

ORDINANCE NO 2589

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, NEVADA, REPEALING ORDINANCE 1782, BEING ALL OF CHAPTER 8.16, ENTITLED “NORTH LAS VEGAS FIRE CODE” OF TITLE 8 OF THE NORTH LAS VEGAS MUNICIPAL CODE (NLVMC), AND ADOPTING THE INTERNATIONAL FIRE CODE, 2009 EDITION, BY REFERENCE, WITH APPENDICES, AMENDMENTS AND SUPPLEMENTS, AS A NEW CHAPTER 8.16, ENTITLED “NORTH LAS VEGAS FIRE CODE” TO TITLE 8 OF THE NLVMC; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

SECTION 1: Ordinance No. 1782, being all of Chapter 8.16, entitled “NORTH LAS VEGAS FIRE CODE,” of Title 8 of the North Las Vegas Municipal Code, is hereby repealed in its entirety.

SECTION 2: A new Chapter 8.16 entitled “NORTH LAS VEGAS FIRE CODE” shall be adopted to Title 8 of the North Las Vegas Municipal Code, which chapter shall read as follows:

Sections:

- 8.16.010 Short Title.
- 8.16.020 Adoption.
- 8.16.030 Enforcement Authority and establishment of the Division of Fire Prevention.
- 8.16.040 State Fire Marshal’s regulations.
- 8.16.050 Citations.
- 8.16.060 Penalties.

8.16.010 Short Title.

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

B. Where the designation “International Fire Code” or the abbreviation “IFC” appears in this chapter, it shall be construed to referring to the International Fire Code as adopted by this ordinance, Ordinance 2589.

8.16.020 Adoption.

That certain document, a copy of which is on file in the office of the city clerk of the City of North Las Vegas, being marked and designated as the “International Fire Code, 2009 Edition,” as published by the International Code Council, Inc., Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

And the same is hereby designated as the City of North Las Vegas Fire Code and by this designation and reference is hereby adopted and made part of this chapter, the same as if it were fully set forth herein, subject to the deletions, modifications, amendments, or supplements set forth and adopted by the North Las Vegas Fire Code Amendments which is on file in the office of the city clerk of the City of North Las Vegas.

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

8.16.030 Enforcement Authority and establishment of the Division of Fire Prevention.

The International Fire Code shall be enforced by the Division of Fire Prevention of the North Las Vegas Fire Department, which is hereby established, and which shall be operated under the supervision of the of the chief of the fire department.

8.16.040 State Fire Marshal’s regulations.

Pursuant to Nevada Administrative Code 477.280, the Fire Prevention Division of the North Las Vegas Fire Department, under the supervision of the chief of the fire department, shall enforce the regulations adopted by the State of Nevada Fire Marshal.

8.16.050 Citations.

The chief of the North Las Vegas Fire Department or his designees may prepare, sign and serve written citations on persons accused of violating any provision of this title. Any designated employee issuing a citation pursuant to this section shall comply with the provisions of NRS 171.1773.

8.16.060 Penalties.

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

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

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this Ordinance and based upon such information adopts this Ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS ____ day of _____, 2011.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

Shari L. Buck, Mayor

ATTEST:

KAREN L. STORMS, CMC, City Clerk

APPROVED AS TO FORM:

NICHOLAS G. VASKOV, Acting City Attorney