

NYE COUNTY AGENDA INFORMATION FORM

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☒ Action
 ☐ Presentation
 ☐ Presentation & Action

Department: Planning		Agenda Date:	
Category: Timed Agenda Item – 10:00 a.m.		June 7, 2022	
Contact: Brett Waggoner		Phone: 775-751-4249	Continued from meeting of:
Return to: Brett Waggoner	Location: Pahrump Planning		Phone: 775-751-4249
Action requested: (Include what, with whom, when, where, why, how much (\$) and terms) Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2022-05: A Bill proposing to amend the International and Uniform Building and Construction Codes Effective Within Nye County as set forth in Nye County Code Chapter 15.16.010, pertaining to the requirement for automatic sprinkler systems in new buildings and structures; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.			
Complete description of requested action: (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures) Staff recommends adoption with an effective date of June 27, 2022. Any information provided after the agenda is published or during the meeting of the Commissioners will require you to provide 20 copies: one for each Commissioner, one for the Clerk, one for the District Attorney, one for the Public and two for the County Manager. Contracts or documents requiring signature must be submitted with three original copies.			
Expenditure Impact by FY(s): (Provide detail on Financial Form) <div style="text-align: right;">No financial impact</div>			

Routing & Approval (Sign & Date)

1. Dept	Date	6.	Date
2.	Date	7. HR	Date
3.	Date	8. Legal	Date
4.	Date	9. Finance	Date
5.	Date	10. County Manager	Date

Item #: 7

BILL NO. 2022-05

NYE COUNTY ORDINANCE NO. _____

SUMMARY: A Bill proposing to amend the International and Uniform Building and Construction Codes Effective Within Nye County as set forth in Nye County Code Chapter 15.16.010, pertaining to the requirement for automatic sprinkler systems in new buildings and structures; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto.

TITLE: A BILL PROPOSING TO AMEND THE INTERNATIONAL AND UNIFORM BUILDING AND CONSTRUCTION CODES EFFECTIVE WITHIN NYE COUNTY AS SET FORTH IN NYE COUNTY CODE CHAPTER 15.16.010, PERTAINING TO THE REQUIREMENT FOR AUTOMATIC SPRINKLER SYSTEMS IN NEW BUILDINGS AND STRUCTURES; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY, AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, pursuant to NRS 244.119, the Nye County Board of Commissioners (“Board”) is authorized to amend Nye County Code; and

WHEREAS, pursuant to NRS 244.3675(1), the Board may regulate all matters relating to the construction, maintenance and safety of buildings, structures and property within the County; and

WHEREAS, pursuant NRS 244.3675(2), the Board may adopt any building, electrical, plumbing, or safety code necessary to regulate building safety in Nye County; and

WHEREAS, pursuant to NRS 244.105, the Board may adopt uniform codes by reference with such changes as may be necessary to make it applicable to conditions in the county, and with such other changes as may be desirable.

NOW, THEREFORE, pursuant to NRS 244.110, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

NYE COUNTY CODE TITLE 15 IS HEREBY AMENDED AS FOLLOWS, with shown in strike-through red font, and additions and modifications shown in underscored blue font:

2018 NYE COUNTY AMENDMENTS

2018 INTERNATIONAL BUILDING CODE

PREFACE

This document comprises the Nye County Amendments to the following codes:

2018 International Building Code as published by the International Code Council.

2018 International Building Code

903.3.1.2 NFPA 13R sprinkler systems. *Automatic sprinkler systems* in Group R Occupancies up to and including two stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories in Group R occupancies constructed in accordance with Section 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

Revise Section 903.2 to read as follows:

903.2 Where required. Approved *automatic sprinkler systems* in new buildings and structures shall be provided throughout all buildings and structures, regardless of occupancy type and including buildings and structures in accordance with the *International Building Code*, and *International Residential Code* which, meet one of the following requirements, and additionally in the locations described in Sections 903.2.1 through 903.2.12:

1. For buildings constructed in accordance with the *International Building Code*, approved automatic sprinklers systems are required where required by the *International Building Code* and *International Fire Code*.
2. For buildings constructed in accordance with the *International Residential Code*, approved *automatic sprinkler systems* are required where the living space exceeds 5,000 square feet (464 m²).
3. For any buildings, not otherwise requiring fire sprinklers, where the available fire flow does not meet the fire flow requirements of the *International Fire Code*, approved *automatic sprinkler systems* shall be provided as required by the *fire code official*.

SEVERABILITY. If any provision of this ordinance or amendments thereto, or the application to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto

which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

Effective Date. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the ____ day of _____, 2022.

Proposed on the ____ day of _____, 2022.

Proposed by: Commissioner _____

Adopted on the ____ day of _____, 2022.

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

BY: _____

Frank Carbone, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

Sandra L. Merlino
Clerk and Ex-Officio
Clerk of the Board

BILL NO. 2022-05

NYE COUNTY ORDINANCE NO. _____

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TITLE: A BILL PROPOSING TO AMEND THE INTERNATIONAL AND UNIFORM BUILDING AND CONSTRUCTION CODES EFFECTIVE WITHIN NYE COUNTY AS SET FORTH IN NYE COUNTY CODE CHAPTER 15.16.010, PERTAINING TO THE REQUIREMENT FOR AUTOMATIC SPRINKLER SYSTEMS IN NEW BUILDINGS AND STRUCTURES; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY, AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

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PREFACE

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903.3.12 NFPA 13R sprinkler systems. *Automatic sprinkler systems* in Group R Occupancies up to and including two stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories in Group R occupancies constructed in accordance with Section 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

Revise Section 903.2 to read as follows:

903.2 Where required. Approved *automatic sprinkler systems* in new buildings and structures shall be provided throughout all buildings and structures, regardless of occupancy type and including buildings and structures in accordance with the *International Building Residential Code*, *and International Residential Code* which, meet one of the following requirements, and additionally in the locations described in Sections 903.2.1 through 903.2.12:

1. For buildings constructed in accordance with the *International Building Code*, approved automatic sprinklers systems are required where required by the *International Building Code* and *International Fire Code* ~~the building area exceeds 5,000 square feet (464 m²).~~
2. For buildings constructed in accordance with the *International Residential Code*, approved *automatic sprinkler systems* are required where the living space exceeds 5,000 square feet (464 m²).
3. For any buildings, not otherwise requiring fire sprinklers, where the available fire flow does not meet the fire flow requirements of the *International Fire Code*, approved *automatic sprinkler systems* shall be provided as required by the *fire code official*.

SEVERABILITY. If any provision of this ordinance or amendments thereto, or the

application to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

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Proposed on the ____ day of _____, 2022.

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Vote: Ayes: Commissioners:

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Absent: Commissioners:

BY: _____

Frank Carbone, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

Sandra L. Merlino
Clerk and Ex-Officio
Clerk of the Board