

**City of Carson City
Agenda Report**

Date Submitted: August 6, 2013

Agenda Date Requested: August 15, 2013

Time Requested: 5 minutes

To: Mayor and Supervisors

From: Fire Department

Subject Title: Action to adopt, on second reading, Bill No.118, Ordinance No._____, an ordinance amending the Carson City municipal code title 14, chapter 14.01 general provisions, by amending section 14.01.035 traffic laws apply to non emergency vehicles, to change the section name to alternative materials and methods, and by deleting the provisions previously contained therein and adding the provisions previously contained in 14.01.040, and other matters properly related thereto. *(Stacey Giomi)*

Staff Summary: This language was added to municipal code many years ago when it was common for firefighters to respond to emergencies from their residences. The provision was never removed from the code in subsequent revisions. There is no longer any need for this language as it is covered in NRS and is not a practice commonly performed any longer.

Type of Action Requested: (check one)
☐ Resolution ☒ Ordinance (Second Reading)
☐ Formal Action/Motion ☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to adopt, on second reading, Bill No.118, Ordinance No._____, an ordinance amending the Carson City municipal code title 14, chapter 14.01 general provisions, by amending section 14.01.035 traffic laws apply to non emergency vehicles, to change the section name to alternative materials and methods, and by deleting the provisions previously contained therein and adding the provisions previously contained in 14.01.040, and other matters properly related thereto

Explanation for Recommended Board Action: Taking this action will remove the indicated language from Carson City Municipal Code

Applicable Statute, Code, Policy, Rule or Regulation: CCMC Title 14

Fiscal Impact: N/A

Explanation of Impact: N/A

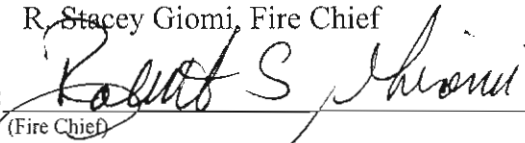
Funding Source: N/A

Alternatives: Refer the matter back to the Fire Department for consideration or deny the code language change

Supporting Material: Ordinance

Prepared By: R. Stacey Giomi, Fire Chief

Reviewed By:


(Fire Chief)

Date: 8/6/13


(City Manager)

Date: 8/6/13


(District Attorney)

Date: 8/6/13


(Finance Director)

Date: 8/6/13

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

ORDINANCE NO. _____
BILL NO. 118

AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 14 CHAPTER 14.01 GENERAL PROVISIONS, BY AMENDING SECTION 14.01.035 TRAFFIC LAWS APPLY TO NON EMERGENCY VEHICLES TO CHANGE THE SECTION NAME TO ALTERNATIVE MATERIALS AND METHODS AND BY DELETING THE PROVISIONS PREVIOUSLY CONTAINED THEREIN AND ADDING THE PROVISIONS PREVIOUSLY CONTAINED IN 14.01.040, AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

Section I: Title 14, Chapter 14.01 of the Carson City Municipal code is hereby amended as follows:

Chapter 14.01 GENERAL PROVISIONS

Sections:

14.01.005 Establishment and duties of the division of fire prevention.

14.01.010 Jurisdiction.

14.01.015 Police.

14.01.020 Violations.

14.01.025 False alarms.

14.01.035 ~~[Traffic laws apply to non-emergency vehicles.]~~ Alternative materials and methods.

~~[14.01.040 Alternative materials and methods.]~~

14.01.005 Establishment and duties of the division of fire prevention.

1. The provisions of Title 14 shall be enforced by the Carson City fire department—fire prevention division, which is hereby established and which shall be operated under the supervision of the chief.
2. An officer in charge of the bureau of fire prevention shall be appointed by the chief.
3. The chief may detail such members of the fire department as inspectors as shall be necessary.
4. The chief may appoint or utilize technical experts in the enforcement of this title.
5. Members of the fire prevention division, the chief, and those members designated as inspectors by the chief shall have the powers to issue citations and to carry out the provisions of this title.
6. A person, business or company may request that inspection services be conducted outside established work hours of the fire prevention division, provided that any additional costs incurred by the department for such inspections shall be paid by the requestor.

14.01.010 Jurisdiction.

Wherever the word “jurisdiction” is used in this title, it shall be held to mean Carson City or Carson City fire department.

14.01.015 Police.

Whenever the term “chief of police” or “police” is used in this title, it shall be held to mean the sheriff of Carson City or his duly authorized deputies.

14.01.020 Violations.

Persons who violate a provision of this title or who fail to comply with the lawful order of the chief, the fire code official or their designee shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) and/or by imprisonment of not more than six (6) months. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

14.01.025 False alarms.

Emergency fire department response to fire or medical alarms which are falsely sent, either accidentally or due to equipment failure, may subject the property owner to a service charge of three hundred dollars (\$300.00) per occurrence after the third such occurrence in a calendar year.

Section II: Title 14, Chapter 14.01.035 of the Carson City Municipal Code is hereby amended as follows:

14.01.035 ~~{Traffic laws apply to non-emergency vehicles.~~

~~Any member or employee of the fire department, including members of support volunteer organizations, responding to a fire or other alarm in a vehicle which is not an authorized emergency vehicle shall observe all speed limits and other traffic laws. }~~ **Alternative materials and methods.** The chief is authorized to approve an alternative material or method of construction where the fire code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this title, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this title in quality, strength, effectiveness, fire resistance, durability and safety.

Section II: Title 14, Chapter 14.01.040 of the Carson City Municipal Code is hereby deleted:

~~{14.01.040 Alternative materials and methods.~~

~~The chief is authorized to approve an alternative material or method of construction where the fire code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this title, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this title in quality, strength, effectiveness, fire resistance, durability and safety.}~~

Section III: If any clause, sentence, section, provision or part of this chapter shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not invalidate, impair or affect the remainder of this chapter.

Section IV: That no other provisions of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____ (month) _____ (day), 2013.

PROPOSED by _____.

PASSED _____ (month) _____ (day), 2013.

VOTE: AYES: SUPERVISORS: _____

NAYS: SUPERVISORS: _____

ABSENT: SUPERVISORS: _____

Robert Crowell, Mayor

ATTEST:

ALAN GLOVER
CLERK/RECORDER.

This ordinance shall be in force and effect from and after the 1st day of the month of September of the year, 2013.