

BILL NO. _____

SUMMARY – An ordinance to amend Title 13, Chapter 13.04 of the Clark County Code to recognize FM Global Property Loss Prevention Data Sheets as prima facie evidence of compliance, revise the permit fee calculation methodology for some permit types and include fire personnel and equipment cost for special events; and providing other matters properly related thereto.

ORDINANCE NO. _____
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 13.04 OF THE CLARK COUNTY CODE TO RECOGNIZE FM GLOBAL PROPERTY LOSS PREVENTION DATA SHEETS AS PRIMA FACIE EVIDENCE OF COMPLIANCE, REVISE THE PERMIT FEE CALCULATION METHODOLOGY FOR SOME PERMIT TYPES, INCLUDE FIRE PERSONNEL AND EQUIPMENT COST FOR SPECIAL EVENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 13, Chapter 13.04 of the Clark County Code is amended and adopted to read as follows:

13.04.070 Scope and Administration. A subsection, designated “102.8 Subjects not regulated by this Code,” is added to read as follows:

102.8 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association, FM Global Property Loss Prevention Data Sheets or other nationally recognized fire safety standards, as approved, shall be deemed prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the fire code official to determine compliance with codes or standards for those activities or installations within the fire code official’s jurisdiction or responsibility.

13.04.070 Scope and Administration. A subsection, designated “105.3.1 Expiration,” is amended to read as follows:

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced, as evidenced by failure to request an inspection. Before such work recommences, the permit shall be first renewed and the fee to recommence work, if any, shall be one-half the amount required for the original permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits that have expired or been abandoned for a period exceeding one year may only be renewed with approval from the fire code official and with the payment of a fee equal to the original permit fee for such work. Permits are not transferable and any changes in occupancy, operation, tenancy or ownership shall require a new permit to be issued.

13.04.070 Scope and Administration. A subsection, designated “105.3.1.1 Renewal of Expired Permits,” is added to read as follows:

105.3.1.1 Renewal of Expired Permits. Renewal of Permits. Upon the expiration of a permit, before work can be recommenced, a permit renewal shall be obtained. The permit renewal fee shall be one-half the amount required for an initial permit for such work, provided no changes have been made or will be made in the original approved construction documents. After one year (365 days) following the last approved inspection or since the issue date of the permits(s), the permit applicant must file an application for new permit(s). Renewal of a permit issued prior to the current code cycle will only be allowed when authorized by the fire code official.

13.04.070 Scope and Administration. A subsection, designated “105.6.27 LP-gas” is added to read as follows:

105.6.27 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas

Exceptions:

1. An operational permit is not required in Group R-3 occupancies and buildings constructed in accordance with the IRC.

2. An operational permit is not required for individual containers with a 30-gallon (113.6 L) water capacity or less or multiple containers having an aggregate quantity not exceeding 30 gallons (113.6 L).
3. Operation of cargo tankers that transport LP-gas.
4. An operational permit is not required for LP-gas used in accordance with IFC Section 319, Mobile Food Preparation Vehicles.

13.04.070 Scope and Administration. A subsection, designated “106.6.1 Permit & Service Fee Payment,” is added to read as follows:

106.6.1 Permit & Service Fee Payment (effective July 1, 2023) The fees for issuance and plan review of each type of permit shall be as set forth in this section. The plan review fee is integral into the permit fees, as calculated. Applicant shall pay half of the estimated permit fee at the time of submitting the application for review. The remaining balance of the permit fee shall be paid prior to the issuance of the permit.

13.04.070 Scope and Administration. A subsection, designated “106.6.2 Express Plan Processing,” is added to read as follows:

106.6.2 Express Plan Processing. The fire code official may establish an express plan review program with rules and regulations, subject to workload and staff availability for providing express services without adversely impacting normal plan review activities. Additional fees shall be charged for express plan review services as established in Table 106-G.

13.04.070 Scope and Administration. A subsection, designated “106.6.3 Fee Refunds,” is added to read as follows:

106.6.3 Fee Refunds. The fire code official may authorize the refunding of any fee imposed by this Chapter, which was erroneously paid or collected. The fire code official shall not authorize the refunding of any fee paid except upon written application filed by the original permit holder not later than 180 days after the date of fee payment. Limits placed on refunds include:

- (A) Not more than 80 percent of the permit fee paid at the time of application submittal when no work in reviewing the applications has been done under a permit application prior to the issuance of the permit in accordance with this Chapter; or,

- (B) Not more than 80 percent of the permit fee paid at the time of permit issuance when no work has been done under a permit issued in accordance with this Chapter; or,
- (C) The fire code official may authorize credit towards the purchase of replacement permits for work destroyed during construction by a natural or manmade catastrophe of up to one-half of the original permit fee paid. The amount of the credit shall be pro-rated based on the number of required inspections completed before destruction.
- (D) The fire code official may authorize a 100% refund in the event that an error has been made by the Department, as determined by the fire code official. The refund amount is limited to the fees collected in error. In the event the Department requires an incorrect permit type to be void, the fire code official may authorize a credit from fees paid to be applied to the correct replacement permit.

13.04.070 Scope and Administration. A subsection, designated “106.6 Permit & Service Fee Schedule” Table 106-A, is amended to read as follows:

Table 106-A (effective July 1, 2023)

Minimum Permit Fee is \$90 (unless otherwise noted in 106.6)
--

13.04.070 Scope and Administration. A subsection, designated “106.6 Permit & Fee Schedule” Table 106-B, is amended to read as follows:

Table 106-B (effective July 1, 2023)

\$90 per count of components	
Permit Name	Explanation of Escalation
Access Gates	Escalation per gate (automatic or manual)
Amusement Buildings	Escalation per amusement building
Covered mall buildings - Kiosks	Escalation per kiosk
Explosives - Storage	Escalation per fireworks stand bunker or magazine
Hot-work operations	Escalation per location, mobile, fixed, combination
Industrial Ovens	Escalation per oven
Open Flames and Candles	Escalation per each separate type of device/assembly, not per device count, i.e. candles, portable stoves, etc.

Pyrotechnic special effects materials - July 4 Sales Booth	Escalation per each booth
Special Activity Lot	Escalation per activity, i.e. Christmas Tree Lot, Pumpkin Patch, Hay-Ride Lot, etc.
Spraying or dipping	Escalation per booth/spray area/dipping area

13.04.070 Scope and Administration. A subsection, designated “106.6 Permit & Service Fee Schedule” Table 106-F, is amended to read as follows:

Table 106-F (effective July 1, 2023)

FIRE PROTECTION SYSTEMS		
MINIMUM FEE IS \$90. Fee calculated based on		
<u>Permit Type</u>	<u>Fee</u>	<u>Comments</u>
Civil Underground	\$45/Acre	
Fire Alarm	\$1.00/100 s.f.	
Fire Pumps	\$3.00/1,000 s.f.	\$540 minimum permit fee
Automatic Fire Sprinkler, <20 heads	\$6.00/1,000 s.f.	
Automatic Fire Sprinkler, >20 heads	\$20.00/1,000 s.f.	
Wet Chemical Suppression	\$130.00/100 s.f.	
Dry Chemical Suppression	\$16.00/100 s.f.	
Standpipe	\$2.00/1,000 s.f.	
Water Supply Storage Tank	\$15.00/1,000 gallons	

13.04.070 Scope and Administration. A subsection, designated “106.6 Permit & Service Fee Schedule” Table 106-G, is amended to read as follows:

Table 106-G

FEES FOR OTHER SERVICES		
SERVICE	Fee	Comments
Minimum Permit Fee	\$90	
Reinspection fees	\$90 per hour, per person	Minimum one hour, to include travel time. Applies to 2 nd reinspection for same deficiencies.

FEES FOR OTHER SERVICES		
SERVICE	Fee	Comments
Overtime Inspection and plan review fees. (Outside of regular work hours)	\$90 per hour, per person	Minimum three hours, to include travel time for inspectors. Inspections and/or plan review requested outside of regular business hours.
Overtime Inspection fees (Extension of work day)	\$90 per hour, per person	Actual time worked. Minimum one hour, to include travel time.
Same-Day Inspection Fee	\$270	Also responsible for inspector's overtime.
Complaint Inspection fee	\$90 per hour, per person	Minimum one hour, to include travel time. Applies to 3 rd inspection visit, and each subsequent re-inspection visit for the same deficiencies.
Inspections or service for which no fee is specifically indicated	\$90 per hour, per person	Actual time worked. Minimum one hour, to include travel time. Fee is assessed for inspections and services for any building, structure or premise which is not covered by an existing valid permit or for other situations where requested by the customer, for work to be conducted at the option of the fire code official.
Dedicated Staff Fee	\$150 per hour, per person	For major projects that request that the fire code official assign one or more inspectors to be available on-site to perform inspections on call, or assign one or more plans reviewers to perform plans review on an expedited fashion. This service is subject to available resources, and requires a preapproved and executed agreement prior to commencement.
Additional plan review fees	\$90 per hour	Minimum one hour. Rounded to next half hour.
Sprinkler Design Flow Test	\$90	To establish basis for fire sprinkler system design

FEES FOR OTHER SERVICES		
SERVICE	Fee	Comments
Express Plan Review	2x permit fee	Please note this service is subject to staff availability and requires pre-approval.
Letters of Agreement and other reviews	\$90 per hour	Combustible load-in policy, phased system installation, TCO approval letters, evacuation plans, smoke control/removal recertification reports etc.
Customer-requested reviews	\$90 per hour	Reviews requested by customers not otherwise required by codes
Fire Protection Report - tenant improvement/remodel	\$90 per hour	Per report
Fire Protection Report - Full facility, alternate methods, TCO	\$180, or \$90 per hour, whichever is greater	Per report
Technical Opinion and Report	\$180, or \$90 per hour, whichever is greater	Per report. Includes review of documents for Emergency Planning and Preparedness
Returned Check Fee	\$25	
Address change	\$90 per hour for additional plan review (revision). \$45 (half minimum permit fee) for permit reprint only no plan changes.	Minimum one hour. Rounded to next half-hour
Renewable permit late fee	\$90 per each 30-day period past the renewable due date	
Extension of unexpired construction permit	\$45 for each extension of time for an unexpired construction permit	Maximum of 1 extension of additional 180 days permitted if request is made prior to expiration of the permit

FEES FOR OTHER SERVICES

SERVICE	Fee	Comments
Apparatus Standby (with 4 fire personnel)	\$500 per hour	Minimum of 4 hours per apparatus, applied and payable to the Clark County Fire Department. All apparatus standby, fire personnel and equipment rates may be subject to an amount not to exceed a 3% increase at the beginning of each fiscal year.
Nuisance Alarm Fee	\$500	Payable to the Clark County Fire Department
Any additional services provided by Fire Prevention not specified herein	\$90 per hour	
Work Without Permits	Permit fee required for immediate plan review, plus 3x hourly rate for inspection of scope of unpermitted work, per person	Fee whenever any work for which a permit is required has been commenced without first obtaining a permit, or where work has been found to exceed the scope of a valid permit
Emergency Responses	Actual fire personnel and equipment using rates as defined in the table	At the fire chief's discretion, the fire department may charge the property owner or permit holder for any resources utilized to respond to an emergency in which a preventable hazardous condition caused the emergency response. This includes, but is not limited to, building, health, and fire code violations, insufficient on-site resources, or an insufficient safety plan.

Table 106-G.1
Fire Personnel and Equipment Rates
 Public Safety Staffing, including but not limited to Special Events

FIRE PERSONNEL	Fee	Comments
Battalion Chief	\$150 per hour	Minimum of 4 hours per fire personnel and/or fire equipment to staff an event; all fees shall be applied and payable to the Clark County Fire Department.
Emergency Medical Services (EMS) Coordinator	\$125 per hour	
Fire Captain	\$115 per hour	
Fire Engineer	\$100 per hour	
Fire Investigator	\$100 per hour	
Logistic Officer	\$100 per hour	
Fire Fighter	\$90 per hour	
Engine Unit or Utility Vehicle (with 4 fire personnel)	\$500 per hour	All apparatus standby, fire personnel and equipment rates may be subject to an amount not to exceed a 3% increase at the beginning of each fiscal year.
Utility Vehicle (with 3 fire personnel)	\$400 per hour	
Rescue Unit or Utility Vehicle (with 2 fire personnel)	\$300 per hour	

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be published thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks, and shall be effective on and from the fifteenth day after passage.

PROPOSED on the _____ day of _____, 2022.

PROPOSED BY: Commissioner _____

PASSED on the _____ day of _____, 2022.

AYES:

NAYS:

ABSTAINING:

ABSENT:

BOARD OF COMMISSIONERS
CLARK COUNTY, NEVADA

BY: _____
JIM GIBSON, Chairman

ATTEST:

LYNN MARIE GOYA, County Clerk

This ordinance shall be in force and effect from and after the _____ day of _____, 2022.