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BILL NO. 2011-11

ORDINANCE NO. 6140

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

Sponsored by: Councilman Steven D. Ross Summary: Updates the City's Administrative Code, relating to the administration of the various building and technical codes.

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

SECTION 1: Except as otherwise provided in Section 3 of this Ordinance, the document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition," adopted in LVMC 16.02.010(B), is hereby repealed in its entirety.

SECTION 2: Subject to the provisions of Sections 3 and 4 of this Ordinance, the document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition," which is attached hereto and incorporated by this reference, is hereby adopted and incorporated in LVMC 16.02.010(B).

SECTION 3: The fee tables adopted by Ordinance No. 6110 as part of the document entitled "A Supplemental Document Amending the Uniform Administrative Code, 1997 Edition":

(A) Shall remain in full force and effect; and

(B) Subject to the provisions of Section 4 of this Ordinance, shall serve as the fee tables that are included as part of the document referred to in Section 2 of this Ordinance.

SECTION 4: The fee tables referred to in Section 3 of this Ordinance are amended by adding to Table No. 3-E thereof, in the appropriate location and in the format used in that table, a research and processing fee for large-scale projects in the amount of \$500.

SECTION 5: The Department of Building and Safety is authorized and directed to incorporate into the fee tables referred to in Section 3 of this Ordinance, at the appropriate location, the new fee adopted by Section 4 of this Ordinance.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

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 7: 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 8: 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 6TH day of APRIL, 2011.

18 APPROVED:

19 By 
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:
22 
23 BEVERLY K. BRIDGES, MMC
City Clerk

24 APPROVED AS TO FORM:
25 Valstead 2-16-11
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of March, 2011, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 6th day of April, 2011, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

- VOTING "AYE": Mayor Goodman and Councilmembers Reese, Tarkanian, Ross, Barlow and Anthony
- VOTING "NAY": None
- EXCUSED: None
- ABSTAINED: None
- DID NOT VOTE: Councilmember Wolfson

APPROVED:



OSCAR B. GOODMAN, Mayor

ATTEST:



BEVERLY K. BRIDGES, MMC City Clerk

**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; International Residential Code; Uniform Plumbing Code; Uniform Mechanical Code; National Electrical Code; 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 versions adopted by the City. 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. Except as otherwise provided in this Subsection, any conversion from a residential occupancy to a professional office shall conform to the new construction requirements for a B Occupancy, including without limitation the requirements of the International Building Code, the National Electrical Code, the Uniform Mechanical Code, and the Uniform Plumbing Code. However, a conversion from a residential occupancy to a professional office that meets all the following criteria is exempt from the requirements of the International Building Code for commercial buildings (other than those contained in Chapter 11 and Chapter 34):

1. The building must have a building area of 1500 square feet or less, calculated using the definition of "building area" contained in Section 502 of the International Building Code, but not inclusive of parking garage or carport areas;
2. The conversion must be pursuant to a valid zoning approval; and
3. The conversion must not include expansion of the existing building and must be limited to minor exterior or interior remodeling, or both, that is allowed by the Building Official to be done in order to accommodate the disabled or to comply with zoning requirements.

SECTION 4: Section 103 is hereby amended by deleting the introductory paragraph thereof and replacing it with the following:

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. The American Heritage Dictionary of the English Language, Fourth Edition, copyright 2006, 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.

SECTION 5: Section 103 is hereby amended by deleting the definitions of the terms "Building Code," "Mechanical Code," "Plumbing Code" and "UBC Standards."

SECTION 6: Section 103 is hereby amended by adding thereto, at the appropriate locations, the following terms and corresponding definitions:

BUILDING CODE refers to the International Building Code and the International Residential Code promulgated by the International Code Council, as adopted by the City.

MECHANICAL CODE is the Uniform Mechanical Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by the City.

PLUMBING CODE is the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by the City.

SECTION 7: Section 202 is hereby amended by deleting Subsections 202.1 and 202.6 and substituting therefor new Subsections 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 8: Section 204 is hereby amended by deleting Section 204.1 and 204.2 and substituting therefor a new Section 204.1 and Subsections 204.1.1 through 204.1.5, reading as follows:

204.1 Board of Appeals. The Board of Appeals is created to hear and decide

appeals of determinations made by the Building Official or Fire Marshal relative to the application and interpretation of the technical codes. The Board of Appeals is authorized to hear appeals relating to this Chapter and the technical codes, and to review proposed alternate materials and methods of construction. Members of the Board of Appeals shall be appointed by the Las Vegas City Council and shall serve a term of four years, or until their successors are appointed. Members may be removed from office at any time by a majority vote of the City Council.

204.1.1 Members. The members of the Board of Appeals shall be qualified by training and experience to decide matters pertaining to building construction and building service equipment. The members shall not be employees of the City of Las Vegas. The members of the Board of Appeals shall consist of the following:

1. Two general contractors.
2. One electrical contractor or electrical engineer.
3. Two mechanical/plumbing contractors.
4. One fire protection engineer.
5. One lay member.
6. One architect registered by the State of Nevada.
7. One structural engineer registered by the State of Nevada.

201.1.2 Procedures. The Board of Appeals may adopt rules and procedures for conducting its hearings and investigations. A person (the appellant) who wishes to appeal a determination of the Building Official or Fire Marshal to the Board of Appeals shall submit a written request for appeal to the Building Official or Fire Marshal, as applicable. The Building Official or Fire Marshal, as applicable, shall provide the appellant a copy of the guidelines for preparing an appeal and a copy of any Board-adopted rules and procedures. The appellant is responsible to prepare the written appeal in compliance with the guidelines. In order to provide for timely hearing and resolution of appeals, the Building Official or Fire Marshal shall schedule a hearing before the Board upon a determination of the Building Official or Fire Marshal that a written appeal is in substantial compliance with the Board guidelines for preparing an appeal. In addition to information and evidence submitted by the appellant, information and evidence may be submitted in support of the determination by the Building Official or Fire Marshal. The Board shall issue a written decision based on the evidence presented at the hearing. The decision shall be signed by the chairman of the Board and shall be filed with the Building Official or Fire Marshal, as applicable. A copy of the Board decision shall be delivered to the appellant in person or by U.S. Certified Mail.

201.1.3 Limitation and Scope of Authority. The Board of Appeals shall not have authority relative to the interpretation of the administrative provisions of this Chapter or the adopted administrative provisions of the technical codes, nor shall the Board be empowered to waive any requirements of this Chapter or the technical codes.

201.1.4 Tests. The appellant shall, at the appellant's expense, cause to be performed and produced any tests or research necessary to support appellant's claims before the Board of Appeals and any tests or research as may be required by the Board in its consideration of the claims

of the appellant.

201.1.5 Liability. No member of the Board of Appeals shall be personally liable for any damage that may accrue to persons or property as a result of any good faith act or any good faith act omission in the discharge of the duties specified herein. Any suit brought against the Board or any member thereof resulting from such act or omission performed, or not performed, by a member of the Board acting in an official capacity in the performance of Board duties as specified in this Chapter shall be considered an act of the City of Las Vegas and shall be subject to all applicable immunities and rights conferred by law upon the City of Las Vegas, as well as subject to applicable City of Las Vegas liability self-insurance or insurance coverage.

SECTION 9: Section 301 is hereby amended by deleting Subsection 301.1 and substituting therefor a new Subsection 301.1 and new Subsections 301.1.1 and 301.1.2, reading as follows:

301.1 Permits Required. Except as specified in this Section 301 or in Section 28 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:

1. An additional fee in the amount of the building permit fees chargeable under Section 304 (i.e., double fees); and
2. An investigation inspection fee pursuant to Table No. 3-E, if an inspector or inspections supervisor is sent to inspect the work.

NOTE: Requirements concerning swimming pools and spas are contained in Sections 39 to 44, inclusive, of this Supplemental Document.

301.1.1 Licensing and Contractor 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. Where State law requires that a general contractor be retained for a particular project, the general contractor shall be responsible for acquiring the permits for all the trades to be involved in the work, and shall be responsible for paying all fees associated with the work in accordance with Table Nos. 3-A, 3-B and 3-C. 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. The general contractor and subcontractors must meet all applicable qualifications and requirements described in the technical codes. All building permit applications must include the license number and applicable monetary limits of the general contractor and each

subcontractor.

NOTE: Additional licensing requirements concerning plumbing work are contained in Sections 26 to 33, inclusive, of this Supplemental Document. Additional licensing requirements concerning mechanical work are contained in Sections 34 to 38, inclusive, of this Supplemental Document.

301.1.2 Maintenance. All buildings, structures, pools, spas, signs, and building service equipment, existing and new, and all parts thereof shall be maintained in a safe condition. All devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or his designated agent shall be responsible for the maintenance of buildings, structures, pools, spas, signs and their building service equipment. To determine compliance with this subsection, the Building Official may cause any structure to be reinspected.

SECTION 10: 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.

17. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet.

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 11: 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.

301.3.1 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.

301.3.2 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.

301.3.3 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:

1. Obtain a building permit for a permanent residence to be located on the same lot and for the owner's use;
2. Execute in the City's favor a surety bond or equivalent, in accordance with the provisions of Section 301.3.4 below;
3. Obtain a permit for the temporary placement of the manufactured home or recreational vehicle; and
4. 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.

301.3.4. Surety for Removal. The surety bond required by Section 301.3.3 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):

1. With the City Treasurer, to be refunded upon full compliance with this Subsection; or
2. 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 the preceding sentence is referred to below as cash-in-lieu-of-bond.

301.3.5 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 Sections 301.3.4 and 301.3.5 above. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Section 301.3.

301.3.6 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, the duration of the temporary use shall be in accordance with this Section 301.3 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 Section 301.3.

301.3.7 Enforcement. Enforcement of the provisions of this Section 301.3 shall be in accordance with this Section 301.3.7. Each reference in this Section 301.3.7 to the term "manufactured home" includes a travel trailer or recreational vehicle.

1. 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.

2. Any permit holder or surety who believes that no violation described in Paragraph (1) 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.

3. 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.

4. After the requested hearing, the Building Official may rescind, modify or affirm the order of compliance.

5. 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.

6. 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 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.

7. 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.

8. 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.

9. 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 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.

10. 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.

11. 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.

301.3.8 Adoption of Guidelines. The Department may adopt procedural guidelines to be used in implementing this Section 301.3.

SECTION 12: 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. Except as otherwise provided in this Section 301.6, a separate demolition 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. A demolition permit is not required under this Section for partial demolition work if:

1. The work is to be performed in conjunction with remodeling, alteration, or repair of a structure;
2. Plans for the work have been reviewed, approved, and a permit has been issued by the Building Department for the proposed work; and
3. The demolition work is within the area of the scope of the new work.

SECTION 13: Section 302 is hereby amended by deleting Subsections 302.3 and 302.5, substituting therefor new Subsections 302.3 and 302.5, 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. Electronic submittals will be accepted in accordance with 1) State of Nevada approved guidelines and 2) technological capabilities.

302.5 Inspection and Observation Program. When special inspection is required by Chapter 17 of the International Building Code, the architect or engineer of record shall prepare an inspection program which shall be submitted to the Building Official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Chapter 17 of the International Building Code, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

SECTION 14: 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 approved 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 approved inspection. For purposes of this Section, an "approved inspection" is a complete inspection that is passed for all aspects of the subject of the inspection, and does not include "partial passed" inspections.

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. For each permit extension, an administrative fee in the amount set forth in Table No. 3-D for "Permit Issuance and Administration" shall be charged. The Building Official may extend a permit more than once, at his or her sole discretion. However, no such extension shall exceed a period of 2 years in the aggregate. After 2 years, new permits shall be required with full

fees at each renewal.

Permits shall also expire when corrections which have been required by means of a notice to correct have not yet been completed within 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 request the renewal in writing and pay a new full permit fee.

SECTION 15: 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, including their constituent parts, reading as follows:

304.1 General Provisions.

304.1.1 Fees—Generally. Fees shall be assessed in accordance with the provisions of this Section and the fee tables adopted in connection with this Supplemental Document, as amended by the City Council from time to time. Political subdivisions which by law are exempt from the payment of building permit fees are not exempt from:

1. The plan check fees described in this Section 304;
2. Sewer connection fees; or
3. Any other development-related fee, except to the extent provided by law.

304.1.2 Fee-Related Definitions. For purposes of this Section 304:

1. “New construction” refers to new construction, remodels and additions relating to the occupancies that are listed in Table No. 3-A, as adopted in connection with this Supplemental Document.

2. “Included examination time,” with respect to a project and the fees chargeable in relation thereto, means the amount of time (measured in hours) that the Building Official has estimated as necessary to complete the required review of plans by Building and Safety staff for compliance with applicable codes relating to the issuance of a building permit (plan check). The plan check fees that have been set with respect to any particular type of project are deemed to entitle the developer/contractor/owner of that particular project to a level of effort and service from the Building and Safety Department which reflects the “included examination time.” The estimated hours of plan check time are represented in the base plan check fee (calculated as the product of that number of hours and the applicable hourly rate).

3. “Extraordinary examination time,” with respect to a project and the fees chargeable in relation thereto, means the time necessary to conduct plan check that is in excess of the “included examination time” for that project.

4. “Included inspection time,” with respect to a project and the fees chargeable in relation thereto, means the amount of time (measured in hours) that the Building

Official has estimated as necessary to complete the required inspections of the on-site construction work for completion of the project to a final certificate of occupancy or completion. The fees that have been set with respect to any particular type of permit are deemed to entitle the developer/contractor/owner of that particular project to a level of effort and service from the Building and Safety Department which reflects the "included inspection time." The estimated hours of building inspection time are represented in the base fee (calculated as the product of that number of hours and the applicable hourly rate).

5. "Extraordinary inspection time," with respect to a project and the fees chargeable in relation thereto, means the time necessary to inspect a project that is in excess of the "included inspection time" for that project.

304.2 Plan Check Fees.

304.2.1 New Construction. For new construction, as defined in Subsection 304.1, the base plan check fee for each type of permit shall be the applicable base plan check fee as set forth in Table No. 3-A under the heading "Effective July 1, 2010," determined with reference to the occupancy and the size basis thresholds listed therein. Such base fees, which are subject to adjustment in accordance with Sections 304.2.2 and 304.9, include plans examination to the extent represented in the "included examination time" that has been established by the Building and Safety Department for that project. Additional examination time (referred to as "extraordinary examination time") will be charged in accordance with Table No. 3-E.

304.2.2 Size-Based Adjustment to Base Plan Check Fee. For new construction, as defined in Subsection 304.1, the applicable base plan check fee, determined with reference to the occupancy and the size basis thresholds listed therein, shall be increased, in accordance with Table No. 3-B, by the amount that corresponds to the number of square feet by which the construction exceeds the amount of the applicable threshold base plan check fee, taking into account the applicable construction type listed in the various table columns.

304.2.3 Other Construction. For construction other than new construction, as defined in Subsection 304.1, the plan check fee for each type of permit shall be as set forth in Table No. 3-E under the heading "Effective July 1, 2010". Those fees, which are subject to adjustment in accordance with Section 304.9, include plans examination to the extent represented in the "included examination time" that has been established by the Building and Safety Department for that project. Additional examination time (referred to as "extraordinary examination time") will be charged in accordance with Table No. 3-E.

304.3 Permit and Inspection Fees

304.3.1 New Construction. For new construction, as defined in Subsection 304.1, the base fee for each type of permit and the associated inspections shall be the applicable base fee as set forth in Table No. 3-A under the heading "Effective July 1, 2010," determined with reference to the occupancy and the size basis thresholds listed therein. Such base fees, which are subject to

adjustment in accordance with Sections 304.3.2 and 304.9, include:

1. The fees for the associated mechanical, plumbing and electrical work;
2. Associated structural reviews; and
3. Inspections to the extent represented in the "included inspection time" that

has been established by the Building and Safety Department for that project.

Additional inspection time (referred to as "extraordinary inspection time") will be charged in accordance with Table No. 3-E.

304.3.2 Size-Based Adjustment to Base Fee. For new construction, as defined in Subsection 304.1, the applicable base fee, determined with reference to the occupancy and the size basis thresholds listed therein, shall be increased, in accordance with Table No. 3-C, by the amount that corresponds to the number of square feet by which the construction exceeds the amount of the applicable threshold base fee, taking into account the applicable construction type listed in the various table columns.

304.3.3 Other Construction. For construction other than new construction, as defined in Subsection 304.1, the fee for each type of permit and the associated inspections shall be as set forth in Table No. 3-E. Those fees, which are subject to adjustment in accordance with Section 304.9, do not include necessary structural reviews, which shall be chargeable under Section 304.7, but do include:

1. The fees for the associated mechanical, plumbing and electrical work; and
2. Inspections to the extent represented in the "included inspection time" that

has been established by the Building and Safety Department for that project.

Additional inspection time (referred to as "extraordinary inspection time") will be charged in accordance with Table No. 3-E.

304.3.4 Mechanical/Plumbing/Electrical Work Only. For work that is limited to mechanical, plumbing, or electrical, the fee for each type of permit and the associated inspections shall be as set forth in Table No. 3-D. Those fees, which are subject to adjustment in accordance with Section 304.9, do not include necessary structural reviews, which shall be chargeable under Section 304.7, but do include inspections to the extent represented in the "included inspection time" that has been established by the Building and Safety Department for that project. Additional inspection time (referred to as "extraordinary inspection time") will be charged in accordance with Table No. 3-E.

SECTION 16: Section 304 is hereby amended by adding a new Subsection 304.6.1, reading as follows:

304.6.1 Nonrefundable Fees. Except with respect to fees erroneously collected, the following fees will not be refunded:

1. Administrative issuance fees.
2. Zoning requirement review fees collected on behalf of the Planning and Development Department.

SECTION 17: Section 304 is hereby amended by adding thereto four new subsections, designated as Subsections 304.7, 304.8, 304.9 and 304.10, reading respectively as follows:

304.7 Miscellaneous and Other Fees. The following fees are chargeable to the extent not included elsewhere under applicable fee tables:

1. Administrative issuance fees, which are chargeable under Table Nos. 3-D and 3-E and apply to every permit, in addition to any other charge.

2. Hourly fees for extraordinary examination time and extraordinary inspection time as described in this Section 304 and as set forth in Table No. 3-E.

3. A research and processing fee, as set forth in Table No. 3-E, for certain large-scale projects concerning which permit renewal has been requested. The determination of which projects are subject to this fee shall be made by the Building Official, taking into account the size and complexity of the project.

4. All other fees set forth in Table Nos. 3-E and 3-F.

304.8 Interpretation of Fee Tables. In connection with certain items of work or construction (or combinations of such items), it may be necessary to consult more than one fee table in order to determine the amounts of all applicable fees. The determination of which fee table or fee tables apply in any particular case shall be within the discretion of the Building Official or his designee.

304.9 Fee Increases. Unless otherwise determined by future action of the City Council pursuant to Section 304.10:

1. All fees set forth in Table Nos. 3-A, 3-D and 3-E under the columns "Effective July 1, 2010" shall be increased on July 1, 2012, and on July 1, 2013, respectively, as set forth under the corresponding columns in those Tables; and

2. On those dates, there shall be corresponding percentage-based increases in the amounts set forth in Tables 3-B, 3-C and 3-F.

304.10 Fee Review. Before July 1, 2012, the Building Official shall review the current fiscal performance of the City of Las Vegas Building and Safety Enterprise Fund to determine the need for the fee increases described in Section 304.9. Following the completion of the review, the Building Official will present the results of the review to the City of Las Vegas Building and Safety Enterprise Fund Committee for consideration in accordance with NRS 354.59893. If the Building Official determines that the fee increases are not needed, an appropriate agenda item to remove the increases shall be presented to the City Council for action to do so.

SECTION 18: Section 305 is hereby amended by deleting the first paragraph of the subsection remaining the same:

305.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official, and the construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types

of construction shall have continuous inspection as specified by Chapter 17 of the International Building Code.

SECTION 19: 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 20: Sections 306 and 307 are deleted in their entirety with no substitution.

SECTION 21: 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 22: 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 approved the building or structure for occupancy, either by means of a Certificate of Occupancy or by the approval of a final inspection.

SECTION 23: Subsection 309.3 is hereby amended by adding and the end thereof the following provisions:

Whenever it is determined that an existing building has never been issued a Certificate of Occupancy, the Building Official may require that the following steps be taken in order to determine a minimal level of compliance with the appropriate technical codes:

1. The performance of a site investigation by an appropriate inspector to review the building's compliance with applicable codes in effect at the time the building was constructed.
2. Written notice to the owner, representative, or tenant identifying deficiencies in code compliance and requiring that actions be taken within a specified time to address such deficiencies.

In connection with these steps, the Building Official may also require that the use or occupancy of the building be ceased pending the correction of deficiencies, but only where the Building Official determines that immediate danger to public safety so requires.

Upon correction of the deficiencies, a Certificate of Occupancy will be issued.

SECTION 24: 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 3 days written notice to the owner and occupant.

SECTION 25: Table Nos. 3-A to 3-H, inclusive, are hereby deleted in their entirety, and new Table Nos. 3-A, 3-B, 3-C, 3-D, 3-E and 3-F, which were adopted by Ordinance No. 6110, are incorporated by this reference and are adopted in lieu of the tables hereby deleted.

PROVISIONS RELATING TO THE PLUMBING CODE

SECTION 26: In connection with the administration and enforcement of the Uniform Plumbing Code, as adopted by the City, the provisions which are set forth as Sections 27 to 33, inclusive, of this Supplemental Document are hereby adopted.

SECTION 27: GENERAL PROHIBITIONS AND 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 28: 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 29: 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 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 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 30: 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 31: 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 in the amount of the Permit Issuance and Administration Fee set forth in Table No. 3-D, or 20% of the total connection fee, whichever is less.

SECTION 32: 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 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 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 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 33: FEES.

Fees related to plumbing permits and plumbing work shall be as set forth in Table Nos. 3-A through 3-F.

PROVISIONS RELATING TO THE MECHANICAL CODE

SECTION 34: In connection with the administration and enforcement of the Uniform Mechanical Code, as adopted by the City, the provisions which are set forth as Sections 35 to 37, inclusive, of this Supplemental Document are hereby adopted.

SECTION 35: 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 36: 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 38: FEES.

Fees related to mechanical permits and mechanical work shall be as set forth in Table Nos. 3-A through 3-F.

PROVISIONS RELATING TO THE POOL CODE

SECTION 39: In connection with the administration and enforcement of the Southern Nevada Pool Code, as adopted by the City, the provisions which are set forth as Sections 40 to 44,

inclusive, of this Supplemental Document are hereby adopted.

SECTION 40: EXISTING INSTALLATIONS

A. Any swimming pool/spa or water feature lawfully installed prior to the effective date of this Code may have its existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and no hazard to the public health, safety or welfare has been created by such system.

B. The owner or his designated agent shall be responsible for the maintenance of the swimming pool/spa or water feature in a safe and sanitary condition.

SECTION 41: AUTHORITY TO ABATE

A. Any portion of a swimming pool/spa or water feature found to be unsafe and/or insanitary as defined herein is hereby declared to be a nuisance.

B. Where a nuisance exists or a system is maintained in violation of this Code, the Building Official shall have authority to provide notice of, and require the abatement of, the nuisance in any manner provided by law.

SECTION 42: PERMIT REQUIRED

A. It shall be unlawful for any person to install, remove, repair or replace or cause to be installed, removed, repaired or replaced, any swimming pool/spa or water feature within a building or upon any premises without first obtaining a permit to do such work from the Building Official.

B. A separate permit shall be obtained for each building structure or swimming pool/spa or water feature.

EXCEPTION: A permit is not required for repairs and remodeling which involve only the replacement of component parts of existing work with similar materials and do not affect any structural, electrical, mechanical, or plumbing installations.

SECTION 43: APPLICATION FOR PERMIT

A. A permit application may be made by a person entitled to apply for and receive a permit, on forms provided for that purpose. The application shall include a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The Building Official may require plans, specifications or drawings and such other information as may be deemed necessary before issuance of a permit per Section 101.6 of this Code.

B. An application for a permit for new construction shall be accompanied by plans as required by the Building Official, and in sufficient detail, to include the following:

1. Plot plans dimensioned and drawn to a reasonable scale and showing at least the following:

a. Property lines, easement, right-of-way of record, and overhead utilities over the property adjacent to the pool/spa or water feature.

b. Existing structures, fences, retaining walls, irregular grades, and other relevant characteristics adjacent to the pool/spa or water feature.

c. The proposed pool/spa or water feature shape and type, dimensioned and located to show setbacks, side yards and clearance from existing structures adjacent to the pool/spa or water feature.

d. The proposed mechanical equipment pad location in relation to setbacks and side yards.

e. All diving and deck equipment items if included.

f. The proposed deck work configuration showing its anticipated drainage.

2. A structural plan showing at least the following:

a. The type of construction.

b. The pool/spa or water feature dimensions, including the depth, surface area, and adequate cross-sections drawn to scale.

c. Computations, stress diagrams, and other data sufficient to show the correctness of the plans, including the reinforcing steel schedule and detail, if applicable.

d. Contractor's structural calculations (stamped and signed by a registered engineer) for pools, spas, spa dam walls, raised bond beams, surcharges, waterscape and all other unusual conditions.

e. Detailed drawings of the items listed in (e), which shall be stamped and signed by the engineer of record and show:

i. Plan views.

ii. Cross sections.

iii. Reinforcing steel size.

iv. Reinforcing steel spacing.

v. Thickness of walls.

3. A mechanical plan showing at least the following:

a. The volume, system flow rate in gallons per minute (GPM's), and turnover in hours.

b. The type and size of filtration system and means of waste disposal.

c. The type and size of the pool heater, including the method of venting and provisions for combustion air, if applicable.

d. The pool piping layout and types of material to be used, and showing the location of the main outlet, surface skimmers and inlets.

e. The rated capacity of the pool pump in GPM's at the design head with the size and type of motor indicated and identified as to type of pump.

f. The means of adding make-up water.

g. The size and length from source to heater and routing of gas line, if applicable.

h. The size and location of existing electrical service.

C. If the Building Official determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant are in compliance with this Code, the permit applied for shall be issued upon payment of the required fees.

D. The Building Official shall further require that permits be obtained by the persons responsible for all of the electrical, plumbing, related utility connections and heating work in conjunction with issuance of the building permit for the swimming pool/spa or water feature.

E. All plans and documents submitted shall be on substantial paper and shall show the name and address of the person under whose supervision the documents were prepared.

F. Nothing in this Section or in its implementation shall void or diminish the applicability of any other requirement of any other department or agency having jurisdiction.

SECTION 44: FEES.

Fees related to permits and work under the Pool Code shall be as set forth in Table Nos. 3-B,3-C, 3-D and 3-E.