficial ownership of such preferred stock.

Section 16(a) Beneficial Ownership Reporting Compliance

Section 16(a) of the Securities Exchange Act of 1934, or the Exchange Act, requires that Directors, officers, and any holders of more than 10% of the Company's common stock file reports with the SEC disclosing ownership of the Company's stock and changes in beneficial ownership. Officers, Directors and 10% stockholders are required by SEC regulations to furnish the Company with copies of all Section 16(a) forms they file.

To SPR's knowledge, based solely on review of the Company's records and written representations by persons required to file these reports, during 2005, all filing requirements under Section 16(a) were complied with in a timely fashion, except that Stephen R. Wood, an officer of SPR, filed on May 6, 2005 a Form 4 for a stock issuance related to restricted stock that had vested, which

report was due on April 8, 2005; each of Roberto R. Denis and Julian C. Leone, officers of the Company, filed on August 11, 2005, a Form 4 for stock issuance related to restricted stock that had vested, which reports were due on July 19, 2005 and June 16, 2005, respectively; each of T.J. Day and Clyde Turner, directors of the Company, filed on February 14, 2006 a Form 5 for stock deemed acquired, which reports were due on June 3, 2005; and each of Carolyn Barbash, Susan Brennan, John Brown, Jeff Ceccarelli, Roberto Denis, Julian Leone, Carol Marin, Donald Shalmy, Mary Simmons, Michael Smart, Stephen R. Wood and Michael Yackira, officers of the Company, filed on February 14, 2006, a Form 4 for options grants; which reports were due on February 9, 2005.

Audit Committee

The Audit Committee consists of the following individuals: Philip Satre, Krestine M. Corbin, Donald Snyder and Clyde T. Turner who are all independent as defined under applicable rules promulgated under the Exchange Act. The Board of Directors of SPR, NPC and SPPC have determined that Audit Committee member Clyde T. Turner is an "audit committee financial expert" as defined by the SEC.

Code of Ethics

SPR, NPC and SPPC have adopted a code of ethics that applies to its Chief Executive Officer, Chief Financial Officer and to its Controller. Printed copies of the code of ethics may be obtained free of charge by writing to SPR's Corporate Secretary at Sierra Pacific Resources, P.O. Box 30150, Reno, NV 89520-3150.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 17, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2007-1 - Levies Assessment for Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road). Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$623,643.30

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

This Bill Levies the Assessment for the installation of pavement, curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights along Hualapai Way and Alexander Road from Cheyenne Avenue to Cimarron Road.

RECOMMENDATION:

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

BACKUP DOCUMENTATION:

Bill No. 2007-1

Minutes:

Recommendation noted.

2/7/2007 Council Agenda

BILL NO. 2007-1

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; 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 (the "City Council" and "City," respectively) in the County of Clark and State of Nevada (the "State"), has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) (the "District"), for the purpose of acquiring and improving local improvements (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 Nevada Revised Statutes ("NRS") Chapter 271; 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 Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$10,048,521.80, of which, \$9,424,878.50 is available from other sources and \$623,643.30 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 Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (the "City Engineer") to make out a final assessment roll for the District; 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 City Engineer Division) made out a final assessment roll for the District 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, December 20, 2006, 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 Project, 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 City Engineer 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 the Project 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, December 20, 2006, 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 for the District to be filed in the records of the office of the City Clerk on November 15, 2006. 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. 1493 Assessment Protest Resolution; and

WHEREAS, by the District No. 1493 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; and

WHEREAS, the owners of certain property to be located within the District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (each an "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

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. 1493 Levy Ordinance" (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 and the Project is

without sufficient merit and the same be, and hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1493 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 the District, 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 the Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on November 15, 2006, and as modified and confirmed by the District No. 1493 Assessment Protest Resolution duly adopted by the City Council on January 3, 2007.

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 twenty (20) 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, 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 April 1, 2007. After the effective date of this Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the

statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of 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 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. 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 March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one 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. February 11, 2007) 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 Treasurer may 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 City Council, from collecting any assessment by suit in the name of the City Council. 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 for the District 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 Clark 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. 1493 – HUALAPAI WAY/ALEXANDER
ROAD (CHEYENNE AVENUE TO CIMARRON ROAD)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1493 Levy Ordinance (the "Levy Ordinance") was duly passed, adopted, signed and approved by the City Council of the City of Las Vegas on February 7, 2007. 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. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the Levy Ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 13, 2007, 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 twenty (20) 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 February 11, 2007 (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 April 1, 2007. After the effective date of the Levy Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of 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 3% the "Index of Twenty Bonds," which shall have been

most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. 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 March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one 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 of the Levy Ordinance.

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 February 11, 2007 (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 February 7, 2007.

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. Ordinance No. 5833, which was finally adopted by the City Council on June 21, 2006, is hereby repealed in its entirety.

Section 15. 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 February 7, 2007, 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. 1493 - HUALAPAI WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; 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 3rd day of January, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 7th day of February, 2007.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 16. 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. 1493 - HUALAPAI
WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON
ROAD) PROVIDING FOR THE PAYMENT OF THE COSTS AND
EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF
THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE
LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID
IMPROVEMENTS; REPEALING ORDINANCE NO. 5833; 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
January 3, 2007, and was passed at a regular meeting held on February 7, 2007, 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
Steve Wolfson
Lois Tarkanian
Steven D. Ross

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after February 11, 2007, 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 _____, 2007.

/s/ OSCAR B. GOODMAN

Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:

/s/ BARBARA JO RONE MUS
City Clerk

Section 17. 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 JANUARY 3, 2007, PASSED, ADOPTED AND APPROVED FEBRUARY 7, 2007.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-20-06
Date

Val Steed

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 (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 January 3, 2007 and finally adopted and approved on February 7, 2007.

2. The following members of the City Council were present at the January 3, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

3. The foregoing Ordinance was first proposed and read by title to the City Council on January 3, 2007, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 7, 2007, 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 February 7, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

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 January 3, 2007 and February 7, 2007. 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) Bulletin Board
City Hall Plaza (next door to Metro Records)
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
- (vi) The City of Las Vegas website

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 January 3, 2007, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on February 7, 2007, is attached to this certificate as Exhibit B.

7. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

8. Upon request, the City Council 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 City Council 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 February 7, 2007.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of January 3, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of February 7, 2007 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)