

**CITY OF LAS VEGAS**  
**ADMINISTRATIVE CODE, 2019 EDITION**



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**CITY OF LAS VEGAS**  
**ADMINISTRATIVE CODE, 2019 EDITION**

**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, 2019 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.

The purpose of the technical codes is 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 the built environment and to provide a reasonable level of safety to firefighters and emergency responders during emergency operations.

**101.3 Copyright Acknowledgment.** Portions of this Chapter have been reproduced with permission from the 2018 Edition of the International Building Code and subsequent supplements, copyrighted, and owned by the International Code Council, Inc.

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

**Exception:** This Chapter does not apply to the following:

**(A)** Facilities or installations within the jurisdiction which are owned and operated by a jurisdiction which invokes pre-emptive power such as the State of Nevada or the federal government.

**(B)** Buildings, structures, or service equipment and installations directly used in utility generation or distribution which are installed on properly recorded easements belonging to water, gas, power, telephone, or other utility companies which are preemptively regulated and governed by the Nevada Public Service Commission, State of Nevada charter, or other public franchise. This does not

include site preparation, grading, block walls, fences or habitable public areas such as offices, meeting rooms, and service counters.

**101.5 General.** Certain provisions of this Code may be parallel or similar to provisions of the current adopted International Building Code, 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 Administrative 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.

All administrative items relating to Fire Prevention plan review, permits, and inspections shall comply with the currently adopted International Fire Code, any additional reference standards and ordinances adopted by the City’s Fire Code Official.

## **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 International Existing Building Code, except as provided in this code.

**102.2 Existing Installations.** Buildings and service equipment lawfully in existence at the time of the adoption of the current technical codes that were in compliance with the codes in effect at the time of construction continue to be in compliance unless altered by new construction, demolition, modification, or other codes or statutes.

**102.3 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.

Whenever, it is determined that an existing building has not 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. A permit application for a certificate of occupancy shall include the following:
  - a. A plot plan drawn to scale;

- b. A floor plan drawn to scale;
  - c. A code analysis applicable to the code of origin as prepared by a registered design professional.
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 may be taken within a specified time to address such deficiencies as approved by the Building Official. Additional plans, documentation, and permits may be required as determined to be necessary by the Building Official to address any code discrepancies with the code of origin.
  3. 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 shall be issued.

**102.4 Maintenance.** Buildings, structures, pools, spas, signs, 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.

**102.5 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.

**102.6 Temporary Structures.** The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service as determined by the Building Official up to and including 180 days or as prescribed by the City of Las Vegas City Council approval. The Building Official is authorized to grant extensions for demonstrated cause.

Temporary structures and uses shall comply with the requirements for Temporary Structures and Uses in the adopted technical codes.

Permits for structures constructed to provide safeguards during construction such as pedestrian walkways, covered walkways, railings, barriers, or fences used for the protection of the public during permitted construction may, when approved by the *Building Official*, continue in existence until such time as related construction is completed or protection is not required.

Temporary structures shall be completely removed upon the expiration of the time limit stated in the permit.

The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

**102.7 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.

**102.8 Professional Office Conversions.** Owners of single family residential units located within an area zoned by the Department of Planning for office use 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 Existing 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 Chapter 2 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 lot line.
3. No part of the roof eaves or overhangs shall be closer than 36" from a lot line.
4. The aggregate area of window, door, wall and vent openings in exterior wall located within 10 feet of a lot line shall not exceed 25% of the facing wall area.
5. All exterior walls of the building within 10 feet of a lot line shall 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 or fire protection methods as approved by the Building Official. These walls shall have their interior wall surfaces coated with a minimum of ½" gypsum board or gypsum panel.

6. All of the requirements of the International Existing Building Code must be satisfied 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 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. . Second story conversions of 2-story homes may be allowed by the Building Official with full compliance of the accessibility standards.
7. All new work performed within the building must meet all of the requirements of the currently adopted technical codes.

## **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. 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 or person regularly engaged in conducting tests or furnishing inspections services, when the agency has been approved by the Building Official.

**APPROVED CONSTRUCTION DOCUMENTS** are construction documents that have been reviewed and accepted for permit by the Building Official pursuant to this Chapter.

**APPROVED FABRICATOR/MANUFACTURER** means a company that constructs or assembles standardized building components into assemblies in an approved manner based on submittal of specified documentation and successful periodic evaluation for conformance to standard operating procedures and tests such that the company is approved by the Building Official.

**APPROVED PRODUCTS** are products that are included on product listings from testing and listing agencies approved by the Building Official.

**APPROVED SPECIAL INSPECTOR** is a special inspector who has been approved and listed by the Building Official pursuant to this Chapter.

**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 any 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 documents and codes that have been adopted formally or by reference.

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

**BUILDING OFFICIAL** means the designated official who is charged with the administration and enforcement of this Chapter and the technical guidelines. Within this Chapter, the term "Building Official" may mean such employees who are appointed and authorized by the Building Official pursuant to NRS 278.570(2) to assist in the performance of the duties of his position.

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

**CODE ENFORCEMENT AGENCY** is the City's Departments of Building and Safety and Planning Code Enforcement Division.

**CONSTRUCTION DOCUMENTS** Written, graphic, and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit.

**CONSTRUCTION TRAILER or CONSTRUCTION OFFICES** are intended to serve as temporary, on-site office and meeting space for contractors, subcontractors and other project representatives during, and related to, the actual construction of a project. Construction trailers or construction offices do not include sales offices.



**CORRECTION** refers to changes made to construction documents during the plan review process, prior to the issuance of a permit.

**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.

**DEPARTMENT** means the City of Las Vegas Department of Building & Safety.

**DEFERRED SUBMITTALS** means those portions of the construction documents that are not submitted at the time of permit application and that are to be submitted to the Building Official within a specified time period. Deferral of any document must have prior approval of the Building Official. The responsible design professional shall list the deferred submittals on the construction documents and complete the department's deferred submittal request form at the time of permit application for review by the Building Official.

**DESIGN PROFESSIONAL** is an individual who is licensed by the State of Nevada pursuant to NRS Chapters 623, 623A, or 625.

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

**FEE SCHEDULE, ADOPTED FEE SCHEDULE, or CURRENT ADOPTED FEE SCHEDULE** means one or more fee schedules or tables that are adopted in connection with Section 304 of this Code.

**FENCE** means a structure of material such as wrought iron, wire, chain link, decorative metal, wood, screen, vinyl, plastic, etc...erected for purposes of enclosure, division of property or decoration.

**JURISDICTION**, as used in this chapter, is the area within the incorporated boundaries of the City of Las Vegas.

**LISTED** and **LISTING** are terms referring to equipment and materials which are shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and whose listing states that the equipment complies with recognized safety standards. .

**MANUFACTURED HOME** as defined by NRS (NRS 489.113 "Manufactured home")

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

**MOBILE HOME** as defined by NRS (NRS 489.120 "Mobile home")

**MODULAR BUILDING** as defined by NRS (NRS 461.143 "Modular building")

**NATIONALLY RECOGNIZED BODY** is an organization that evaluates testing laboratories and inspection agencies as well as fabrication and manufacturing facilities that produce products and services in accordance with the technical codes. A listing or report is published which details the products and services evaluated and any conditions or limitations placed on their use. The listing or report is subject to acceptance by the Building Official.

**OCCUPANCY** means the purpose for which a building, or part thereof, is used or intended to be used. The term “occupancy” as used in this Chapter shall include the building, or part thereof, housing the intended use.

**OCCUPANT** means the person who resides in and/or has primary use of a building or a portion of a building.

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

**OWNER/BUILDER** as defined in NRS 624.031(5).

**PERMIT** is an official document issued by the Building Department authorizing performance of a specified activity.

**PERSON** is a natural person, heirs, executors, administrators, or assigns, and also includes a firm, partnership or corporation, 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.

**QUALITY ASSURANCE AGENCY (QAA)** means an approved organization that is in the business of providing inspection, testing and reporting services for the types of construction and construction work that are regulated in the technical codes.

**QUALITY ASSURANCE AGREEMENT** means an agreement between an owner, or a design professional acting on behalf of that owner, and an approved Quality Assurance Agency listing the types of construction and construction work required to be verified through a special inspection process.

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

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

**REVIEWED AND ACCEPTED** when stamped on the construction documents by the

Building Official means the documents have been reviewed for conformance to applicable codes and regulations and are accepted for permit.

**REVISION** means changes made to the approved construction documents after they have been reviewed, accepted, and permit issued by the Building Official.

**SALES TRAILER** are those trailers which are intended to serve as temporary, office and sales space for customer sales during the construction of a project.

**SHALL** means mandatory.

**STANDARD PLANS** refer to construction documents for a dwelling, other buildings, or structures from which two or more are to be built without substantial modifications, as determined by the Building Official.

**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 codes by definition and any adopted reference documents or codes.

**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 or those otherwise assigned or 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, newly construct, or remodel the building and its building service equipment in kind, based on current replacement, remodel, or new construction costs.

**WALL** means a structure of stone, brick, masonry, concrete or other similar permanent material erected for purposes of enclosure, division of property or decoration.

## **SECTION 104 – CONFLICTING PROVISIONS**

**104.1 GENERAL.** When conflicting provisions or requirements occur between this Administrative 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 another 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 provisions 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, performance, safety, sanitation, accessibility, 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 department.

Alternates are project-specific; approval of an alternate for one project does not constitute approval of the alternate for any other project. Approval of an alternate is not a modification of the adopted codes and standards.

## **SECTION 106 – MODIFICATION**

Wherever there are practical difficulties involved in carrying out the provisions of the technical codes, the Building Official may allow modifications on an individual case-by-case basis where strict compliance of the technical codes is impractical and the modification is in conformity with the intent and purpose of the technical codes, 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 department.

## **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.** The department of Building & Safety is hereby created and the official in charge thereof shall be known as 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 Building Official 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 other employees as shall be authorized from time to time to carry out the functions of the Building Official.

**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, 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, 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 is occupied, that credentials be presented to the occupant and entry requested. If such structure, building or premises is 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 including obtaining a warrant for entry and inspection.

**202.4 Identification.** The Building Official or other officers representing the department in an official status shall carry proper identification 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 continues any work or authorizes 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, 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 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 legal notice as allowed by law, 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

**202.9 Authority to Disconnect Utilities.** The Building Official 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(s) of emergency(ies), where such building, structure or equipment is an eminent hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and the occupant of the building, of the decision to disconnect prior to taking such action, and shall notify by acceptable legal process, 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.

Upon demand, the owner and/or occupant shall be granted an opportunity for an informal hearing before the Building Official

**202.10 Authority to Condemn Building Service Equipment.** When the Building Official

determines 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 by acceptable legal means that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The 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 notice by acceptable legal process, 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, members of the Board of Appeals, technical officers, or other employees 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 damages 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 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.

**202.15 Contracting For Services.** The Building Official may contract for plan review, engineering, permit-related and inspection services in accordance with the purchasing procedures of this jurisdiction pursuant to NRS 278.575.

**202.16 Peer Review.** The Building Official may require the owner or the design professional acting as the owner's agent to engage an approved peer reviewer for plan review and engineering services purposes.

**202.17 Alternative Plan Review or Inspection Services.** The Building Official is authorized to establish programs to allow for alternative plan review or inspection services to supplement those services provided by the Building Official, his technical officers, and other employees. The requirements for qualification and continued participation shall be specified in guidelines authorized by the Building Official.

**202.18 Guarantee or Warranty.** The Building Official reviews and approves construction drawings and conducts periodic inspections of work in progress to verify that the approved plans and work inspected at specific points in time are in substantial compliance with the adopted technical codes. The Building Official does not conduct continuous inspections of work in progress. Accordingly, reviews, approvals and inspections performed by Building Official pursuant to this code do not create any guarantee or warranty that buildings, structures, or service equipment have been constructed in total accordance with all the applicable provisions of the technical codes.

**202.19 Emergency Provision.** In the event of a national, state, or local emergency declaration , the Building Official may suspend, waive, or augment the provision of this code and the technical codes as needed during the periods of emergency to protect the public.

## **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 as deemed 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 department or 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 or peer review selected by the Building Official to conduct an 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 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 the 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 when the matter is referred to the Board by the Building Official. 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 of Las Vegas, although the Building Official and Fire Marshal shall serve in an advisory capacity as ex-officio, non-voting members as well as any technical officers the Building Official and/or Fire Marshal deem appropriate. The voting members of the Board of Appeals shall consist of the following:

1. Two general contractors – one commercial and one residential;
2. One electrical contractor or electrical engineer;
3. One mechanical or plumbing contractor or engineer;
4. One fire protection system contractor or engineer;
5. One lay member;
6. One architect registered by the State of Nevada;
7. One civil or structural engineer registered by the State of Nevada

**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 by legally acceptable means.

**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 other legal entity 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 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 detailed statement or a plan approved thereunder or in violation of a 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 within 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, 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.

**Exception:** Emergency repairs of building service equipment may be repaired or replaced without a permit which is serving an occupied portion of the building and may be operated temporarily if a request for a permit and an inspection of that replacement equipment has been filed with the Building Official not more than 1 business day after such replacement work was completed and before any portion of the building service equipment is concealed.

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 and the Fire Marshall.

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 offenses. If technical officer(s) is(are) required to inspect a site, an

investigation fee shall be charged in addition to the additional graduated permit fees. Additional fees for compliance or investigations by other departments or agencies may apply. The graduated scale shall be as follows:

1<sup>st</sup> offense – Double Permit Fees plus an Investigation Fee

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

3<sup>rd</sup> and subsequent offenses – Up to Quadruple Permit Fees plus an Investigation fee, the department may send notice of complaint to Nevada State Contractor's Board and refer the work without permit violation to Code Enforcement for citation for further remedy.

**301.2 Licensing and Contractor Requirements.** Building permits shall not be issued for building work 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 has the appropriate business license issued or recognized by 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 business license numbers. Mechanical, electrical and plumbing subcontractors shall register with the Department when all permits have been obtained by the general contractor prior to scheduling of inspections. 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 this chapter. Additional licensing requirements concerning mechanical work are contained in this chapter.

**301.4 Work Exempt from Permit.** Permits shall not be required for the following:

**301.4.1 Building Permits Exemptions:**

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, driveways, and similar exterior flatwork not more than 30 inches above grade and not over any basement or story below, and are not part of an accessible route.
7. Painting, papering, cabinets, countertops, and similar finish work, floor covering, except for trim and decorative work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Window awnings supported by an exterior wall of a one-family or two-family dwelling, or an accessory structure, 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 Utilities 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 Utilities 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. Any portable unit refrigerating system (cooling only) as defined in the Mechanical Code.

13. Any wall, including a retaining wall, that is not over 30 inches 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 that retains flammable liquids; or
  - c. Any wall of combined materials that exceeds 30 inches in height.
14. One-story detached single family residential accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet. This exemption does not eliminate applicable zoning codes requirements.
15. 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.
16. Tents and canopies erected for a period of 180 days or less.

**NOTE:** This exemption does not eliminate applicable fire codes requirements.
17. Temporary fences erected for a period of time as approved by the Building Official or 180 days as directed.
18. On-ground storable pool as defined in the International Swimming Pool and Spa Code which is accessory to a single family dwelling and in which the pool walls are entirely above the adjacent grade.
19. Portable spas, accessory to a single family residence with all heating and circulating equipment integral to the manufacturing product and entirely above the adjacent grade.
20. Project offices including construction trailers and related storage sheds used for the purpose of the construction on an active construction project.
21. Travel trailers and recreational vehicles, or other axled vehicles as permitted or licensed by the State of Nevada.
22. Livestock shade structures open on a minimum of three sides and not more



than 1,500 square feet in area.

23. Non-motorized outdoor playground equipment.
24. Storage racks and/or shelving less than or equal to 8 feet in height.
25. Minor repair of interior or exterior stucco/lath/drywall, provided:
  - a. No framing needs replacement or repair; and
  - b. For stucco, the repaired area not exceed 32 square feet in area; and
  - c. The area of repair is not a fire-resistance rated assembly comprised of more than one layer of drywall on each side or any special material(s) necessary to maintain the required fire-resistance rating of the assembly (i.e. fire-stopping of penetrations.)
26. Replacement of roof covering materials, other than tile roofing, provided no structural components are repaired or replaced and provided no more than 64 square feet of roof sheathing is replaced.
27. Repair or replacement of components of listed appliances.
28. Replacement of exterior or interior doors, hinges, hardware and decorative trim related to such doors, provided the following conditions are met:
  - a. The replacement door is of the same size and type.
  - b. The replacement door does not require any modification to existing wall framing.
  - c. The existing door is not a component of a fire-resistive rated construction element.
29. Replacement of exterior or interior window glazing, provided the following conditions are met:
  - a. The replacement window glazing is of the same size and type and thickness.
  - b. The replacement window does not require any modification to existing wall framing.
  - c. The existing glazing is not a component of a fire-resistive rated construction element.

30. Installation of insulation on existing single-family residences where other permits are not required;
31. Fencing not over 7 feet high except for those fences within the front setback of a single family dwelling and those that are not a part of a pool or spa barrier;
32. Temporary construction fences erected for the duration of the construction or demolition activity. Such fences shall be removed upon completion of the activity.
33. Minor demolition of unpermitted work when the work is restored to the previously permitted condition.
34. Repair of less than 32 square feet of stone or brick veneer when the damage is less than 6 feet above adjacent grade.
35. Repair of block walls 6 feet in height or less and the repair is no greater in length than 20 linear feet, provided there is no damage to existing footing.
36. Work required to render a building or structure stable following damage from fire, wind, water, vehicle impact, or other causes and to clear the site of damaged materials to allow inspection to ascertain the scope of required repairs, when authorized by the *Building Official*.

#### **301.4.2 Grading Permit Exemptions:**

1. Grading associated with agriculture within districts approved for agriculture.
2. Excavation for construction of a structure permitted under this code.
3. Excavation for Cemetery graves.
4. Earthwork or grading for refuse disposal sites controlled by other regulations.
5. Excavations for wells, septic systems, or trenches for utilities.
6. Mining, quarrying, excavation, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulatory agencies provided such operations do not affect the lateral support of, or significantly increase stresses in soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.

### **301.4.3 Plumbing Exemptions.**

1. The stopping of leaks in drain, soils, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this Chapter.
2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, or for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of concealed piping.
3. Lift stations, septic tanks, and package plants regulated by the appropriate serving sanitation utility.
4. Automatic fire sprinkler systems not part of or connected to the domestic water system where appropriate permits from the Fire Department have been obtained.
5. Flammable or combustible pre-fabricated liquid storage tanks buried or above ground which are regulated and inspected by the Fire Department and/or the State of Nevada.
6. Replacement of plumbing fixtures in the same location with a similar fixture and materials provided no work is done other than the replacement of the fixture, the tail piece and/or the trap and provided the work does not penetrate fire-resistive rated construction, including a fire-resistive rated concrete slab.

### **301.4.4 Electrical Permit Exemptions.**

1. Portable motors or other portable appliances that are cord and plug connected, and permitted by the National Electrical Code.
2. Temporary exterior holiday decorative lighting that is in compliance with all Municipal Code requirements.
3. Repair or replacement of current-carrying parts of any switch, contactor or control device.
4. Replacement of receptacles, but not the outlet box.
5. Repair or replacement of any over current device of the required capacity in the same location.
6. Repair or replacement of electrodes or transformers of the same size and

capacity for signs or gas tube systems.

7. The wiring for temporary theater, motion picture, or television stage sets.
8. Wiring outside of buildings installed by licensed and franchised cable television, telephone, or buried cable installers.
9. Power-limited wiring of 50 volts or less in or associated with single-family dwellings.
10. Exposed surface-mounted power-limited wiring, low voltage devices, and data links.
11. Replacement of luminaires, not to exceed the weight limits defined in Article 314 of the National Electrical Code.
12. Replacement of Variable Frequency Drive (VFD) units up to 50 HP or 100 amperes and not part of a smoke control system.
13. Power limited class 2 & 3 wiring not part of a fire warning system, control wiring for emergency power systems, or smoke control systems.
14. The repair or replacement of fixed motors, transformers or other fixed approved appliances of the same type and rating in the same location.
15. 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

#### **301.4.5 Sign Permit Exemptions.**

1. Mobile or portable signs regulated by other codes.
2. The changing of advertising copy or message on painted or printed sign theater marquees and similar signs specifically designed for use of replaceable copy.
3. Maintenance activities related to signage to include only painting, repainting, exact replacement with approved flashers, lamps, bulbs, ballasts, neon tubing, starters, neon transformers, wire or computer components, cleaning or changing the copy unless a structural change is made.
4. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

5. Temporary signs for on-premises which are 300 square feet or less in area.
6. Construction signs of 32 square feet or less.
7. Temporary signs and lighting used for holiday decorations.
8. Political signs.
9. Public signs or notices, or any sign relating to an emergency.
10. Adhered Vinyl Signage.

#### **301.4.6 Mechanical Permit Exemptions.**

1. Any closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by the Mechanical Code.

**EXCEPTION:** A building permit shall be required when seismic supports are required to be installed as part of the system.

2. Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.
3. The repair or replacement of fixed motors or fixed approved appliances of the same type and rating in the same location.

**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 other department regulations.

**301.5 Manufactured Home or Modular Building Permits.** Manufactured Housing Installations are under the jurisdiction of the State of Nevada. The units shall bear a seal from a recognized approval agency.

#### **1. Installation and Permit Requirements.**

- a. Installation of manufactured housing shall be approved by, and comply with, the State of Nevada Division of Manufactured Housing Regulations and the Manufacturer's Installation Instructions and Standards.
- b. A manufactured home may be located on a permanent foundation approved by the Building Official. Submittal requirements for the permanent foundation systems shall be the same as those required for site built construction.

- c. All building, zoning, public works and other applicable approvals shall be obtained prior to the issuance of a Manufactured Housing Permit

2. **Temporary Residential Use During 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. Obtain a permit for the temporary placement of the manufactured home or recreational vehicle; and
- c. 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 or the term of construction whichever is sooner. Upon written request, the Building Official may grant a single extension of time of up to six months.

3. **Temporary Placement for Contractor/Security Purposes.** Nothing in this Code or the technical codes shall be deemed to prohibit the temporary placement of a modular building for the use of a contractor engaged in construction work on the same parcel of land. In addition, a modular building 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 modular building for the purpose of living there shall be subject to the requirements concerning installation, permitting, and time limits as set forth above. Any such modular building shall be properly installed and maintained in accordance with this subsection.

4. **Temporary Placement 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 building shall be properly installed and maintained in accordance with this subsection.

5. **Enforcement.**

- a. Whenever the Building Official or his designee finds that a manufactured home or

modular building has remained on the permit holder's property for a period in excess of the limits specified above, he may issue an acceptable legal notice to comply to the property owner. The notice and order shall state the estimated cost of removal, and provide that if the manufactured home or modular building is not removed within (30) days from the date of notice.

- b. Any permit holder who believes that no violation described 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 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 or modular building 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 or modular building. The Building Official or his designee's authority to extend time is limited to the removal of the manufactured home or modular building 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 property owner must, within the time limits specified above, either cause the manufactured home or modular building to be removed or pay over to the appropriate department the cost of removal after said manufactured home or modular building is removed by the appropriate department. The Building Official or his designee may proceed by such mode as is deemed convenient to cause the manufactured home or modular building to be removed. The Building Official or his designee may, in accordance with City contracting procedures, hire a private contractor to remove manufactured home or modular building.

### **301.6 Building Relocation.**

1. In order to move any building or structure to or from a location within the City, a 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 schedule an inspection 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 professionals 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 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.

**301.7 Demolition Permits.** A separate permit is required for each building, address or suite at which demolition is to occur. In order to obtain ERU fixture credits, a sewer investigation is required with 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.

**301.8 Change of Occupancy.** A permit application for a change of occupancy when no work is required to be performed 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 registered design professional or licensed contractor;

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 submit an application for that purpose. Each application shall:

1. Identify and describe the work to be covered by that permit.
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, calculations and specifications, and other data as required in this section.
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 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 State of Nevada registered design professional. The Building Official may require plans, calculations and specifications to be prepared and designed by a State of Nevada registered design professional

Documents submitted to Building Official for review are required to be stamped or sealed in compliance with applicable Nevada State law. Contractors shall provide the following

information on their plans and documents:

1. The signature of the licensee
2. The date of signing
3. The company or corporation they represent.
4. Contractor's State license number

**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.** 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.** When it is required that documents be prepared by an architect or engineer, the Building Official may require the owner to designate on the building permit application 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.

## **SECTION 303 – PERMITS ISSUANCE**

**303.1 Issuance.** The application, plans, specifications, calculations 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 conforms 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.

When the permit is issued where plans are required, the Building Official shall approve in writing or stamp the plans and specifications as “Reviewed for Code Compliance,” or provide approval in a similar format in a digital media. Such 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 plans.

**303.1.1 Phased Design and Construction.** The Building Official may authorize projects to be constructed using a phased design and construction approach for construction. Final authorization of projects to be constructed using a phased design and construction approach shall be determined by the Building Official.

The applicant shall furnish all information as may be required by the Building Official, including the following:

1. Description of the project of the entire project to be constructed.

2. Descriptions of the land by parcel(s) on which the project is to be built;
3. Proposed phases of the work that encompass the entire proposed project, including percentage of work performed under each phase of the construction;
4. The name of the person who will be responsible for coordinating the phased design agreement, phased design permit applications, phased design revisions, correspondence, and meetings between the applicant's organization and the Department.

The Plan review fee associated with project utilizing a phased design and construction approach shall be assessed a 15% surcharge in addition to the plan review fees. The Building Official may establish guidelines to address fees associated with phased construction projects.

**303.1.2 Plan Review in the Case of Code Updates.** Plan reviews approved under a particular edition of the technical codes are valid upon issuance of the required permit(s). Where a permit expires in accordance with Section 303.4, the Building Official may require the plans and technical documents to be updated to the current adopted technical codes. Standard plan and phased projects may be issued under the previous code edition where approved plans and permits have been issued under the previous code and the standard plan or phased project is not suspending or abandoned for a period of 180 days. The Building Official is authorized to establish specific rules regarding continuation of standard plans or phased projects as necessary.

**303.2 Retention of Plans.** Upon permit issuance, plans, specifications, and calculations, or other documentation shall be retained by the Building Official for a period determined by the City Clerk in accordance with the required retention schedule; and one set of approved plans, specifications, and calculations or other documentation 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 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 or 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 issuance of such permit, as documented by a passed or partial-passed inspection. Each passed or partial-passed inspection will extend a permit by a period of 180 days. Major projects requiring quality assurance inspections may qualify as a passed inspection as determined by the Building Official.

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.

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 will be charged for each permit issued for the project that does not have a passed final inspection.

Permits that have expired may be renewed after a request has been submitted for renewal with a justification and schedule for completion of the project as follows:

1. If the request occurs more than 180 days or less than 1 year from the issuance date or last valid inspection. The renewal fee shall be  $\frac{1}{2}$  of the original building inspection/permit fees plus an administrative fee in accordance with the Department's Adopted Fee Schedule.
2. 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 the current building inspection/permit fees plus an administrative fee in accordance with the Department's Adopted Fee Schedule.
3. Permit renewal fees for final inspections only shall be assessed in accordance with the department's Adopted Fee Schedule, plus the administrative fee, not to exceed the current building inspection/permit fee for the building or structure.

Large projects that are determined by the Building Official 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.

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 registered design professional 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 appropriately 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.

A permit may be revoked when the work authorized by such permit is determined to be unsafe by the Building Official.

## **SECTION 304 – FEES**

**304.1 General.** Fees shall be assessed in accordance with the provisions of this Section and the Fee Schedule adopted in connection with this Code, as amended by the City Council from time to time. Entities which by law are exempt from obtaining building permits are not exempt from:

1. Any applicable impact fees, or fees for services provided, or any other development-related fee, except to the extent provided by law;
2. Sewer connection fees.

**304.1.1 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,” means the amount of time (measured in hours and fractions thereof) 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 applicant of that particular project to a level of 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,” means the time necessary to conduct plan check that is in excess of the “included examination time” for that project.
4. “Included inspection time,” means the time (measured in hours and fractions thereof) 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 applicant, of that particular project to a level 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,” means the time necessary to inspect a project that is in excess of the “included inspection time” for that project.

**304.2 Plan Examination Fees.** The plans examination fee for each type of permit shall be provided as set forth in the Current Adopted Fee Schedule.

#### **304.2.1 General Requirements**

1. No separate plan examination fee shall be charged for permits for electrical, mechanical or plumbing work when all work is described on the permit application and provided on the construction documents submitted. 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 Current Adopted Fee Schedule.
2. The plan examination fee for grading work shall be as set forth in the current adopted Fee Schedule.
3. If two or more buildings 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, the plan examination fees for each model building plan shall be charged per the Current Adopted Fee Schedule, plus an administrative fee in the amount specified in the Adopted Fee Schedule.
4. 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 the current adopted Fee Schedule. Additional plans examination fees may be applied to each subsequent review after the second review as set forth in the Current Adopted Fee Schedule.

5. Where a permit has been issued, and subsequently the permittee 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.

**304.2.2 Expiration of Plan Examination.** Applications for which no permit is issued within 180 days following the date of the most recently conducted technical review 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 of 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 may only be extended once if this Code or any other pertinent laws or ordinances have been amended subsequent to the date of application. An administrative fee and any other outstanding fees from the original submittal shall be assessed in accordance with the Current Adopted Fee Schedule.

**304.2.3 Substantial Redesign.** Should a project be resubmitted that has been substantially redesigned, the project may be charged a new full plan examination fee. A partial plans exam fee may be assessed to a substantial redesign, where the Building Official determines a full plan review fee is not warranted. Project may be required to pay extraordinary examination time should the review exceed the included examination time.

**304.3 Permit Fees.** The fee for each permit shall be provided as set forth in the Current Adopted Fee Schedule.

#### **304.4 Investigation Fees: Work without a Permit**

**304.4.1 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.

**304.4.2 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 the Current Adopted Fee Schedule. 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 permits



as outlined in Section 301.1 of this Administrative Code may be imposed by the Building Official.

### **304.5 Fee Refunds**

**304.5.1 Fee Refunds.** The Building Official may authorize refunding of a fee which was erroneously paid. The Building Official may authorize the refunding of any fee paid upon written request filed by the original permittee or designer not later than 180 days after the date of payment, except as described below. Administrative fees and zoning plan check fees collected on behalf of the Planning Department shall not be refunded.

**304.5.2 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. The Building Official shall not authorize the refunding of any plan examination fee when any examination time has been expended.

**304.5.3 Permit Fees.** The Building Official may authorize refunding of not more than 80 percent of any 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.

**304.6 Fee Increases.** Unless otherwise determined by future action of the City Council, and as authorized by NRS 354.59891, all fees set forth in the Current Adopted Fee Schedule may be increased annually 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. Any determination to increase fees shall be within the discretion of the Building Official, taking into account Department needs, as well as fund-related and statutory considerations. The Building Official will establish a process for providing notice of any fee increase to individuals or groups representative of those who are subject to the payment of fees.

**304.7 Interpretation of Fee Tables.** The Fee Schedule referred to herein is composed of Fee Tables 3-A through 3-H, which are attached to this Code and incorporated herein. 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 Inspections.** 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 inspection(s) as specified by Chapter 17 of the International Building Code. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Chapter or of other codes or regulations of the City of Las Vegas. Inspections purporting to give authority to violate or waive the provisions of this Chapter or of other codes or regulations of the City of Las Vegas shall not be valid.

**305.2 Inspection Access.** It shall be the duty of the permit applicant to provide access to and means for proper inspection of the work. The permit applicant shall cause the work to be exposed for inspection purposes until approved by the Building Official. The Building & Safety Department and the City of Las Vegas shall not be liable for expenses incurred by the removal or replacement of any material required to allow inspection.

**305.3 Permit and Approved Plans.** Work for which a permit is required shall not be commenced until the permit applicant has made available an approved permit and approved construction documents on the premises and in such a position as to allow the Building Official convenient access and use. These items shall be maintained in such location by the permit applicant until final approval has been granted by the Building Official.

**305.4 Approval Required.** All work for which a permit is required shall not be done beyond the stage indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate that portion of the work is satisfactory as completed or shall notify the permit holder or his agent wherein the work fails to comply with this Chapter. Any portions which do not comply shall be corrected and such portions shall not be covered or concealed until authorized by the Building Official. If the same inspection in a permit is resulted as failed for a correction not made based on the initial inspection, an inspection re-fee may apply as set forth in the Current Adopted Fee Schedule. There shall be a final inspection and approval on all work before occupancy and use.

**305.5 Required 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 absence of such indication shall not be deemed to waive any inspection requirement. Upon notification, the Building Official shall make inspections resulting in either approval or failure to comply with this code or the technical codes, and shall notify the permit holder or their agent.

**305.5.1 Building inspections** shall include, but are not limited to the following:

1. **Foundation inspection.** Inspected 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. When required, a pad certification prepared by a registered design professional shall be submitted to the Building Official at the time of foundation inspection.

2. **Concrete slab or under-floor inspection.** Inspected after in-slab or under-floor reinforcing steel, building service equipment, conduit, piping accessories, necessary soil preparation, and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.
3. **Rough Electrical, Plumbing, and Mechanical Inspection.** Inspected after walls and floor and roof/ceiling construction is in place, rough electrical including wiring, boxes, and other related devices, plumbing top out, and mechanical ductwork prior to the frame inspection.
4. **Frame inspection.** Inspected 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.
5. **Lath, Gypsum board and Gypsum panel product inspection.** Lath, gypsum board, and Gypsum panel product inspection shall be made after lathing, gypsum board, and gypsum panel products interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

**Exception:** Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

6. **Final Electrical, Plumbing, and Mechanical Inspection.** Inspected after all receptacle outlets, switches, switchgear, fixtures and equipment, plumbing and mechanical equipment/fixtures are installed.
7. **Final inspection.** Inspected after finish grading, final electrical, plumbing, and mechanical inspections are approved, and the building is completed in compliance with all technical codes and approved plans, and ready for occupancy.

The Building Official may require additional inspections to ensure compliance with the technical codes.

**305.5.2 Required Pool/Spa Inspections** shall include, but are not limited to the following:

**305.5.2.1 Concrete Construction.** The Building Official, upon receipt of an inspection request, shall perform the following inspections of pools and spas constructed of concrete:

1. **First Inspection.** To be performed when excavation and reinforcing steel are complete with required shell bonding, piping, electrical conduit and light shells installed and stubbed out. Piping shall have a pressure test in accordance with the Pool Code.
2. **Pre-Plaster Inspection.** To be performed when all underground and rough inspections are approved, bonding is complete, plumbing is complete and the final plumbing inspection is approved. All electrical equipment shall be installed and conductors terminated. Dead fronts are to be labeled and access barrier complete. Additionally, for private pools and spas, all safety requirements (alarms or secondary barrier) are complete and operational.
3. **Final Inspection.** To be performed when the pool and site drainage are complete. All electrical shall be complete and the GFCI accessible and operational. The pool/spa shall not be used until an approved final inspection has been completed.

**305.5.2.2 Manufactured Pools and Spas** shall include, but are not limited to the following:

1. **First Inspection.** To be performed when excavation is complete with pool in place and bonding and access barrier complete. All plumbing piping shall be installed, including gas piping. Piping shall have a pressure test in accordance with the Pool Code. Additionally, for private pools and spas, all safety requirements (alarms or secondary barrier) are complete and operational.
2. **Pre-Deck Inspection.** To be performed when soil is prepared for deck. Reinforcement, if required by an approved listing agency report, shall be installed and bonded. Plumbing and electrical equipment shall be installed, with all piping and conduit complete, conductors terminated and dead fronts labeled.
3. **Final Inspection.** To be performed when pool and site drainage are complete. All electrical shall be complete and the GFCI is accessible and operational. The pool/spa shall not be used until an approved final inspection has been completed.

**305.5.2.3 Required Electrical Inspections** shall include, but are not limited to the following:

1. **UFER (Concrete-Encased Electrode) Inspection:** To be performed before building foundation inspection and prior to foundation being poured.
2. **Underground Electrical Inspection:** To be performed before the building concrete slab or under-floor inspection. Inspection to be performed after all in-slab or underfloor building service equipment items are in place but before any concrete is poured or floor sheathing is installed, including the subfloor.
3. **Rough Electrical Inspection:** To be performed before the building framing inspection and after the initial installation of the electrical equipment and conduit or wiring.
4. **Final Electrical Inspection:** A final electrical inspection is required when the work is completed, but prior to use or occupancy.

The Building Official may require additional inspections to ensure compliance with the technical codes.

**305.5.2.4 Required Plumbing Inspections** shall include, but are not limited to the following:

1. **Underground Plumbing Inspection:** To be performed before the building concrete slab or under-floor inspection. Inspection to be performed after trenches are excavated, bedded, piping installed, and before backfill is put in place.
2. **Rough Plumbing Inspection:** To be performed before the building framing inspection and after walls and floor and roof/ceiling construction prior to the installation of wall or ceiling membranes.
3. **Final Plumbing Inspection:** A plumbing electrical inspection is required when the work is completed.

The Building Official may require additional inspections to ensure compliance with the technical codes.

**305.5.2.5 Required Mechanical Inspections** shall include, but are not limited to the following:

1. **Underground Mechanical Inspection:** To be performed before the building concrete slab or under-floor inspection. Inspection to be performed after trenches are excavated, bedded, piping installed, and before backfill is put in place.
2. **Rough Mechanical Inspection:** To be performed before the building framing inspection and after walls and floor and roof/ceiling construction prior to the installation of wall or ceiling membranes.

3. **Final Mechanical Inspection:** A final mechanical inspection is required when the work is completed.

The Building Official may require additional inspections to ensure compliance with the technical codes.

### **305.6 Other Inspections.**

1. **General.** In addition to the inspections required elsewhere in this Chapter, certain types of work shall have special inspections. The special inspections shall be conducted by the Building Official or by an approved Quality Assurance Agency, as directed by the Building Official.
2. **Special inspections by an Approved Agency.** When special inspections by an Approved Agency are required, the owner or the design professional acting as the owner's agent shall employ an Approved Agency. The Approved Agency shall provide special inspections in accordance with the special inspection agreement and as required by the technical codes. No changes of the Approved Agency shall be made without approval of the Building Official. Project designated by the Building Official as requiring special inspection by an Approved Agency shall not be issued a permit until the special inspection agreement is executed by the owner, or design professional. The Approved Agency shall notify the Building Official of commencement of special inspection activities by filing of a Project Startup & Notification form.
3. **Special Inspection by Other Than an Approved Agency.** Upon approval by the Building Official, others persons may provide special inspection(s) in the following cases:
  - a. Steel Fabrication in non-approved facilities may be authorized through a FAB-S Agency. FAB-S is a Clark County approval category for a structural steel fabricator/manufacturer facility under either auditing or inspection. The FAB-S Agency is not required to be an Approved Agency.
  - b. Where the required special inspection is to be performed by the design professional responsible for the construction documents as approved by the Building Official pursuant to this Chapter; or
  - c. Where, in the opinion of the Building Official, the nature of the work requires inspection by a person having certain technical knowledge and skill to inspect and test a specialized type of work for which the Approved Agency may not be qualified or authorized to inspect. In such cases, the Building Official may approve other persons to perform the required special inspection.

- 4. Failure to Perform Special Inspections.** If the Building Official determines that an approved special inspector is failing to properly perform special inspection services, or that an unapproved special inspector performed, or is performing, special inspection services, the Building Official may order a re-inspection of the work by an approved special inspector. The Building Official may order an evaluation of the construction and a recommendation of the required special inspections by the registered design professional responsible for the work for which special inspection is required, and/or may order the work to be stopped. When work is stopped, work may resume upon written agreement between the Quality Control Manager of the Quality Assurance Agency, the owner, the contractor, and the Building Official.

If the Building Official determines that the owner has made changes to the Approved Agency without prior approval after the work has commenced, the Building Official may order the work to be stopped. Work may resume upon submittal of a compliance report or evidence that the work completed prior to the agency change complies with the approved construction documents.

- 5. Subcontracted Inspection.** The Approved Agency designated on the special inspection agreement may subcontract special inspection services to other approved agencies. The Approved Agency is responsible for overall coordination and issuance of the final report. The Approved Agency and the subcontracted agency shall notify the Building Official in writing. The written notification shall identify the Approved Agency, the subcontracted agency, and the division of scope of work prior to commencement of the work. The engineering manager of the Approved Agency shall provide a written declaration that they are in responsible charge of all subcontracted special inspections. The Approved Agency is responsible for notifying the Building Official in writing of any changes in the designated subcontracted agencies.
- 6. Special Inspection Requests.** Special inspections requests shall be coordinated between the designated Approved Agency and the contractor. The permit applicant is responsible to establish and maintain communication with the special inspectors throughout the construction process. The permit applicant shall provide sufficient notice to the Approved Agency to schedule special inspection services. Construction is subject to stop work for failure to establish and maintain the required special inspection process. The permit applicant shall verify that the Approved Agency has the most current set of approved construction documents.
- 7. Special Inspection Agreement.** The Approved Agency shall submit a final report to the Building Official stating all work requiring special inspection was inspected, reported, and found to be in compliance with the approved construction documents and the technical codes. Final reports shall not be submitted to the Building Official until all non-compliances have been cleared or exceptions taken and documented as being acceptable to the Building Official. Final reports shall include all inspection, testing, and related engineer-signed reports. Final reports must be reviewed by and be stamped or sealed in accordance with applicable Nevada state law. The stamp and

original signature shall be on a cover letter which certifies the required special inspections were completed, or exceptions taken and documented as being acceptable to the Building Official.

8. **Maintenance of Records.** Approved agencies shall maintain records of all inspection reports, laboratory test results, and other documents generated during the performance of inspections, material testing, and other related activities on a project. Those records shall be maintained by the approved agencies for a period specified by the applicable referenced standards, but not less than two years from the date the final reports were documented as approved.

## **SECTION 306 – CONTRACTORS’ RESPONSIBILITIES**

**306.1 Contractors’ Responsibilities.** Each contractor to whom a permit is issued pursuant to this Chapter shall have the following responsibilities:

1. **Quality Control Agreement.** A quality control agreement between the Building Official and the Contractor may be required on permits. When required the general contractor shall designate a prime agency to provide quality control and document the results for the Building Official.
2. **Duties.** Each contractor possessing an appropriate and valid master or qualified individual certification, or employing an individual who possesses either the master or qualified individual certification, shall, at all times, be responsible for the proper supervision and inspection of the work and to perform the work in compliance with the approved construction documents and technical codes.
3. **Competent Employees.** No person shall engage in the installation, alteration, or construction of any work, devices, fixtures, appliances or equipment inside or outside of any building without possessing the appropriate category of business license and possessing or employing an individual with the appropriate master or qualified person certification as required by this section and issued or approved by City of Las Vegas. The contractor is responsible to hire competent employees to perform all work.
  - a. **Master or Qualified Employees.** The contractor is responsible to employ at least one master or qualified individual of the appropriate category to perform the duties of a master or qualified individual for permits involving electrical, plumbing, wood framing or mechanical work. Upon written request by the Building Official, the contractor shall provide a written listing of master plumber(s), master electrician(s), plumbing qualified individuals, electrical qualified individuals, mechanical qualified individuals, wood framing qualified individuals and other employees with their respective certification qualification control numbers and issuing agency, by each job or permit in effect.



b. **Supervision On-site.** For every building construction job site, at which there is plumbing, electrical or wood framing work or mechanical work of residential or light frame construction being performed under a permitted scope of work, the contractor shall have one or more of the following persons present during work hours in a supervisory capacity for the permitted work:

i. Plumbing Work

1. A master plumber or plumbing qualified individual; or,
2. A journeyman plumber.

ii. Electrical Work

1. A master electrician or electrical qualified individual; or,
2. A journeyman electrician.

iii. Mechanical Work

1. A mechanical qualified individual; or,
2. A journeyman HVAC mechanic.

iv. Wood Framing Work

1. A journeyman wood framer

## **SECTION 307 – CONNECTION TO UTILITIES**

**307.1 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.

**307.2 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.

**307.3 Construction Power.** The Building Official may authorize temporary construction power.

**307.4 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 308 – CERTIFICATE OF OCCUPANCY**

**308.1 Use or Occupancy.** Except as otherwise provided in this section, 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.

**308.2 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, and after receiving verification from the sewage disposal authority and the water purveyor that all off-site and on-site sewer and water facilities necessary for the permitted use or occupancy have been placed in service by the authority having jurisdiction, respectively, 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, or tenant name, for which the certificate is issued.
5. The edition of the code under which the permit was issued.
6. The type of construction of the building or structure.
7. The use and occupancy in accordance with the code in effect at the time that the certificate was issued.
8. The occupancy load of the building or structure.
9. The area of building or structure.
10. 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

11. Date of issuance.

12. The name and signature of the Building Official.

13. Any special stipulations or conditions required by the Building Official.

A Final Inspection shall be considered to be equivalent to the Certificate of Occupancy for any building classified in occupancy group U.

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 this Code as determined by the Building Official.

Based upon the provisions of this section, the use of the building by the present occupancy may continue while the above activities are performed when approved by the Building Official. 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.

### **308.3 Certificate of Occupancy for Existing Buildings.**

**308.3.1 Where Permit(s) Has Been Issued.** 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:

1. 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.
2. Any deficiencies in code compliance will be identified by the inspector by appropriate legal notice and provided to owner/representative/tenant of the building within a specified time to correct such deficiencies as approved by the Building Official.
3. Upon correction of the deficiencies a Certificate of Occupancy will be issued.

**308.3.2 Where No Permit Record Is Available.** 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:

1. An application for a Certificate of Occupancy shall be submitted by the property owner that includes:
  - a. The date of the original construction of the building;
  - b. Code analysis.
  - c. Site plan;
  - d. The proposed use of the building at the time of original construction;
  - e. The current use of the building and portions thereof;
  - f. A dimensioned floor plan, drawn to an appropriate scale with sufficient detail to indicate the size and use of all portions of the building.
2. The performance of a site investigation by an appropriate inspector to review the building's compliance with applicable codes in effect at the time the building was constructed. 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.
3. 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.
4. An appropriate legal 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.
5. Upon correction of the deficiencies a Certificate of Occupancy will be issued.

**308.4 Certificate of Completion.** 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.

**308.5 Temporary Certificate of Occupancy.** If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof, the Building Official may issue a Temporary Certificate of Occupancy (TCO) for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

**308.5.1 Fee for Temporary Certificate of Use of Occupancy.** The fee for issuance of a Temporary Certificate of Occupancy (TCO) shall be \$250 or the fee as set forth in the Current Adopted Fee Schedule. If additional inspection(s) are required prior to the issuance of the temporary certificate, all costs of such inspection(s) shall be paid by the applicant at the rate specified in the Current Adopted Fee Schedule.

**308.6 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.

**308.6 Suspension or Revocation.** The Building Official may, by appropriate legal notice, 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. The Building Official with proper cause may require the building, structure, or portion thereof to be vacated.

**308.7 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 appropriate legal notice to the owner and occupant.

## Chapter 4

### SEWER CONNECTION

**SECTION 401 – FEES FOR SEWER CONNECTION** (See the Las Vegas Municipal Code for Schedule of Fees.)

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 are 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. 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.

**SECTION 402 – SEWER TRUNK EXTENSIONS AND OVERSIZING REFUNDING AGREEMENTS**

1. 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:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. “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.

2. 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.
3. Unless otherwise specified by agreement, refunds associated with sewer extensions and reimbursements associated with oversizing shall be made to the applicant.