

SENATE BILL NO. 216—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

FEBRUARY 18, 1999

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing payment of fees by public agencies to cities and counties with regard to regulation of construction. (BDR 22-267)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to the regulation of construction; revising provisions governing the payment of fees by public agencies to cities and counties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 278.580 is hereby amended to read as follows:
2 278.580 1. Subject to the limitation set forth in NRS 244.368, the
3 governing body of any city or county may adopt a building code, specifying
4 the design, soundness and materials of structures, and may adopt rules,
5 ordinances and regulations for the enforcement of the building code.
6 2. The governing body may also fix a reasonable schedule of fees for
7 the issuance of building permits. A schedule of fees so fixed does not apply
8 to the State of Nevada ~~[and its political subdivisions.]~~, ***the University and***
9 ***Community College System of Nevada or any school district, except that***
10 ***such entities may contract with the governing body to pay such fees for***
11 ***the issuance of building permits, the review of plans and the inspection***
12 ***of construction. Except as it may agree to in such a contract, a governing***
13 ***body is not required to provide for the review of plans or the inspection of***
14 ***construction with respect to a structure of the State of Nevada, the***
15 ***University and Community College System of Nevada or any school***
16 ***district.***

1 3. Notwithstanding any other provision of law, the state and its
2 political subdivisions shall comply with all zoning regulations adopted
3 pursuant to this chapter, except for the expansion of any activity existing on
4 April 23, 1971.

5 4. A local governing body shall amend its building codes to permit the
6 use of straw or other materials and technologies which conserve scarce
7 natural resources or resources that are renewable in the construction of a
8 structure and the use of solar energy for the heating of a structure, to the
9 extent the local climate allows, as intended by:

10 (a) The Uniform Building Code adopted by the International Conference
11 of Building Officials in the form most recently published before March 1,
12 1995; and

13 (b) The Model Energy Code adopted by the Council of American
14 Building Officials in the form most recently published before March 1,
15 1995.

16 **Sec. 2.** NRS 244.3675 is hereby amended to read as follows:

17 244.3675 Subject to the limitations contained in NRS 244.368,
18 278.580, 278.582 and 444.340 to 444.430, inclusive, the boards of county
19 commissioners within their respective counties may:

20 1. Regulate all matters relating to the construction, maintenance and
21 safety of buildings, structures and property within the county.

22 2. Adopt any building, electrical, plumbing or safety code necessary to
23 carry out the provisions of this section and establish such fees as may be
24 necessary. ~~These~~ *Except as otherwise provided in NRS 278.580, these*
25 *fees do not apply to the State of Nevada* ~~and its political subdivisions.~~,
26 *the University and Community College System of Nevada or any school*
27 *district.*

28 **Sec. 3.** NRS 268.413 is hereby amended to read as follows:

29 268.413 Subject to the limitations contained in NRS 244.368, 278.580,
30 278.582 and 444.340 to 444.430, inclusive, the city council or other
31 governing body of an incorporated city may:

32 1. Regulate all matters relating to the construction, maintenance and
33 safety of buildings, structures and property within the city.

34 2. Adopt any building, electrical, plumbing or safety code necessary to
35 carry out the provisions of this section and establish such fees as may be
36 necessary. ~~These~~ *Except as otherwise provided in NRS 278.580, these*
37 *fees do not apply to the State of Nevada* ~~and its political subdivisions.~~,
38 *the University and Community College System of Nevada or any school*
39 *district.*

40 **Sec. 4.** This act becomes effective upon passage and approval.