

CITY OF LAS VEGAS
ADMINISTRATIVE CODE, 2012 EDITION

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Chapter 1

TITLE, SCOPE AND GENERAL

SECTION 101 – TITLE, PURPOSE AND SCOPE

101.1 Title. This document shall be known as the *City of Las Vegas Administrative Code, 2012 Edition*; may be cited as such; and will be referred to herein as “this Code.”

101.2 Purpose. The purpose of this Code is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction and to establish the minimum requirements to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to built environment.

101.3 Source. The source and pattern for many of the provisions of this Code is the Uniform Administrative Code, 1997 Edition, as published by the International Council of Building Officials (ICBO), Copyrights 1994, 1995, 1996 and 1997. That Code was the base code for the City’s Administrative Code for many years, and the City desires to use the provisions of the Uniform Administrative Code as a model, with no intention of infringing on any rights and with full attribution intended. Notice of the City’s intent has been provided to ICBO’s successor, the International Code Council.

101.4 Scope. The provisions of this Code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes, and shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings and structures.

101.5 General. Certain provisions of this Code may be parallel or similar to provisions of the International, International Residential Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code, International Existing Building Code and International Energy Conservation Code or other similar codes 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 sole discretion, in the interest of convenience for the City or the public, to apply the provisions herein or corresponding administrative provisions in any of the above referenced Codes. In the event of any conflict in administrative provisions, the provisions of Section 104 of this Code shall govern, unless otherwise deemed appropriate by the Building Official. Unless otherwise specified, the term “Department”

refers to the City's Building and Safety Department, or such other department as from time to time may be charged with the enforcement of the codes referred to in this Section, and the term "Director" refers to the director of the applicable department.

SECTION 102 – APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102.1 General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all requirements of the technical codes for new facilities, except as specifically provided in this section.

102.2 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and

2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of a building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the Building Official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the Building Official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102.4 Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was in conformance with the codes in effect at the time of original construction or occupancy and provided continued use is not dangerous to life, health and safety.

A change in the use or occupancy of any existing building or structure shall comply with the provision of Section 309 of this Code, Chapter 34 of the International Building Code or the provisions of the International Existing Building Code.

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 inspection 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 compliance with the applicable codes in effect at the time the building was constructed and requiring actions be taken within a specified time to address such deficiencies as approved by the Building Official.

In addition, 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 the immediate danger to the public so requires. Upon correction of the deficiencies, to the satisfaction of the Building Official, a Certificate of Occupancy will be issued.

102.5 Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. 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 owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the Building Official may cause a structure to be re-inspected.

102.6 Moved Buildings. Buildings, structures and their building service equipment moved into or within the City shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment.

102.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building Official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the Building Official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of the City as having special historical or architectural significance.

2. Unsafe conditions as described in this Code are corrected.

3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

102.9 Professional Office Conversions. Owners of single family residential units located within an area zoned by the City for PO (formerly PR) Conversions may be eligible to convert the residence to a commercial office without having to meet all of the requirements for a change of occupancy as dictated by the International Building Code (other than those contained in Chapter 11 and Chapter 34 of the International Building Code). To be eligible, the following criteria must be met:

1. The building must have a building area of 2500 square feet or less, calculated using the definition of "building area" contained in Section 202 of the International Building Code, but not inclusive of parking garage or carport areas. All conversions larger than 2500 square feet shall conform to the new construction requirements for a B Occupancy.

2. No exterior wall of the building shall be closer than 5 feet from a real property line.

3. No part of the roof eaves or overhangs shall be closer than 36" from a real property line.

4. The aggregate area of window, door, wall and vent openings in exterior wall located within 10 feet of a real property line shall not exceed 25% of the facing wall area.

5. All exterior walls of the building within 10 feet of a real property line must have their exterior surfaces, excluding decorative trim, covered with a minimum of 2-coat stucco, brick, brick or stone veneer, concrete masonry units or other non-combustible sheathing material approved by the Building Official.

6. All exterior walls within 10 feet of the real property line must have their interior wall surfaces coated with a minimum of ½" gypsum plaster or ½" drywall.

7. All of the requirements of International Building Code must be met for accessibility, including accessible exterior routes from parking spaces to the interior of the office building. All interior spaces that will serve the public must be provided with an ICC/ANSI 117.1 accessible interior route per the International Building Code Section 1104, including common circulation areas, hallways and doorways. At least one fully accessible restroom must be provided, and must be connected to the accessible interior route. The conversions of 2-story homes are restricted to first floor only conversions. Second story conversions of 2-story homes may be allowed by the Building Official with full compliance of the accessibility standards.

8. All new work performed within the building must meet all of the requirements of the currently adopted technical building codes and amendments.

9. The conversion of the building involves only minor exterior remodeling without the expansion of the existing building.

10. The conversion is subject to a valid zoning approval through the Planning Department and/or City Council.

SECTION 103 – DEFINITIONS

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 2009, 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.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or **ALTERATION** is any construction or renovation to an existing structure other than repair or *addition*.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspections services, when the agency has been approved by the Building Official.

ARCHITECT OR ENGINEER OF RECORD means the Registered Architect or Registered Engineer is responsible for the coordination, continuity, and compatibility of each collaborating design professionals work (when retained by the Architect or Engineer of Record).

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE is the International Building Code and the International Residential Code as promulgated by the International Code Council, as adopted by this jurisdiction. The term Building Code includes any Technical Codes and Reference Codes that have been adopted.

BUILDING, EXISTING is a building erected prior to the adoption of this Code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the Director of the City's Building and Safety Department.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

CODE ENFORCEMENT AGENCY is the City's Department of Building and Safety.

DANGEROUS BUILDING CODE is the *Uniform Code for the Abatement of Dangerous Buildings* promulgated by the International Code Council or its predecessor, as adopted by this jurisdiction.

ELECTRICAL CODE is the *National Electrical Code* promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

ELEVATOR CODE is the safety code for elevators, dumb waiters, escalators and moving walkways as adopted by this jurisdiction or the State of Nevada.

REFERENCE CODES are those codes or standards adopted by reference in either the Building Codes or Technical Codes.

JURISDICTION, as used in this Code, is a state or political subdivision which adopts this Code for administrative regulations within its area of authority.

LISTED and **LISTING** are terms referring to equipment, materials, products or services included in a list published by an organization acceptable to the code official and concerned with evaluation of products or services that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services and whose listing states either that the equipment, material, product or service meets identified standards or has been tested and found suitable for a specified purpose.

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

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

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the Building Official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators, or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

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

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this Code, is mandatory.

STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at the completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Section 305.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment herein defined, including but not limited to the adopted codes for plumbing, mechanical, electrical, energy conservation, etc. The technical codes definition includes those adopted building codes by definition and any adopted reference codes by definition.

TECHNICAL OFFICERS refer to those individuals employed by the Building and Safety Department for the purposes of plans examination, plans examination supervisor, inspectors, inspection supervisors, managers and other department employees designated by the Building Official to enforce the provisions of this Code and the technical codes.

VALUATION or VALUE, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs.

SECTION 104 – CONFLICTING PROVISIONS

104.1 GENERAL. When conflicting provisions or requirements occur between this Code, the technical codes and other codes or laws; the most restrictive shall govern.

When conflicts occur between the adopted technical codes governed by these administrative provisions, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety, or fire safety are not involved, the most restrictive provision shall govern.

Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

104.2 REFERENCED CODES AND STANDARDS. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of the adopted technical codes governed by these provisions, the requirements and/or provisions of this and the adopted technical codes governed by these provisions shall take precedence over the provision in the referenced code or standard.

104.3 OTHER LAWS. The provision of this Code and the adopted technical codes shall not be deemed to nullify any provisions of local, state or federal law.

104.4 PARTIAL INVALIDITY. In the event any part or provision of this Code or the adopted technical codes is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions of this Code or adopted technical codes.

SECTION 105 – ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION

The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes provided an alternate has been approved and its use authorized by the Building Official.

The Building Official may approve an alternate, provided the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety, sanitation and energy efficiency. Compliance with the specific performance-based provision of the adopted technical codes, in lieu of the specific requirements of those codes may also be permitted as an alternative material, method of design or method of construction.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate the claims that may be made regarding the use of an alternative material, design method or method of construction. The details of an action granting approval of an alternate shall be recorded and entered into the files of the code enforcement agency. The Building Official may approve the alternative material, design or method of construction with any conditions the Building Official deems appropriate to ensure performance of the alternate and provide a rational nexus to the suitability, strength, effectiveness, fire resistance, durability, safety, sanitation and energy efficiency of the use of the alternate material, method of design or method of construction or specific provisions of the adopted technical codes.

SECTION 106 – MODIFICATION

Wherever there are practical difficulties involved in carrying out the provisions of the technical codes, the Building Official may grant modifications for individual cases. The Building Official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and fire safety requirements or any degree of structural integrity. The details of actions granting modifications, including any conditions of approval, shall be recorded and entered in the files of the code enforcement agency.

SECTION 107 – TESTS

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes or in order to substantiate claims for alternative materials or methods of design and construction, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. All costs of the required tests shall be paid by the owner or the owner's authorized representative.

Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall determine test procedures. Should the results of the tests exceed the expertise of the Building Official, the Building Official may require the owner or owner's representative to pay the cost of a third-party selected by the Building Official to conduct an independent review of the test results.

Tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

Chapter 2

ORGANIZATION AND ENFORCEMENT

SECTION 201 – AUTHORITY

201.1 Creation of the Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the Building Official.

201.2 General. Whenever the term or title “administrative authority,” “responsible official,” “Building Official,” “chief inspector,” “code enforcement officer,” “code official,” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the Director of the Building and Safety Department.

SECTION 202 – POWERS AND DUTIES OF BUILDING OFFICIAL

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, regulations and guidelines, policies and procedures 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 adopted technical codes.

202.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The Building Official may deputize and authorize such technical officers, inspectors or employees as may be necessary to carry out the functions of the code enforcement agency as prescribed in this Code, the adopted technical codes and referenced codes and standards.

202.3 Right of Entry. When necessary to make an inspection to enforce any of the provisions of this Code and the technical codes, or when the Building Official, designated technical officers, inspectors or other employees has reasonable cause to believe that there exists in any structure, building or upon a premises a condition which is contrary to or in violation of this Code which makes the structure, building or premises unsafe, dangerous or hazardous, the Building Official, designated technical officers, inspectors, or other employees may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this Code, provided that if such structure, building or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure, building or premises be unoccupied, the Building Official or designees shall first make a reasonable effort to locate the owner or other

persons having charge or control of the structure, building or premises and request entry. Should entry be refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

202.4 Identification. The Building Official and all employees of the Department shall carry proper identification when inspecting structures or premises in the performance of their duties.

202.5 Stop Work Orders. Whenever the Building Official finds that any work is being done contrary to the provisions of this Code, the technical codes, or other pertinent laws or ordinances implemented through the enforcement of this Code or is dangerous or unsafe, the Building Official is authorized to order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop the work until authorized by the Building Official to proceed with the work. Any person who shall continue any work or authorize the continuation of any work in or about the structure after having been served with a stop work order, except such work as that person has been directed by the Building Official to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

202.6 Use and Occupancy. No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has approved the building or structure for occupancy, either by means of a Certificate of Occupancy or Temporary Certificate of Occupancy (per Section 309 of this Code), or by the approval of a final inspection. The issuance of a Certificate of Occupancy, Temporary Certificate of Occupancy or a final inspection shall not be construed as an approval of a violation of the provisions of this Code, the adopted technical codes, reference codes or any ordinances or requirements of this jurisdiction.

202.7 Changes in Use. Changes in the character or use of a building shall not be made except as specified in either Chapter 34 of the International Building Code and/or the International Existing Building Code, as adopted and amended by the City, or through the issuance of proper building or technical permits and the approval of a Certificate of Occupancy, Temporary Certificate of Occupancy or a final inspection by the Building Official.

202.8 Occupancy Violations. When a building, structure, premises or building service equipment therein regulated by this Code and the technical codes is being used contrary to the provisions of such codes or in a dangerous or unsafe manner, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice. Such person shall also make the structure, building, premises or building service equipment or portion thereof; comply with the requirements of such codes within the time prescribed by the Building Official. The Building Official may revoke or suspend the Certificate of

Occupancy for a building occupancy in violation of this Code and/or the technical codes per Section 309.6 of this Code.

202.9 Authority to Disconnect Utilities. The Building Official or his authorized representative shall have the authority to require or authorize the disconnection of 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 an informal hearing before the Building Official shall first be afforded the owner and occupant.

202.10 Authority to Condemn Building Service Equipment. When the Building Official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become insanitary, the Building Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the Building Official shall institute appropriate action to prevent, restrain, correct or abate the violation.

202.11 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

202.12 Liability. The Building Official charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the Building Official or employee because of such act or

omission performed by the Building Official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from, shall be assumed by this jurisdiction.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspection authorized by this Code or permits or certificates issued under this Code.

202.13 Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this Code or other pertinent laws or ordinances.

202.14 Substantial Compliance Standard. In the enforcement of the specific provisions of this Chapter and the technical codes, the Building Official is authorized to grant minor variations from the strict application of the specific code provisions where, in the opinion of the Building Official, the work is in substantial compliance with the intent of the adopted codes and standards and these minor variations are warranted with no detriment to public safety.

SECTION 203 – UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purposes of this section, unsafe buildings. The Building Official may require any reports, tests, engineering studies or other documentation they may deem necessary to determine the adequacy of the safety of a building or structure. The requirements of the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended shall also be used to determine the adequacy of the safety of a building or structure. Any engineering, testing, studies, reports, etc. required by the Uniform Code of the Abatement of the Dangerous Buildings or by the Building Official shall be done at no expense to the Building Department or local jurisdiction. Costs of any engineering, testing, studies, reports, etc. shall be paid by the owner or the owner's representative. Should the evaluation of such engineering, tests, studies, reports, etc. exceed the expertise of the Building Official, the Building Official may require the owner or owner's authorized representative to pay the cost of a third-party selected by the Building Official to conduct and independent review of the results.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an unsanitary condition, or is otherwise dangerous to human life, for the purpose of this section, is unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members, which are supported by, attached to, or a part of a building which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 204 – BOARD OF APPEALS

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, except as provided in the following sentence, shall serve a term of four years, or until their successors are appointed. With regard to the initial board membership, four members shall be appointed to three-year terms and the remainder to four-year terms. No member may serve more than two consecutive full terms. If a person was appointed to fill an unexpired term of more than two years, the person shall be deemed to have served a full term in filling that unexpired term. Members may be removed from office at any time by a majority vote of the City Council. Members shall serve without compensation. No member shall sit in judgment regarding any matter concerning which the member has a direct financial interest.

204.2 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, including matters pertaining to fire protection systems and hazards of fire, explosion and other hazardous conditions. The members shall not be employees of the City, although the Building Official and Fire Marshal shall serve in an advisory capacity as ex-officio, non-voting members. The voting members of the Board of Appeals shall consist of the following:

1. Two general contractors;
2. One electrical contractor or electrical engineer;
3. One mechanical or plumbing contractor;
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; and
8. One fire protection system contractor.

204.3 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.

204.4 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.

204.5 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 investigation of claims of the appellant.

204.6 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 and shall be subject to all applicable immunities and rights conferred by law upon the City, as well as subject to applicable City liability self-insurance or insurance coverage.

204.7 Fees. In connection with any appeal under this Section 204, the appellant shall pay the applicable fees as set forth in the Fee Tables adopted under Section 304 of this Code, as adopted by the City.

204.8 Appeals under the Fire Code. The Board of Appeals may function as the Board of Appeals under Section 108 of the International Fire Code (IFC), as adopted by the City. When functioning as such, the Board of Appeals shall follow and be subject to the rules and procedures that govern under, or have been adopted pursuant to, the IFC. Appeals taken under the IFC shall be subject to all applicable rules, limitations, procedures and fees that have been adopted under the IFC.

SECTION 205 – VIOLATIONS

205.1 VIOLATIONS. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this Code and the technical codes.

205.2 NOTICE OF VIOLATION. The Building Official is authorized to serve a notice of violation, notice of correction, or a notice and order on the person responsible for the erection, construction, alteration, extension, repair, moving, demolition or occupancy of a building or structure in violation of the provisions of the adopted or referenced technical codes, the Uniform Code for the Abatement of Dangerous Buildings, International Property Maintenance Code, Uniform Housing Code or in violation of a detail statement or a plan approved thereunder or in violation of permit or certificate issued under the provisions of this Code, or adopted technical codes. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

205.3 PROSECUTION OF VIOLATION. If the notice of violation is not complied with in the time prescribed by such notice, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or the adopted technical or of the order or direction made pursuant thereto.

205.4 VIOLATION PENALTIES. Any person who violates a provision or fails to comply with any of the requirements of this Code or the adopted technical codes or who erects, constructs, alters, demolishes, alters or repairs a building or structure in violation of the approved construction or demolition documents or directive of the Building Official or of a permit or certificate issued under the provisions of this Code shall be subject to the penalties as prescribed by law.

Chapter 3

PERMITS AND INSPECTIONS

SECTION 301 – PERMITS

301.1 Permits Required. Except as otherwise specified in this Section 301 and Section 402, no owner or authorized agent shall cause any new building, structure, building service equipment or onsite improvement regulated by this Code or any of the technical codes to be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, change the occupancy of any existing building or structure or erect, install, enlarge, alter, repair, remove, convert or replace any existing electrical, gas, mechanical, or plumbing system, which the installation of is regulated by this Code or cause any such work described above to be done unless a separate, appropriate permit for each building, structure, building service equipment or onsite improvement has first been obtained from the Building Official.

If work is commenced before a necessary and appropriate permit for the work has been obtained, the Building Official is authorized to charge an additional fee in the amount of the building permit fee on a graduated scale with double fees as a minimum depending on the number of offences. If an inspector or Inspections Supervisor is required to inspect a site, an Investigation Fee shall be charged per Table No. 3-E Fee #107 in addition to the additional graduated permit fees. The graduated scale shall be as follows:

1st offense – Double Permit Fees plus an Investigation Fee

2nd offense – Up to Triple Permit Fees plus an Investigation Fee, the department will send a notice of complaint to Nevada State Contractor's board

3rd and subsequent offenses – Up to Quadruple Permit Fees plus an Investigation fee, the department will send notice of complaint to Nevada State Contractor's Board and refer the case to Code Enforcement for citation to appear in court.

301.2 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 general contractor or applicant is appropriately licensed by the State of Nevada and is licensed to do business within the City. A general contractor or design professional licensed by the State of Nevada 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 or licensed design professional. Contractor and subcontractors shall meet all applicable qualifications and requirements described in the technical codes. Applications for all building permits shall include the design professional's and/or contractor's license number, monetary limits, and licensed subcontractors and monetary limits.

NOTE: Additional licensing requirements concerning plumbing work are contained in Chapter 4, Sections 401 to 407, inclusive, of this Administrative Code. Additional licensing requirements concerning mechanical work are contained in Chapter 5, Sections 501 to 504, inclusive, of this Administrative Code.

301.3 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, facility or service equipment to be re-inspected.

301.4 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 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. 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. Temporary platforms erected for a period not to exceed 30 days that are less than 48 inches above the adjacent grade or floor surface.

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: For the purpose of this permit exemption, where a shed is to be constructed in a location that requires wall and opening protection for non-permit exempt buildings and structures, the shed shall be separated a distance from the non-permit exempt building or structure a distance equal to the distance required for unprotected wall and opening protection for the non-permit exempt building or structure.

18. Special Events. Required permits and permit exemptions applicable to special events shall be as specified in the policy document titled "Special Events Permits" developed and administered by the Building Official.

19. Temporary grandstands, bleachers, viewing platforms, and similar uses mounted on, or attached to, motor vehicles or trailers (including stairs, ramps and similar access features serving such motor vehicles or trailers) used in conjunction with special events. Where deemed appropriate by the Building Official, reference shall be made to the policy document titled "Special Events Permits" developed by the Building Official.

20. Tents and canopies erected for a period of 30 days or less.

21. Temporary fences erected for a period of 30 days or less.

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.

301.5 Manufactured Housing, Travel Trailer and Recreational Vehicle Permits.

1. Manufactured Housing Installations (R-MH or R-MHP District). Manufactured Housing installations are under the jurisdiction of the Nevada State Department of Business and Industry. The units shall bear a seal from a recognized approval agency.

2. Travel Trailers or Recreational Vehicles (R-MH or R-MHP District). Travel trailers or recreational vehicles are under the jurisdiction of the Nevada State Department of Business and Industry.

3. Temporary Residential Use Pending Construction. Nothing in this Code or the technical codes shall be deemed to prohibit any owner of a lot or parcel of land from parking his own manufactured home or recreational vehicle thereon and living therein. Before placing or parking the manufactured home or recreational vehicle, the owner must:

a. Obtain a building permit for a permanent residence to be located on the same lot and for the owner's use;

b. Execute in the City's favor a surety bond or equivalent, in accordance with the provisions of Paragraph (4) below:

c. Obtain a permit for the temporary placement of the manufactured home or recreational vehicle; and

d. Provide the proper sanitary facilities in the manner required by the Southern Nevada Health District.

The period of occupancy may not exceed one year after the permit for temporary placement is issued. Upon written request, the Building Official may grant a single extension of time of up to six months.

4. Surety for Removal. The surety bond required by this Subsection shall be in the amount of two thousand dollars (\$2,000.00), shall secure the removal of the manufactured home or recreational vehicle, and shall be conditioned upon the owner's maintaining in force a valid building permit during the entire time the manufactured home or recreational vehicle is in place. As an alternative to the surety bond, the owner may deposit the sum of one thousand dollars (\$1,000.00):

a. With the City Treasurer, to be refunded upon full compliance with this Subsection; or

b. With a financial institution, provided that the owner, the City and the financial institution have entered into a security agreement that is acceptable to the City Attorney. The arrangement described in this Subparagraph (b) is referred to below as cash-in-lieu-of-bond.

5. Temporary Placement for Contractor/Security Purposes. Nothing in this Code or the technical codes shall be deemed to prohibit the temporary placement of a manufactured home or travel trailer for the use of a contractor engaged in construction work on the same parcel of land. In addition, a manufactured home or travel trailer may be temporarily placed upon any commercially zoned lot or parcel of land to be used for

security purposes when approved by the Building Official. Any placement of a temporary manufactured home or travel trailer for the purpose of living there shall be subject to the requirements concerning installation, permitting, bonding, and time limits as set forth in Paragraphs (3) and (4) above. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Sub section.

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. 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. Any such manufactured home or travel trailer shall be properly installed and maintained in accordance with this Subsection.

7. Enforcement. Enforcement of the provisions of this Subsection 301.3 shall be in accordance with this Paragraph (7). Each reference in this Paragraph (7) to the term "manufactured home" includes a travel trailer or recreational vehicle.

a. Whenever the Building Official or his designee finds that a manufactured home has remained on the permit holder's property for a period in excess of the limits specified above, he may issue a written notice and order to comply to the principal and to any surety on the bond. Notice to the principal is sufficient if sent by certified mail, return receipt requested, to the address provided by the principal on the application for the permit. The notice and order shall state the estimated cost of removal, and provide that if the manufactured home is not removed within (30) days from the date of notice, the bond shall be forfeited.

b. Any permit holder or surety who believes that no violation described in Paragraph (7) (a) above has occurred may, within 15 days after the date of the notice and order, apply in writing to the Department for a hearing. The Department shall forthwith set a date for said hearing, with at least five days written notice to the requesting party. The hearing shall be conducted by the Building Official or his designee.

c. The compliance order shall be stayed from the date a timely hearing request is received by the Department until a decision is rendered by the Department, and by the City Council in the event of a timely appeal of the Department's decision.

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

e. Within ten days after the date the Department's decision is rendered, the permit holder or surety may, if dissatisfied, appeal to the City Council by filing a written notice of appeal with the Department.

f. Upon receipt of an application from the person required to remove the manufactured home and an agreement by such person to comply with the order if allowed additional time, the Building Official or his designee may, at his discretion, grant an extension of time, not to exceed an additional one hundred and eighty (180) days, within which to remove the manufactured home. The Building Official or his designee's authority to extend time is limited to the removal of the manufactured home and shall not in any way affect the time to appeal the notice and order.

g. After receipt of a notice and order to comply, the surety must, within the time limits specified above, either cause the manufactured home to be removed or pay over to the Department the cost of removal after said manufactured home is removed by the Department. The Building Official or his designee may proceed by such mode as is deemed convenient to cause the manufactured home to be removed. The Building Official or his designee may, in accordance with City contracting procedures, hire a private contractor to remove manufactured home.

h. If a cash bond has been posted, notice of default as provided shall be given to the principal, and if the compliance is not obtained within the time limits specified, the Building Official or his designee may proceed without further notice to use the cash deposit or any portion of such deposit to cause the manufactured home to be removed, by contract or otherwise. The balance, if any, of such cash deposit shall, upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

i. If cash-in-lieu of bond has been deposited, the notice of default shall be given to the principal, and if the compliance is not obtained within the thirty (30) days specified, the Building Official or his designee may withdraw the deposited funds and use them to cause the manufactured home to be removed by contract or otherwise. The balance, if any, shall upon the completion of the work, be returned to the depositor or to his successors or assignee after deducting the cost of the work.

j. In any instance where the Building Official or his designee has caused a manufactured home to be removed, such manufactured home may be placed in storage at any location within Clark County, Nevada, and all costs of that storage shall be borne by the owner of such mobile home upon reclaiming the manufactured home. Upon the owner's failure to pay storage costs, such manufactured home may be sold in accordance with NRS Chapter 108.

k. Any costs in excess of the forfeited bond amounts shall be charged to the principal. Where the full amount due to the City is not paid by the principal within 60 days after the City has removed the manufactured home, the Building Official or his designee may request the City Attorney to commence appropriate legal proceedings to obtain payment.

8. Adoption of Guidelines. The Department may adopt procedural guidelines to be used in implementing this Subsection 301.5.

301.6 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.

301.7 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 Building Inspections Supervisor 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 Conservation 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.

301.8 Demolition Permits. A separate permit is required for each building, address or suite at which demolition is to occur. Any sewer investigation permit which is required must be obtained prior to the issuance of a demolition permit. Exception: A demolition permit is not required for partial demolition work performed in conjunction with remodeling, alteration, or repair of a structure for which plans have been reviewed, approved, and a permit has been issued by the Building Department for the proposed work. The demolition work must be within the area of the scope of the new work.

301.9 Change of Occupancy. A permit application for a change of occupancy shall include the following:

1. A plot plan drawn to scale;
2. A floor plan drawn to scale;
3. A code analysis prepared by a State of Nevada recognized design professional;
4. A description of work, if any, required to bring the building or structure into compliance with the proposed new occupancy classification.

The normal hourly plan examination fee shall be assessed for examination of the above listed documents.

SECTION 302 – APPLICATION FOR PERMIT

302.1 Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the code enforcement agency for that purpose. Each such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or by the applicant's authorized agent.
7. Give such other data and information as may be required by the Building Official.

302.2 Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that State law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the State to practice as such even if not required by state law.

EXEMPTION: The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code or the technical codes.

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 per State of Nevada approved guidelines and technological capabilities of the Department.

302.4 Architect or Engineer of Record.

302.4.1 General. When it is required that documents be prepared by an architect or engineer, the Building Official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all the duties required of the original architect or engineer of record. The Building Official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to

perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for continuity and compatibility with the design of the building.

302.5 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of application and which are to be submitted to the Building Official within a specified period.

Deferral of any submittal items shall have prior approval of the Building Official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the Building Official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

302.6 Inspection and Observation Program. When the special inspection 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 303 – PERMITS ISSUANCE

303.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Building Official. Such

plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the Building Official shall issue a permit therefor to the applicant.

When the permit is issued where plans are required, the Building Official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specification shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building, structure or building service equipment before all of the plans and specifications for the entire building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building, structure or building service will be granted.

303.1.1 Plan Review in the Case of Code Updates. Plan review for repetitive plans reviewed under a particular edition of the International Building Code or International Residential Code is valid for the period during which that edition is in effect. Plans must be resubmitted within 6 months after the adoption of a more recent edition of either Code, as applicable. Plan review for non-repetitive plans is valid for 6 months after approval. Unless permits are issued within that period, plans must be re-reviewed under the then-current International Building Code or International Residential Code, and new plan review fees paid. For purposes of this Section, “repetitive plans” refer to model building plans for a dwelling or other building from which two or more buildings are to be built without substantial modifications, as determined by the Building Official, where model building plans are submitted by any one building contractor during the period of time in which the Code edition under which the plans were approved by the Building Official are in effect.

303.2 Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

303.3 Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate

or cancel the provisions of this Code of other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

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. A qualifying 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. An administrative fee as specified in the adopted fee schedule will be charged for permit extensions. 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 two (2) years. After two (2) years, approval of new permits shall be required with full fees paid each renewal period until the permit has received final inspection.

In order to renew action on a permit after expiration, the permittee shall request the renewal in writing. Permits that have not expired but the expiration is eminent and the contractor has requested an extension of time may be renewed in accordance with the provisions of this section. The written request to renew shall include a justification for the extension and proposed timeline for completion of the project. An administrative fee in accordance with the Department’s adopted fee schedule, subject to labor cost increases, will be charged for each permit issued for the project that does not have an approved final inspection.

Permits that have not had a valid (approved or partial) inspection or work, has not begun within the prescribed 180 days or a previous permit extension has expired and a written request has been submitted for renewal with a justification and schedule for completion of the project may be renewed

A. If the request occurs more than 180 days or less than 1 year from the issuance date or last valid inspection. The renewal fee will be ½ of the original permit

fees assigned to the Building and Safety Department plus an administrative fee in accordance with the Department's adopted fee schedule, subject to labor cost increases, will be charged for each permit issued for the project that does not have an approved final inspection.

B. If the permit renewal request occurs 1 year or more from the issuance date of the permit or last valid inspection, the renewal fee shall be for full building permit fees assigned to the Building and Safety Department plus an administrative fee in accordance with the Department's adopted fee schedule, subject to labor cost increases, charged for each permit issued for the project that does not have an approved final inspection.

Large projects that are determined to require extensive information and research to determine the renewal of the associated permits shall be charged a "Research and Processing Fee," in accordance with the adopted fee schedule of the Department in addition to the renewal fees above. The determination of the need for this fee will be based upon size, cost, and complexity of the project. The information required for the administrative assessment for this fee shall include the following:

- A. Permit Number
- B. Issue Date
- C. Valuation
- D. Status
- E. Fees Paid
- F. Last Inspection Date
- G. Number of inspection approved (completed or performed)
- H. Projected number of inspections to complete the project
- I. Expiration date
- J. Labor cost/CPI increase
- K. Any other information determined necessary by the Building Official for renewal

Projects that have not progressed for a period of 2 years or more may require, at the discretion of the Building Official, additional evaluation and consideration prior to the issuance of any permit to commence work. The additional evaluation may include, but is not limited to, a structural investigation and analysis by a State of Nevada Licensed Structural Engineer for the integrity of the structural components of the building in its current state, destructive testing of certain concrete or masonry work associated with the building, soil compaction testing for settlement, evaluation of steel structural elements both within the existing structure and stored on-site, evaluation of mechanical, electrical and plumbing systems by appropriate licensed professionals, and any other investigations and reports that the Building Official deems necessary to ensure the safety of the anticipated completion of the building. The owner shall pay all costs incurred to the Building and Safety Department in reviewing the required evaluations, investigations and reports.

303.5 Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code and the technical codes when the permit is issued in error or on basis of incorrect information supplied, or in violation of any ordinance or regulation or the provisions of these codes.

304 FEES

304.1 General. Fees shall be assessed in accordance with the provisions of this Section and the fee schedules adopted in connection with this Administrative Code 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 examination 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 the purposes of this Section:

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 Administrative Code.

2. “Included examination time,” with respect to a project and the fees chargeable in relation thereto, means the amount of time (measured in hours and minutes) that the Building Official has estimated as necessary to compete the required review of plans by Building and Safety staff for compliance with applicable codes relating to the issuance of a building permit (plan examination). The plan examination 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 examination time are represented in the base plan check fee (calculated as the product of that number of hours and 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 time (measured in hours and minutes) 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 and minutes 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.

6. “Substantial redesign” with respect to a project and the fees should a project be resubmitted that has been substantially redesigned as determined by the Building Official. The project shall be charged an additional full plan examination fee. Project may be required to pay extraordinary examination time should the review exceed the included examination time.

304.2 Plan Examination Fees

304.2.1 New Construction. For new construction, as defined in Subsection 304.1, the base plan examination fee for each type of permit shall be the applicable base plan examination fee as set forth in Table No. 3-A, 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 Examination 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 threshold 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 examination 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 examination fee for each type of permit shall be as set forth in Table No. 3-E. 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.

304.2.4 General Requirements

1. No separate plan examination fee shall be charged for repetitive permits for electrical, mechanical or plumbing work when all permits (building, electrical, mechanical, and plumbing) are sought on one application. When separate permits by trade area are requested, plan examination fees for electrical, mechanical and plumbing work for each permit shall be as set forth in the Notes to Table No. 3-D.

2. The plan examination fee for grading work shall be as set forth in Table No. 3-E.

3. If two or more buildings (residential dwellings) are to be built from a single model building plan without substantial modifications, as determined by the Building Official, and the model building plan is submitted by a building contractor while the Building Code under which the plans were approved by the Building Official are in effect, then:

a. The plan examination fees for each model building plan shall be charged per Table No. 3-B, plus an administrative fee in the amount specified in the adopted fee schedule.

b. An additional issuance fee for each subsequent use of that model plan (tract house) shall be paid, in the amount of an administrative fee specified in the adopted fee schedule.

4. The plan examination fees described in this Subsection 304.2 are separate and in addition to the permit fees described in Subsection 304.3 of this Section.

5. Where plans are incomplete or are changed so as to require additional plan examination, an additional plan examination fee shall be charged at the rate shown in Table No. 3-B and Table No. 3-E.

6. Where a permit has been issued, and subsequently the builder, owner or representative requests a change in the plan which would require the preparation of new permit documentation, along with any addition plan examination fees, an additional administrative fee shall be charged in the amount as specified in the adopted fee schedule.

304.2.5 Expiration of Plan Examination. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevent action from being taken. An application shall not be extended if this Code or any other

pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on any application after expiration, the applicant shall resubmit plans and pay a new plan examination fee.

Plan examination for repetitive plans is valid for the period during which the Building Code under which plans were reviewed is in effect. Plans must be resubmitted within 6 months after the adoption of a more recent edition of the Building Code. A separate effective date may be established for the adoption of a recent edition of the technical codes, however, the above submittal requirement for plans to be resubmitted shall be required in order to allow for permits to be issued under the more recent edition upon the effective date.

304.3 Permit Fees. The fee for each permit shall be provided in set forth in Table Nos. 3-A through 3-F, as adopted in connection with this Administrative Code and amended by the City Council from time to time.

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, 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 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 increase, 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 inspection 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 inspection 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.

304.5 Investigation Fees: Work without a Permit.

304.5.1 Investigation. Whenever work for which a permit is required by this Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

304.5.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in Table No. 3-E. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this Code or the technical codes nor from the penalty prescribed by law. Additional building permit fees as outlined in Section 301.1 of this Administrative Code may be imposed by the Building Official.

304.6 Fee Refunds. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee or designer not later than 180 days after the date of payment, except as described below. Administrative issuance fees and Zoning requirement review fees collected on behalf of the Planning Department shall not be refunded.

304.7 Plan Examination Fees. The Building Official may authorize the refunding of not more than 80 percent of the plan examination fee paid when no plan examination time has been expended on the application other than processing. The Building Official shall not authorize the refunding of any plan examination fee when any examination time has been expended.

304.8 Building Permit Fees. The Building Official may authorize refunding of not more than 80 percent of any building or technical permit fee paid when no work has been done or before any inspection time has been expended under a permit issued in

accordance with this Code and when the request for a refund is received within 180 days of the payment of any permit fees. The Building Official shall not authorize the refunding of any fee paid when work has been performed or any inspection time has been expended.

304.9 Fee Increases. Unless otherwise determined by future action of the City Council, all fees set forth in Table Nos. 3-A through 3-F shall be increased on July 1, 2015 by a multiplier equal to the percentage increase in the Western Urban Non-seasonally Adjusted Consumer Price Index, as published by the United States Department of Labor.

304.10 Reserved.

304.11 Moving Permit Fees. For moving a building or structure, the fee shall be as set forth in Table No. 3-E.

304.12 Demolition and Related Permit Fees. The fee for any demolition permit and related sewer investigation permit, as set forth in Table No. 3-E, shall be paid at the time of issuance of the permit and prior to any demolition work being done by the permittee. The fee must be paid for each permit required by or described in Subsection 301.6.

304.13 Other Fees. See Table No. 3-E and 3-F. In addition to listed fees, a research and processing fee of \$500.00 that shall be charged to large projects requesting permit renewals. Large projects will be determined by the Building Official dependant on size and complexity of the project.

304.14 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.

SECTION 305 – INSPECTIONS

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.

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 installed.

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 306 AND 307 (RESERVED)

SECTION 308 – CONNECTION TO UTILITIES

308.1 Energy Connections. Persons shall not make connections from an energy source, fuel or power to building service equipment which is regulated by the technical codes and for which a permit is required by this Code, until approved by the Building Official.

308.2 Temporary Connections. The Building Official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of testing building service equipment, or for use under a temporary Certificate of Occupancy.

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 309 – CERTIFICATE OF OCCUPANCY

309.1 Use or Occupancy. Except as otherwise provided in this Section 309, no building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a Certificate of Occupancy therefor as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances or codes adopted by this jurisdiction.

309.2 Certificate Issued. After the Building Official inspects a building or structure and finds no violations of the provisions of this Code or other laws which are enforced by the code enforcement agency, the Building Official shall issue a Certificate of Occupancy which shall contain the following:

1. The building permit number.
2. The address of the building or structure.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building or structure has been inspected for compliance with the requirements of this Code for the group and division for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of the code in effect at the time that the certificate was issued.
9. The type of construction of the building or structure.
10. The design occupancy load of the building or structure.

For the purposes of this Code and associated technical codes whenever an existing building is determined to have received a building permit but never been issued a Certificate of Occupancy the following shall be required to determine a minimal level of compliance with the appropriate codes:

- A site investigation shall be performed by an appropriate inspector to review the compliance of the building with the codes in effect at the time the building was constructed.
- Any deficiencies in code compliance will be identified by the inspector in writing and provided to owner/representative/tenant of the building with a 30 day notice to address such deficiencies.
- Upon correction of the deficiencies a Certificate of Occupancy will be issued.

Buildings for which no record of a permit can be provided by either the owner or found in the Building Department records, the following shall apply:

- An application for a Certificate of Occupancy shall be submitted by the property owner that includes:
 - The date of the original construction of the building;
 - The proposed use of the building at the time of original construction;
 - The current use of the building and portions thereof;
 - A floor plan with sufficient detail to indicate the size and use of all portions of the building.
- The performance of a site investigation by an appropriate inspector to review the building's compliance with applicable codes in effect at the building was constructed. Such inspection shall be primarily focused upon life safety issues such as, but not all inclusive, fire exiting; handicapped accessibility; emergency lighting; proper identification of building address, exposed electrical fixtures, outlets, connections, etc.; fire alarms and suppression systems (if applicable); ventilation, heating, cooling, and plumbing, etc.
- As a result of the site investigation further inspection may be required by the inspector for electrical wiring and plumbing within the existing walls necessitating removal of existing wall coverings in locations specified by the inspector to determine the adequacy of those installations.
- Written notice to the owner, representative, or tenant identifying deficiencies in compliance with the applicable codes in effect at the time the building was constructed and requiring actions be taken within a specified time to address such deficiencies as approved by the Building Official.

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

Where it has been determined that the current use or occupancy of an existing building has changed to a more hazardous use or occupancy of an existing building has changed to a more hazardous use or occupancy from the original construction, the Building Official may require that a new Certificate of Occupancy be obtained in accordance with the applicable provisions of Section 202.6, 202.7 and 301.9 of this Code as determined by the Building Official.

Based upon the provisions of this section the use, in general, of the building by the present occupancy may continue while the above activities are performed. However, any immediate danger to public safety that is identified upon the property may require a cessation of use or occupancy of the property until such deficiency is corrected.

309.3 Certificate of Completion. Upon the request of the owner or owner's representative only, the Building Official may issue a Certificate of Completion for those projects that have successfully completed all required inspections but which do not necessarily require occupancy or permission to occupy, or which in the opinion of the Building Official do not need a new Certificate of Occupancy. Examples of projects for which a certificate of completion may be issued include, but are not limited to: shell buildings, carports/canopies, trash enclosures, shade structures, cell towers, storage sheds, patio covers, tenant improvements in speculative suites or spaces, tenant improvement with no change in square footage of the space or building currently occupied with a Certificate of Occupancy.

An administrative fee in the amount specified in the adopted fee schedule shall be paid prior to the issuance of a Certificate of Completion.

309.4 Temporary Certificate. If the Building Official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary Certificate of Occupancy for the use of the portion or portions of a building or structure may be issued prior to the completion of the entire building or structure. The Building Official may impose conditions as part of the issuance of a temporary Certificate of Occupancy as may be deemed necessary by the Building Official to ensure the safe occupancy of the building(s) and safe access to the building(s). In addition, the Building Official may impose a time limit on a temporary Certificate of Occupancy. Should a temporary Certificate of Occupancy expire, the building may require that the certificate be renewed or that the premises be vacated until such time as the Certificate of Occupancy has been obtained. An application shall be made and a fee as outlined in the adopted fee schedule shall be charged for a Temporary Certificate and any extension thereafter.

309.5 Posting. The Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

309.6 Suspension or Revocation. The Building Official may, in writing, suspend

or revoke a Certificate of Occupancy or temporary Certificate of Occupancy issued under the provisions of this Code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or provisions of this Code.

309.7 Utilities. Upon revocation of a Certificate of Occupancy or temporary 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.

Chapter 4

PROVISIONS RELATING TO THE PLUMBING CODE

Section 401 – GENERAL REQUIREMENTS AND PROHIBITIONS

In connection with the provisions of this Administrative Code and enforcement of the Uniform Plumbing Code, as adopted by the City, the provisions set for in Sections 401 to 408 inclusive shall also apply.

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.

EXCEPTION: Apprentices and helpers.

D. Contractors and their employees engaged in the construction of underground utility lines, as described in that Section, 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 402 – 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.

SECTION 403 – 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 pipe-laying contractor, pipeline contractor or industrial piping contractor licensed by the State of Nevada, for work within that contractor's respective specialty or specialties, for the construction and installation of sewer, water, or other underground utility lines on private or public property up to a point not less than five (5) feet from the building and, with respect to a manufactured home or recreational vehicle park, for installation of pipeline systems in accordance with approved plans.

G. A permit may be issued to any refrigeration or air conditioning contractor who holds both a valid State of Nevada Contractor's License, Classification C-21 (a) or (b), and a valid business license issued by the City, to install gas piping which is directly related and necessary to the repair or replacement of a refrigeration, heating or air conditioning system, not exceeding 500,000 BTUH per permit (based on natural gas input). The permittee shall only use qualified workers who have met City requirements for installation of gas lines. The permittee shall not modify or alter any gas piping except for that gas piping allowed by this Subsection.

H. At least one licensed Journeyman Plumber must be on any job site while work is being performed.

SECTION 404 – PLAN PREPARATIONS AND CALCULATION

The plumbing contractor shall be responsible for design and conformance with this Code for plans and calculations that are not stamped with the seal of an architect or engineer who is responsible for the work, 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 405 – 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. One percent (1%) of the sewer connection fee may be collected by the Building Enterprise Fund to cover the administration of the sewer connection program. 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, unless authorized by the City Manager or designee. All refunds are subject to an

administrative fee to cover the processing of permits and refund applications. The administrative fee shall be as outlined in the adopted fee schedule or twenty percent (20%) of the total connection fee, whichever is less.

SECTION 406 – SEWER TRUNK EXTENSIONS 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 therefore will be derived. Two designs shall be prepared for the project, an oversizing design and a base design meeting the capacity needs of the development. Both designs shall have matching pipe crown elevations.

3. Upon receipt of approved design plans, the applicant shall submit to the Department of Public Works at least three (3) written bids (sealed) from licensed sewer contractors for the construction of the proposed sewer extension in accordance with the approved plans therefore; 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. "As built" plans of said installation shall be filed with the Department of Public Works upon the completion of construction of any such sewer trunk extension. Recovery of extension costs shall apply only to that portion of the extended sewer trunk in excess of two hundred (200) feet from its connection to the existing sewer trunk (the "trunk extension subject to refunding") and terminating at the nearest point of the development. The amount recoverable thereunder shall be as specified in the agreement but not to exceed ninety-five (95%) of the amount, based on the lowest acceptable bid, actually expended by the applicant, after any appropriate adjustment in cost, in the construction of the trunk extension subject to refunding; provided, however, that the cost resulting from any oversizing of such extended sewer trunk at the request of the City shall be pursuant to separate agreement and shall be paid after the acceptance by the City of such extended sewer trunks, or as specified in the agreement.

B. 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.

C. Unless otherwise specified by agreement, refunds associated with sewer extensions and reimbursements associated with oversizing shall be made to the applicant.

SECTION 407 – FEES

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

Chapter 5

PROVISIONS RELATING TO THE MECHANICAL CODE

SECTION 501 – GENERAL REQUIREMENTS

In connection with the provisions of this Administrative Code and enforcement of the Uniform Mechanical Code the provisions which are set forth as Sections 501 to 504 inclusive shall apply.

SECTION 502 – 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 503 – 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 504 – FEES.

Fees related to mechanical permits and mechanical work shall be in accordance with Fee Table No. 3-A and 3-C.

Chapter 6

FALLOUT SHELTERS

SECTION 601 – DEFINITIONS

For the purpose of this Chapter the following words or phrases shall be construed to mean as follows:

"Barrier" means an object placed between the fallout and any individual.

"Codes" Other codes referred to herein will be the local codes of the City

governing buildings, electrical wiring, plumbing, heating, air-conditioning, etc.

“OCD” means the Office of Civil Defense, herein referred to as the local office, state office or national office.

“Private shelter” means a shelter built for the use of an individual and his family.

“Protection factor” means the relative reduction in the amount of radiation that would be received by an individual in a protected location, compared to the amount he would receive if he were unprotected.

“Public shelter” means a shelter available to the general public.

“Reduction factor” means the reciprocal of the protection factor.

“Shelter” or “fallout shelter” means a room, shed, house, accessory building or other covering device to protect occupants from fallout with a minimum protection factor of one hundred.

“Shelter categories” means the letter designation of shelters with a certain protection factor as listed below:

Category	Protection Factor
A	1,000 or greater;
B	250 to 1,000;
C	100 to 250.

“Shielding” means the mass of a barrier expressed in pounds per cubic foot, or it may be expressed as “mass thickness” which would be shown as pounds per square foot.

SECTION 602 – BUILDING PERMIT—REQUIRED.

It shall be unlawful for any person to construct, alter, remove or demolish, or to commence the construction, alteration, removal or demolition of, a fallout shelter without first obtaining a building permit from the Building Official.

SECTION 603 – BUILDING PERMIT—APPLICATION.

A. An application for such permit shall be submitted in such form as the Building Official may prescribe. Such application shall be made by a contractor holding a valid State and City license or the owner who will do his own construction after obtaining the required owner/builder permit. Such application shall contain the full names and addresses of the applicant and/or the owner, and if the owner is a corporate body, of its responsible officers. Such application shall describe the proposed work and shall give such additional information as may be required by the Building Official for a proper understanding of the proposed work.

B. Applications for permits for fallout shelters shall be accompanied by one copy each of calculations and specifications and two copies of the plans, which shall be sufficient in detail to show the following:

1. Plot plan showing all buildings on the property and location of the shelter from these buildings and the property lines;
2. Shelter dimensions, footings, walls, roof, floor and the types of material to be used;
3. Waste disposal system;
4. Ventilating system;
5. Water system;
6. Power system.

SECTION 604 – BUILDING PERMIT—FEES.

The fees charged for the issuance of a permit to construct a shelter in the City shall be as stated in those codes governing the applicable portions of construction. The valuation of the shelter shall be as determined by the Building Official.

SECTION 605 – BUILDING PERMIT—ISSUANCE.

If, after examination, the Building Official finds the application to be in compliance with the law and ordinances applicable and the proposed construction or work will be safe and adequate, he shall approve such application and issue permit for the proposed work as soon as is practicable. If his examination reveals otherwise, he shall reject such application noting his findings in a report to be attached to the application.

SECTION 606 – BUILDING PERMIT—REVOCATION.

The Building Official may revoke a permit issued under the provisions of this Chapter in the event he finds that there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit was based.

SECTION 607 – CONFORMANCE TO PERMIT APPLICATION.

All work performed under a permit issued by the Building Official under this Chapter shall conform to the approved application and plans. It shall be unlawful to reduce or increase the area or construction provided in an application hereunder.

SECTION 608 – PLANS NOT TO AFFECT PROVISIONS.

Any plans not showing all the requirements of the granting of a permit upon plans submitted shall not be construed as constituting a waiver of any provision of this Chapter or of sanctioning of any violation thereof.

SECTION 609 – BUILDING CODE CONFORMANCE.

Fallout shelters, under the Building Code, shall be considered as a Group J occupancy when they are under one thousand square feet in area. If the shelter is over one thousand square feet, it shall be considered a Group I occupancy. All other

requirements of the Building Code shall be met except for doors and windows which shall be as listed in this Chapter.

SECTION 610 – ELECTRICAL WIRING.

The electrical wiring shall conform to the electrical provisions set forth in the Electrical Code.

SECTION 611 – PLUMBING—CHEMICAL TOILETS.

In private family shelters the gross floor area of the shelter shall be figured at a minimum of fifteen square feet per person. In public shelters, or those for short-term occupancy, the gross floor area shall be figured at a minimum of twelve square feet per person.

SECTION 612 – ZONING CONFORMANCE—BELOW-GROUND LOCATION.

A. All shelters built above ground shall conform to the provisions of all zoning ordinances pertaining to main buildings or accessory buildings, whichever shall apply.

B. All shelters built below ground, other than those in an existing basement, shall be no closer to a building line or a property line than the depth of the shelter's footing below grade except the shelter may be moved closer to a building line, or property line, if satisfactory evidence is submitted to show that no damage to the building or adjacent buildings will occur, or any other hazardous or unsafe condition will be created.

SECTION 613 – STRUCTURAL LOAD DESIGN.

All structural parts of the shelter, including footings, walls, floors, columns, beams, and roof, shall be designed in accordance with the Building Code using the required dead load and live load as to the building type or its use. The various detail drawings as issued by the local OCD showing installation details of particular fallout shelters shall be considered as meeting the intent of this Chapter.

SECTION 614 – AREA.

In private family shelters the gross floor area of the shelter shall be figured at a minimum of fifteen square feet per person. In public shelters, or those for short-term occupancy, the gross floor area shall be figured at a minimum of twelve square feet per person.

SECTION 615 – VENTILATION.

A. The ventilation equipment, duct work and allied piping shall conform to the provisions set forth in the Heating, Ventilating, Air Conditioning and Refrigeration Code, except the ventilation requirements shall be as listed in Subsection (B) of this Section.

B. To maintain an acceptable concentration of carbon dioxide and oxygen in any shelter, a minimum amount of three cubic feet of air per minute per person should be introduced into the shelter based on the area requirements. If this is not practicable

one of the following shall be used:

1. If no mechanical ventilation is available, a net volume of five hundred cubic feet per person shall be used for estimating the capacity of any shelter.

2. If the mechanical ventilation does not supply three cubic feet per minute, the following table shall be used to determine the capacity of the shelter by a volume-space basis.

Air Supply (cubic feet per minute)	Volume per Person (cubic feet)
2.95	65
2.86	100
2.5	150
2.0	200
1.5	300
1.0	400
0.75	450
0.5	500

All others use 500 cubic feet as in (1) above

SECTION 616 – STAIRWAYS AND STEPS.

A. Public Shelters.

1. The minimum width of stairways in public shelters shall be as in the table below:

Occupant Load of Shelter (persons)	Width of Stairway (inches)
10 or less	30
10 to 50	36
More than 50	44

2. The handrails in public shelters may extend into the width listed in Paragraph (1) of this Subsection. The rise of every step shall not exceed eight inches and the tread shall not be less than ten inches. There shall be no more than twelve feet vertically between landings. Headroom on the stairway should be not less than six feet and six inches measured vertically from the nose of a step. Ramps may be used in lieu of a stairway when practical.

B. Private Shelters. The stairways or steps used in private shelters shall be practical for the site and situation of the shelter with respect to other buildings. A ship's ladder or other type of device may be used to gain entry into the shelter, provided it does not create a hazard and can be used quickly and effectively.

SECTION 617 – DOORS AND WINDOWS.

A. Doors within the shelter should be airtight and weatherproof. Outside doors leading to or from the shelter should be of an exterior type. Doors from public shelters leading to the inside of a building shall be at least a one-hour fire-resistive door.

B. Windows shall not be allowed in the shelter area.

SECTION 618 – PUBLIC SHELTER ENTRANCE AND EXIT MARKING.

Entrances to public shelters shall be marked in such a manner that it can be easily discernible, such as by the use of a two-colored sign with an arrow showing the direction to the entrance and the letters to be three inches high. The exit from this shelter should be marked in a like manner.

SECTION 619 – ENTRYWAY Baffle WALL.

The entryway to all shelters should be at right angles to the stairway and a baffle wall should be used to shield this entryway. The baffle wall shielding should be at least one-half the mass thickness of the exterior walls of the shelter.

SECTION 620 – MATERIALS.

The materials used in the shelter may be of any type desired; however, these materials must meet the strength and protective requirements of the Building Code.

SECTION 621 – WATERPROOFING.

All shelters built in existing basements and those built underground shall be adequately protected against water seepage. This protection shall be by waterstops, exterior coatings or their equivalent and shall be used whenever groundwater or runoff water is known or found to be in the shelter site.

SECTION 622 – MASS THICKNESS—PROTECTION FACTOR.

The mass thickness or weight of the material to be used in the shelter shall determine the protection factor of the shelter. This information may be obtained from the local OCD, or the table that follows may be used as a guide. The protection factor of any fallout shelter shall be applied as its use requires. The mass thicknesses of various materials are to be as determined by the local OCD.

Shelter Category	Mass Thickness (pounds per square foot of area)				
	Above “ground” line* (inside or outside of buildings)		Below “ground” line (inside buildings, basements, etc.)		Below “ground” line (outside buildings, underground shelters)
	Roof	Walls	Roof	Walls	Roof
C	130-180	210-	120-165	120-	130-180
					Walls
					120-

		255		165		165
B	180-240	255-320	165-225	165-225	180-240	165-225
A	240 and more	320 and more	225 and more	225 and more	240 and more	225 and more

* If the floor of the shelter is above the first floor of a building, the floor must have a mass thickness equal to the roof.

SECTION 623 – INSPECTION.

All portions of the construction of the shelter shall be inspected by the Building Official or his representative to ensure compliance with the required codes of the City. A final inspection to allow occupancy cannot be made until the shelter is complete and all operating parts are functioning correctly.

SECTION 624 – VIOLATION—CORRECTION NOTICE.

Whenever the Building Official finds that construction or work in connection therewith, the erection or construction or alteration, execution or repair of which is regulated, permitted or forbidden by this Chapter, is being erected, constructed, altered or repaired in violation of the requirements of this Chapter, or in violation of a detailed statement or plans submitted and approved hereunder, or of a permit issued hereunder, he may serve a written notice upon the responsible person directing discontinuance of such illegal action and the correction of the condition which constitutes a violation of the provisions of this Chapter. In the event that, within the specified time to comply, the notice has not been complied with, the Building Official shall institute an appropriate action or proceeding at law to restrain, correct, or remove such violation or the execution of work thereon.

Chapter 7

HOUSING SECURITY

SECTION 701 – SCOPE

The requirements set out in this Section shall apply to all residential-type buildings including those existing, those new and those to be constructed in order to provide the maximum possible security from criminal actions to the permanent and transient occupants thereof, and to their possessions.

SECTION 702 – ENTRANCE DOORS DIRECT TO OUTSIDE

These requirements shall apply to all housing units, whether detached, attached to or within a building, having individual entrances immediately accessible from the outside without other intervening entrance doors:

- (A) Entrance doors to housing units shall be capable of resisting forcible entry equal to a single-panel or hollow-core door one-and-three eighths inches thick.

(B) Dead bolts operable without key from the inside shall be provided on all housing unit entrance doors.

(C) Double entry doors: The active leaf shall be equipped as above. The inactive leaf shall be equipped with flush bolts at head and sill.

SECTION 703 – MULTI-UNIT BUILDINGS

The requirements of this Section shall apply to all buildings containing multi-unit housing where the units are accessible only through the building entrances. Unattended building entrances, including rear, service, garage-to-exterior, and garage-to-building, shall be self-closing, self-locking, and equipped with a dead-locking latch.

SECTION 704 – RESPONSIBILITY

Responsibility for compliance with the requirements of this Chapter shall be as follows:

(A) As to buildings occupied by a business establishment which does not share the exterior openings of such building with any other business establishment, the person operating such business shall be responsible.

(B) As to the buildings occupied by two or more business establishments which share the use of exterior openings of such building, the owner of said building, or his agent having charge, care or control of such building shall be responsible.

(C) As to single-family dwellings, the person owning such building shall be responsible.

(D) As to buildings used for permanent or transient residential units, the owners of the building shall be responsible.

(E) As to buildings used for permanent residential units wherein the units are individually owned, these individuals shall be responsible for their unit and the building itself shall be the responsibility of the agent in charge of the building.

SECTION 705 – THROW OF DEAD BOLTS

A dead bolt shall be so constructed as to have a minimum throw of three-fourths of an inch.