

ORDINANCE NO. 3258

AN ORDINANCE AMENDING CHAPTER 8.28 OF THE NORTH LAS VEGAS MUNICIPAL CODE REGARDING PERMISSIBLE CONSTRUCTION HOURS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City of North Las Vegas Municipal Code (“NLVMC”) Section 8.28.020(H) generally prohibits noise from the construction, including excavation, erection, demolition, alteration, or repair of any building, streets, and highways between the hours of 9:00 p.m. and 6:00 a.m.;

WHEREAS, during the 2025 (83rd) session of the Nevada Legislature, the Nevada Legislature enacted Assembly Bill 478 on May 27, 2025 (“AB 478”), an act revising the provisions governing construction times in counties and cities;

WHEREAS, AB 478 was approved by the Nevada Governor on June 5, 2025;

WHEREAS, Section 3.5 of AB 478 provides that, if the governing body of a city adopts an ordinance restricting the hours in which construction work may begin, the hours for construction work on any project that is more than 300 feet from an occupied residential unit must be allowed to begin by 5 a.m. during the period beginning on April 1 and ending on September 30 each calendar year; and

WHEREAS, the City desires to amend NLVMC Section 8.28.020(H) to comply with AB 478.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: Section 8.28.020(H) of the NLVMC is hereby amended as follows:

8.28.020 – Prohibited Noise.

The following acts, among others, are declared to be loud, disturbing and unnecessary and as such are unlawful acts in violation of this chapter, but this enumeration shall not be deemed exclusive:

...

- H. The construction, including excavation, erection, demolition, alteration or repair of any building, streets and highways other than between the hours of 6:00 a.m. and 9:00 p.m. except in cases of urgent necessity in the interest of public health and safety and minor construction work not creating a noise disturbance in the neighborhood. If the building official should determine that the public health and safety will not be impaired by the excavation, erection, demolition, alteration or

repair of any building, street or highway within the hours of 9:00 p.m. and 6:00 a.m., and if they shall further determine that loss or inconvenience would not result to any party in interest, they may grant permission for such work to be done between the hours of 9:00 p.m. and 6:00 a.m. upon request being made at the time a permit for the work is granted or during the progress of the work.

1. Exceptions:

In a declarant-controlled common-interest community, construction may begin at, but not earlier than, 5:00 a.m. during the period each calendar year beginning on April 1 and ending on September 30.

The hours for construction work on any project that is more than 300 feet from an occupied residential unit is permitted to begin by 5 a.m. during the period beginning on April 1 and ending on September 30.

2. As used in this section:

a. *Common-interest community* has the meaning ascribed to it in NRS 116.021.

b. *Declarant-controlled common-interest community* means a common-interest community in which the original developer controls a majority of the units.

c. *Residential unit* means a single family residence or an individual residential unit within a larger building, including, without limitation, a condominium, townhouse duplex or other multifamily dwelling. The term does not include a time share or other unit that is subject to the provisions of chapter 119A of NRS.

SECTION 2: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 3: SEVERABILITY. 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 in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 5: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmembers voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS 15th day of October 2025.

AYES: Mayor Goynes-Brown, Mayor Pro Tempore Black, Councilmembers Barron, Garcia-Anderson and Cherchio

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED:

PAMELA GOYNES BROWN,
MAYOR

ATTEST:

JACKIE RODGERS, CITY CLERK