

SENATE BILL NO. 94—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE GOVERNOR)

PREFILED DECEMBER 15, 2008

Referred to Committee on Government Affairs

SUMMARY—Imposes various requirements relating to fire protection in the area of the Lake Tahoe Basin located in this State. (BDR 42-444)

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

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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 fire protection; imposing various requirements relating to fire protection in the area of the Lake Tahoe Basin located in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law charges the State Forester Firewarden with overseeing various fire
2 protection activities for the State. (Chapter 472 of NRS) Existing law also provides
3 for the creation of various types of fire protection districts. (Chapter 318, 473 and
4 474 of NRS) **Section 1** of this bill requires the State Forester Firewarden to adopt
5 regulations for enforcement by the various fire protection districts that include a
6 portion of the Lake Tahoe Basin that is within this State to provide uniform
7 guidelines for attaining defensible space around the individual properties located in
8 that area. **Section 2** of this bill requires the State Forester Firewarden to review and
9 evaluate the laws and regulations of this State to: (1) ensure that such fire
10 protection districts have adequate statutory and regulatory authority to carry out the
11 regulations adopted pursuant to this bill and to carry out necessary fire safety and
12 fire prevention activities; and (2) ensure that there are adequate mechanisms to
13 increase the funding of the fire prevention districts, if necessary, to enforce the
14 regulations and that adequate funding exists to carry out their responsibilities. The
15 State Forester Firewarden is required to submit a report of its review and evaluation
16 and any recommendations for legislation to the Director of the Legislative Counsel
17 Bureau by January 1, 2011, for submission to the 2011 Legislature.



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

Section 1. Chapter 472 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Forester Firewarden shall adopt regulations applicable to the portion of the Lake Tahoe Basin that is located in this State to provide uniform guidelines for attaining defensible space around the individual properties located in that area. Such regulations must be enforced by each fire protection district created pursuant to chapter 318, 473 or 474 of NRS that includes any portion of that area. Such regulations must include, without limitation, requirements which are similar to:

(a) The most recent edition of the International Wildland-Urban Interface Code published by the International Code Council; and

(b) Any applicable laws of the State of California to address the mitigation of hazards to life and property from fires in wildland and adjacent areas.

2. The State Forester Firewarden shall:

(a) To the extent practicable, ensure that the regulations adopted pursuant to subsection 1 do not conflict with any ordinances, rules or regulations adopted by the Tahoe Regional Planning Agency.

(b) Review any changes that are made to the International Wildland-Urban Interface Code and to any applicable laws of the State of California to determine whether it is appropriate or necessary to make similar changes to the regulations adopted pursuant to subsection 1.

Sec. 2. 1. The State Forester Firewarden shall review and evaluate the laws and regulations of this State to ensure that adequate statutory and regulatory authority exists for each fire protection district, located in whole or in part in the portion of the Lake Tahoe Basin in this State, that is created pursuant to chapter 318, 473 or 474 of NRS to carry out the regulations adopted pursuant to section 1 of this act and to carry out any necessary fire safety and fire prevention activities. The review and evaluation must also include a determination of whether such fire protection districts have adequate funding to carry out their responsibilities and whether one or more statutory mechanisms exist to increase the funding, if necessary, to ensure the enforcement of the regulations adopted pursuant to section 1 of this act.

2. On or before January 1, 2011, the State Forester Firewarden shall submit a report which includes a summary of the review and evaluation conducted pursuant to subsection 1 and any



1 recommendations for legislation to the Director of the Legislative
2 Counsel Bureau for transmittal to the Legislature. The Director shall
3 cause the report to be made available to each Senator and
4 Assemblyman of the 2011 Legislature.

5 **Sec. 3.** The State Forester Firewarden shall adopt the
6 regulations required pursuant to section 1 of this act and complete
7 the review and evaluation of the laws and regulations of this State
8 required pursuant to section 2 of this act not later than July 1, 2010.

