

ASSEMBLY BILL NO. 4—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF RENO)

PREFILED NOVEMBER 15, 2018

Referred to Committee on Government Affairs

SUMMARY—Authorizes cities to create a district for a city fire department. (BDR 21-459)

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 cities; authorizing a governing body of a city to create a district for a city fire department; requiring the governing body of a city that creates a district for a city fire department to establish the boundaries of that district; authorizing the governing body of a city that creates a district for a city fire department to levy a tax for the support of the district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, a board of county commissioners may create a district for a
- 2 county fire department and establish the boundaries of that district, which must
- 3 exclude any territory within the boundaries of an incorporated city. (NRS 244.2961,
- 4 244.2965) **Section 2** of this bill authorizes the governing body of an incorporated
- 5 city to create a district for a city fire department. **Section 3** of this bill requires the
- 6 governing body of an incorporated city to establish the boundaries of the district for
- 7 a city fire department. **Section 4** of this bill authorizes the governing body of an
- 8 incorporated city to levy a tax for the support of the district for a city fire
- 9 department. **Sections 5 and 6** of this bill make conforming changes.



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

Section 1. Chapter 268 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *The governing body of an incorporated city may, by ordinance, create a district for a city fire department. The governing body of the incorporated city is ex officio the governing body of any district created pursuant to this section and, except as otherwise provided in a city charter, 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 city, 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 city.

(g) Hold meetings of the governing body of the district in conjunction with the meetings of the governing body of the incorporated city without posting additional notices of the meetings within the district.

2. *Except as otherwise provided in subsection 5, if the fire department transports sick or injured persons to a medical facility, the governing body of the incorporated city may adopt an ordinance:*

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

(b) Establishing a schedule of such fees.

3. *The other officers and employees of the incorporated city shall perform duties for the district that correspond to the duties the officers and employees perform for the city.*

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

5. *The provisions of subsection 2 do not apply to any city for which a nonprofit corporation has been granted an exclusive franchise for ambulance service in that city.*



Sec. 3. 1. Except as otherwise provided in subsection 2, the governing body of a city which creates a district for a city fire department shall establish the boundaries of the district and may alter those boundaries by ordinance.

2. The boundaries of the district for a city fire department must not be established or altered to include any territory outside the boundaries of the city, but detachments of territory from the city occurring after the effective date of the ordinance creating or altering the boundaries of a district do not affect the boundaries.

Sec. 4. The governing body of a city which creates a district for a city fire department may:

1. Levy a tax for the support of the district and for the payment of the interest and principal on any indebtedness incurred for its buildings or equipment, on all property within the boundaries of the district; and

2. Establish a separate fund in the city treasury for the receipt and expenditure of and accounting for the proceeds of the tax imposed pursuant to subsection 2.

Sec. 5. NRS 289.250 is hereby amended to read as follows:

289.250 1. The following persons have only those powers of a peace officer necessary to enforce the provisions of the laws of this State respecting forest and watershed management or the protection of forests and other lands from fire:

(a) Paid foresters and firewardens appointed pursuant to paragraph (a) of subsection 2 of NRS 472.040.

(b) Citizen-wardens appointed pursuant to paragraph (b) of subsection 2 of NRS 472.040.

(c) Voluntary firewardens appointed pursuant to paragraph (c) of subsection 2 of NRS 472.040.

2. A paid forester or firewarden appointed as an arson investigator pursuant to paragraph (d) of subsection 2 of NRS 472.040 has the powers of a peace officer.

3. An arson investigator designated as a peace officer pursuant to:

(a) Paragraph (c) of subsection 1 of NRS 244.2961; ~~or~~

(b) Subsection 3 of NRS 266.310 ~~};~~ or

(c) Paragraph (c) of subsection 1 of section 2 of this act,

↪ has the powers of a peace officer.

Sec. 6. NRS 350.538 is hereby amended to read as follows:

350.538 1. "Municipality" means any county, any incorporated city or town, including, without limitation, any city or town organized under the provisions of a special legislative act or other special charter, any unincorporated town, any school district or any quasi-municipal district, including, without limitation, the Nevada rural housing authority and any district created pursuant to



- 1 NRS 244.2961 *or section 2 of this act*, or governed by title 25 of
2 NRS, of this state, or any other public agency authorized to issue
3 general or special obligations on behalf of any of these. Where the
4 context so indicates, “municipality” means the geographical area
5 comprising the municipality.
6 2. “Municipality” does not include an irrigation district or other
7 special district governed by title 48 of NRS.

