

ASSEMBLY BILL NO. 225—ASSEMBLYMEN PIERCE; ATKINSON,
BUCKLEY, HOGAN, KIHUEN, KIRKPATRICK, LESLIE,
MUNFORD, OCEGUERA AND SEGERBLOM

MARCH 3, 2009

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions relating to county fire departments. (BDR 20-908)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to county fire departments; requiring a board of county commissioners that creates a district for a fire department to adopt an ordinance requiring the imposition and collection of fees for the transportation of sick or injured persons by the department to a medical facility; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the board of county commissioners, in a county where a
2 district for a fire department has been created and where the fire department
3 transports sick or injured persons to a medical facility, to adopt an ordinance that
4 either: (1) requires the fire department to impose and collect fees to defray the
5 expenses of furnishing such transportation; or (2) prohibits the imposition and
6 collection of such fees. (NRS 244.2961) **Section 1** of this bill repeals the option of
7 adopting an ordinance prohibiting the imposition and collection of such fees.
8 **Section 2** of this bill, with respect to a county that has already adopted an ordinance
9 prohibiting the imposition and collection of such fees, allows the county until
10 January 1, 2010, to amend or repeal that ordinance.

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

1 **Section 1.** NRS 244.2961 is hereby amended to read as
2 follows:

3 244.2961 1. The board of county commissioners may by
4 ordinance create a district for a fire department. The board of county



commissioners is ex officio the governing body of any district created pursuant to this section and may:

(a) Organize, regulate and maintain the fire department.

(b) Appoint and prescribe the duties of the fire chief.

(c) Designate arson investigators as peace officers.

(d) Regulate or prohibit the storage of any explosive, combustible or inflammable material in or transported through the county, and prescribe the distance from any residential or commercial area where it may be kept. Any ordinance adopted pursuant to this paragraph that regulates places of employment where explosives are stored must be at least as stringent as the standards and procedures adopted by the Division of Industrial Relations of the Department of Business and Industry pursuant to NRS 618.890.

(e) Establish, by ordinance, a fire code and other regulations necessary to carry out the purposes of this section.

(f) Include the budget of the district in the budget of the county.

(g) Hold meetings of the governing body of the district in conjunction with the meetings of the board of county commissioners without posting additional notices of the meetings within the district.

2. If the fire department transports sick or injured persons to a medical facility, the board of county commissioners shall adopt ~~an ordinance~~ **an ordinance**:

(a) ~~An ordinance~~:

~~(1)~~ Requiring the fire department to defray the expenses of furnishing such transportation by imposing and collecting fees; and

~~(2)~~ (b) Establishing a schedule of such fees. ~~or~~

~~(b) An ordinance prohibiting the imposition and collection of any fees for such transportation.~~

3. The other officers and employees of the county shall perform duties for the district that correspond to the duties they perform for the county.

4. All persons employed to perform the functions of the fire department are employees of the county for all purposes.

Sec. 2. A board of county commissioners shall amend any ordinance previously adopted by that body which does not conform with the provisions of NRS 244.2961, as amended by section 1 of this act, by January 1, 2010. Any ordinance that does not comply with NRS 244.2961, as amended by section 1 of this act, by January 1, 2010, shall be deemed to conform with NRS 244.2961, as amended by section 1 of this act, by operation of law.

Sec. 3. This act becomes effective on July 1, 2009.

