

ORDINANCE NO. 2906

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA AMENDING TITLE 8, CHAPTER 16 OF THE MUNICIPAL CODE ENTITLED "NORTH LAS VEGAS FIRE CODE" BY REPEALING ORDINANCE NOS. 2677 AND 2709, AND BY ADOPTING THE INTERNATIONAL FIRE CODE, 2018 EDITION, BY REFERENCE, WITH THE DELETIONS, MODIFICATIONS, AMENDMENTS, AND SUPPLEMENTS DETAILED IN THE DOCUMENT ENTITLED "NORTH LAS VEGAS FIRE CODE – CODE AMENDMENTS FOR ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE" AS A NEW CHAPTER 92 OF TITLE 15 OF THE MUNICIPAL CODE ENTITLED "NORTH LAS VEGAS FIRE CODE" TO CONFORM THE FIRE CODE IN NORTH LAS VEGAS TO SOUTHERN NEVADA PRACTICES, PROVIDE PENALTIES FOR THE VIOLATION THEREOF, SET FORTH THE FIRE PERMIT AND SERVICE FEES COLLECTED BY THE CITY, AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA DOES ORDAIN:

SECTION 1: Ordinance Nos. 2677 and 2709, which comprise Chapter 8.16 of the North Las Vegas Municipal Code, entitled "NORTH LAS VEGAS FIRE CODE", are hereby repealed in their entireties.

SECTION 2: Title 15 of the North Las Vegas Municipal Code is hereby amended by adding a new chapter, designated as Chapter 15.92, entitled "NORTH LAS VEGAS FIRE CODE", which shall read as follows:

Sections:

- 15.92.010 Short Title.
- 15.92.020 Adoption.
- 15.92.030 Enforcement authority and establishment of the Division of Building and Fire Safety.
- 15.92.040 State Fire Marshal's regulations.
- 15.92.050 Citations.
- 15.92.060 Penalties.
- 15.92.070 Permit and service fees.

15.92.010 - Short title.

A. This chapter is adopted pursuant to North Las Vegas City Charter Section 2.160, subsection 3, and shall be known as the "North Las Vegas Fire Code" and may be cited

as such.

B. Where the designation "International Fire Code" or the abbreviation "IFC" appears in this chapter, it shall be construed as referring to the International Fire Code as adopted by the City Council of the City of North Las Vegas in this ordinance, as recommended by the Fire Chief and the Building Official.

15.92.020 - Adoption.

A. That certain document, one (1) copy of which is on file in the office of the City Clerk of the City of North Las Vegas, Nevada, which is marked and designated as the "International Fire Code, 2018 Edition" published by the International Code Council, together with all tables of contents, definitions, sections, tables, indexes, examples, and appendices, is hereby adopted and made a part of this chapter, the same as if it was fully set forth herein.

B. That certain document, one (1) copy of which is on file in the office of the City Clerk of the City of North Las Vegas, Nevada, which is marked and designated as the "North Las Vegas Fire Code – Code Amendments for Adoption of the 2018 International Fire Code" is hereby adopted and made a part of this chapter, the same as if it was fully set forth herein.

C. Where the phrase "name of jurisdiction" appears in the Fire Code, it shall be construed as referring to the City of North Las Vegas. Where the phrase "AHJ" appears in the Fire Code or corresponding standard, it shall be construed as referring to the City of North Las Vegas as the Authority Having Jurisdiction (AHJ).

15.92.030 - Enforcement authority; establishment of Division of Building and Fire Safety.

The North Las Vegas Fire Code shall be administered and enforced by the Fire Code Official, which is defined in the IFC as the Fire Chief or the Fire Chief's designee. The Fire Code Official has the final decision-making authority on all fire protection and fire code issues impacting the City of the North Las Vegas. The Division of Building and Fire Safety is established within the City of North Las Vegas and is under the management of the Building Official.

15.92.040- State Fire Marshal's regulations.

Pursuant to Nevada Administrative Code 477.280, the Division of Building and Fire Safety of the City of North Las Vegas Department of Land Development and Community Services, under the supervision of the Building Official, shall enforce the regulations adopted by the State of Nevada Fire Marshal.

15.92.050 - Citations.

The Building Official or Fire Code Official or their designees may prepare, sign, and serve written citations on persons accused of violating any provision of the North Las

Vegas Fire Code. Any designated employee issuing a citation pursuant to this section shall comply with the provisions of NRS 171.17751.

15.92.060 - Penalties.

A. Any person who violates any of the provisions of the North Las Vegas Fire Code or standards adopted by this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, or who fails to comply with such an order as affirmed or modified by the Fire Chief, Building Official, Fire Code Official, City Council, or State Fire Marshal, or by a court of competent jurisdiction, within the required time, shall be severally guilty of a misdemeanor, for each and every such violation and noncompliance, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six months or by both fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

15.92.070 - Permit and service fees.

City of North Las Vegas Department of Land Development and Community Services Permit and Service Fee Schedule

I. General.

Purpose. The permit and service fee schedule establishes fees for permits and the associated inspections required in the 2018 edition of the International Fire Code (IFC) as adopted by the City of North Las Vegas by Ordinance 2906, and to establish fees for services performed by the Division Building and Fire Safety of the City of North Las Vegas Department of Land Development and Community Services.

The permit and service fees are intended to offset costs of regulating conditions hazardous to life or property as specified in the North Las Vegas Fire Code.

Definitions. All terms not defined in this schedule have the meanings set forth in the IFC, as adopted by the City Council of the City of North Las Vegas.

General Provisions. The fees outlined in this schedule are to be applied independently of each other. Failure to pay fees within the time period specified on the permit application, work order, or invoice from the City of North Las Vegas is sufficient grounds to withhold a permit or inspection, or to void a previously issued permit.

Federal, state, and local governmental entities are exempt from the payment of permit

and plan check fees. Nonprofit organizations are not exempt from the payment of fees. Where any person conducts an activity or use not specifically mentioned or identified herein, the Building Official or the Fire Code Official shall have the power to require a permit for such activity or use and to classify the activity or use into the permit category it most closely resembles. The determination of permit fees for such activity or use shall be at the sole discretion of the Building Official or the Fire Code Official, based on the fee schedule. Nothing in this section shall be construed to apply to any activity or use specifically covered in any other title of this code.

II. Annual and Temporary Permit, Business License and Associated Inspection Fees.

Permits required by the IFC, as amended by the City of North Las Vegas, shall have associated fees as specified below.

A. Annual and Temporary Permits and Business License Inspection Fees. (See section C for a list of the most commonly required permits.)

1. Annual permits	\$80.00 per category
2. Temporary permits	\$100.00 per category
3. Failure to pay for annual permits within sixty (60) days of permit inspection (fee charged in addition to the initial permit fees)	\$80.00 per category
4. Failure to obtain a required temporary permit (Fee charged in addition to the required permit fee)	\$100.00 per required permit
5. Business license inspection: See permit fees above. If no permits are required, no additional fees are levied.	

B. Re-inspections for Annual and Temporary Permits and Business Licenses.

1. First and second re-inspection to verify correction of deficiencies noted during a business license or permit inspection have been corrected	No fee
2. Third and subsequent re-inspections to verify correction of deficiencies noted during a business license or permit inspection	\$80.00 per inspection

C. Permit Categories. The following categories represent the most common activities requiring a permit. Additional information may be found by referring to the referenced subsection of 105.6 of the International Fire Code, 2018 Edition.

IFC 105.6 Required Permits Subsection

Subsection	Permit	Subsection	Permit
105.6.1	Aerosol Products	105.6.26	Liquid- or Gas-Fueled Vehicles or Equipment in Assembly Buildings
105.6.2	Amusement	105.6.27	LP-Gas

	Buildings		
Subsection	Permit	Subsection	Permit
105.6.3	Aviation Facilities	105.6.25	Lumber Yards and Woodworking Plants
105.6.3	Aircraft Repair Hangar	105.6.28	Magnesium
105.6.49	Automobile Wrecking Yard (Waste Handling)	105.6.29	Miscellaneous Combustible Material Storage
105.6.5	Cellulose Nitrate Film	105.6.52	Monitoring Facilities
105.6.6	Combustible Dust-Producing Operations	105.6.31	Motor Fuel-Dispensing Facilities
105.6.7	Combustible Fibers	105.6.32	Open Burning
105.6.49	Commercial Rubbish-Handling Operations (Waste Handling)	105.6.33	Open Flames and Torches
105.6.8	Compressed Gases	105.6.34	Open Flames and Candles
105.6.9	Covered and Open Mall Buildings	105.6.35	Organic Coatings
105.6.10	Cryogenic Fluids	105.6.36	Outdoor Assembly Event
105.6.11	Cutting and Welding	105.6.37	Places of Assembly
105.6.12	Dry Cleaning Plants	105.6.38	Plant Extraction Systems
105.6.13	Exhibits and Trade Shows	105.6.39	Private Fire Hydrants
105.6.14	Explosives	105.6.53	Proprietary/Self-Monitoring
105.6.15	Fire Hydrants and Valves	105.6.40	Pyrotechnical Special Effects Material
105.6.51	Fire Protection Systems	105.6.41	Pyroxylin Plastics
105.6.14	Fireworks (Explosives)	105.6.42	Refrigeration Equipment
105.6.16	Flammable or Combustible Liquids	105.6.43	Repair Garages
105.6.17	Floor Finishing	105.6.44	Rooftop Heliports
105.6.18	Fruit and Crop Ripening	105.6.54	Special Activity
105.6.19	Fumigation and Insecticidal Fogging	105.6.45	Spraying or Dipping

Subsection	Permit	Subsection	Permit
105.6.20	Hazardous Materials	105.6.46	Storage of Scrap Tires and Tire Byproducts
105.6.21	HPM Facilities	105.6.47	Temporary Membrane Structures and Tents
105.6.22	High-Piled Storage	105.6.48	Tire-Rebuilding Plants
105.6.23	Hot Work Operations	105.6.55	Tire Storage
105.6.24	Industrial Ovens	105.6.56	Wood and Plastic Pallets

III. Hazardous Materials Range Fees.

Facilities storing or using large quantities of hazardous materials are to have their permit fees augmented by the following range table. The range is based on maximum quantities that are stored and/or used at any given time, rounded to the nearest unit of measurement for the substance (gallons for liquids, pounds for solids and cubic feet at NTP for gases). The fees specified in the range table are in addition to the permit category fees above. Range fees for liquids, solids, and gases are to be independent of each other.

Range Calculation Table*

Liquids (Gallons)	Solid (Pounds)	Gases (ft. 3 at NTP)	Fee	Range
0 to 55	0 to 550	1 to 198	No additional fee	0
56 to 499	551 to 999	199 to 1,998	\$80	1
500 to 945	1,000 to 1,999	1,999 to 3,599	\$160	2
946 to 1,835	2,000 to 2,999	3,600 to 6,799	\$240	3
1,836 to 4,499	3,000 to 3,999	6,800 to 16,399	\$320	4
4,500 to 15,179	4,000 to 4,999	16,400 to 34,999	\$400	5
15,180 to 65,580	5,000 to 9,999	35,000 to 53,999	\$480	6
65,581 to 69,999	10,000 to 10,999	54,000 to 73,999	\$560	7
70,000 to 74,999	11,000 to 11,999	74,000 to 79,999	\$640	8
75,000 to 84,999	12,000 to 14,999	80,000 to 89,999	\$720	9
85,000 and up	15,000 and up	90,000 and up	\$800	10

* Underground storage tanks are to be charged ½ of the fee indicated above.

IV. Fees for Other Services. Other services provided by the Division of Building and Fire Safety of the City of North Las Vegas Department of Land Development and Community Services are subject to the fees set forth below

Service	Fee*
Plan Review Fee - Fire Protection Plans	\$100 or the fee as determined by the Building Permit fee in Title 15, whichever is greater**
Plan Review Fee - Building Plans reviewed by Division of Building and Fire Safety	\$100 per permit or any fire specific review fee specified in Title 15, whichever is greater***
Plan Review - Corrections, revisions, and as-built	\$80 per occurrence per permit
Initial inspection for permitted construction	No additional fee
First and subsequent re-inspections to verify correction of deficiencies noted during a construction inspection have been corrected	\$80 per inspection
Second and subsequent inspections due to a partial inspection or partial approval	\$80 per inspection
Same day inspections (requested after 3 pm on previous business day)	\$160 per inspection
Application for Alternate Material or Method or Practical Difficulty	\$80 per application. One request allowed per application.
Consultation regarding projects prior to submission for a building permit and for projects not requiring a building permit	\$80 per hour rounded up to the nearest ½ hour (One 1 hour minimum)
Fire Watch Service	\$80 per hour per inspector. 3 hour minimum+
Unauthorized Construction Fees (Installing a fire system without approved plans)	\$250 or double the permit fee, whichever is greater
Inspection(s) outside of normal business hours.	\$80 per hour per inspector per permit. (3 hour minimum)+
Fire Flow Test	\$80 per test
Technical Report Reviews (Fire and Life Safety Reports, Hazardous Materials Reports, etc.)	\$80 per hour rounded up to the nearest ½ hour (1 hour minimum).
File Search (excluding file search conducted for response to public records request)	\$80 per hour rounded up to the nearest ½ hour (1 hour minimum).
Expedited Plan Review Services	75% the plan review fee as determined by the Building Permit fee in Title 15
Consultation or testimony by any fire personnel in a civil proceeding	\$160 per hour requested

Service	Fee*
Emergency apparatus or unit standby	\$300 per hour, with a 4 hour minimum
Tank Removal or Abandonment	\$80 per tank
First and second re-inspections to verify correction of deficiencies noted during a complaint inspection have been corrected.	No Fee
Third and subsequent re-inspections to verify deficiencies noted during a complaint inspection have been corrected.	\$80 per inspection

*Fees associated with same-day, after hours, and construction re-inspections are to be applied to each inspection associated with a unique permit number.

** \$100 minimum fee does not apply to sprinkler systems in single family residences or duplex

*** \$100 fee does not apply to single family residences or duplexes

+ Total time is to include ½ hour travel to and ½ hour travel from the site.

SECTION 3: 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 4: SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall be held for any reason 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 5: 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 6: 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.

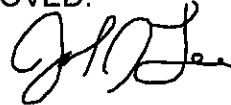
PASSED AND ADOPTED THIS 15th day of August, 2018.

AYES: Mayor Lee, Mayor Pro Tempore Goynes-Brown, Council Members
Barron, Black and Cherchio

NAYS: None

ABSENT: None

APPROVED:



JOHN J. LEE
MAYOR

ATTEST:



CATHERINE A. RAYNOR, MMC
CITY CLERK