



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** July 7, 2016

**Staff Contact:** Robert Schreihans, rschreihans@carson.org

**Agenda Title:** For Possible Action: To adopt Bill No. 109, on second reading, an ordinance amending the Carson City Municipal Code Title 14 Chapter 14.02 - in order to make it consistent with NAC 477. (Robert Schreihans)

**Staff Summary:** This will be the second reading of an ordinance to update the currently adopted Fire Code, in order to be consistent with changes to the Nevada State Fire Marshal Regulations NAC 477.

**Agenda Action:** Ordinance - Second Reading

**Time Requested:** 10 minutes

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## **Proposed Motion**

I move to adopt Bill No. 109, on second reading, Ordinance No. \_\_\_\_\_ an ordinance amending the Carson City Municipal Code Title 14 Chapter 14.02 - in order to make it consistent with NAC 477.

## **Board's Strategic Goal**

Safety

## **Previous Action**

N/A

## **Background/Issues & Analysis**

The Carson City Fire Department adopted the regional Northern Nevada Fire Code Amendments in 2013, as part of a comprehensive fire code update package to the 2012 International Codes. In 2015, the Nevada State Fire Marshal Division adopted new codes establishing State minimums for fire codes. Due to these changes, several sections need to be deleted from the previously adopted Northern Nevada Fire Amendments. There are two (2) significant changes. The first is the technical standard used for apartments, hotels, motels and other commercial residential occupancies, which will now be NFPA 13R for those residential occupancies up to four (4) stories. The previous standard used was NFPA 13 - which is the same standard used for all commercial space, such as factories and warehouses. The use of NFPA 13R will allow for a lower cost system to be installed, since the water demands are much less. The threshold requirements for fire sprinklers are unchanged. The technical standards are national consensus documents. The second change is to the definition of I-1 occupancies (institutional) to be in line with NAC 447.

## **Applicable Statute, Code, Policy, Rule or Regulation**

CCMC Title 14.02.010

## **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number: N/A

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

The board may deny the proposed changes.

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

**ORDINANCE NO. \_\_\_\_\_**  
**BILL NO. XXX**

**AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE TITLE 14 CHAPTER 14.02 INTERNATIONAL FIRE CODE, BY AMENDING SECTION 14.02.010 BY CHANGING NORTHERN NEVADA FIRE CODE AMENDMENTS ADOPTED BY REFERENCE AND OTHER MATTERS PROPERLY RELATED THERETO.**

THE BOARD OF SUPERVISORS OF CARSON CITY DO ORDAIN:

Section I: Title 14, Chapter 14.02 of the Carson City Municipal code is hereby amended as follows:

**Chapter 14.02 INTERNATIONAL FIRE CODE**

**Sections:**

14.02.010 International Fire Code amendments

Section II: Title 14, Chapter 14.02.010 of the Carson City Municipal Code is hereby amended as follows:

**14.02.010 International Fire Code (IFC) Amendments**

The provisions of the 2012 IFC shall be modified as noted below:

**A. Section 101.1-Title.**

Section 101.1 of the International Fire Code is amended to read as follows:

These regulations shall be known as the fire code of Carson City, hereinafter referred to as “this code.”

**B. Section 102.7 Referenced codes and standards.**

Section 102.7 of the International Fire Code is amended to read as follows:

The codes and standards referenced in this code shall be those that are listed in Chapter 80, except that the most current version of each of those codes and standards shall apply. Where this code refers to the International Plumbing Code, the adopted version of the Uniform Plumbing Code will be substituted. Where this code refers to the International Electrical Code, the adopted version of the National Electric Code will be substituted.

Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

**C. Chapter 1 Section 103.2-Appointment.**

Section 103.2 of the International Fire Code is amended to read as follows:

The fire code official is designated as the Fire Chief/Fire Marshal of the Carson City Fire Department.

**D. Chapter 1 Section 105.6. -Fire hydrants and valves.**

Section 105.6.15 of the International Fire Code is amended to read as follows:

No person or persons shall use or take water from or tamper with any fire hydrant without first obtaining authority from the utility department in the form of a written permit to be issued for that purpose. The permit shall be issued in such form and subject to such regulations and conditions related to instruction in the use and operation of fire hydrants as the utility department may reasonably prescribe for the purpose of protecting and avoiding damage to such fire hydrants and connected facilities.

**E. Chapter 1 Section 105.7-Required construction permits.**

Section 105.7 of the International Fire Code is amended to read as follows:

The fire code official is required to issue construction permits for work as set forth in Section 105.7.1 through 105.7.12. A permit/plan review fee may be charged for the issuance of such permits.

**F. Chapter 1 Section 109.2 – Owner/occupant responsibility.**

Section 109.2 of the International Fire Code is amended to read as follows:

Correction and abatement of violations of this code and Title 14 shall be the responsibility of the owner. If an owner or occupant creates, or allows to be created, hazardous conditions in violation of this code or Title 14, the owner shall be held responsible for the abatement of such hazardous conditions in accordance Chapter 14.05 of this code.

**G. Chapter 1 Section 109.4—Violation penalties.**

Section 109.4-of the International Fire Code is amended to read as follows:

Persons who violate a provision of this code or fail to comply with any of the requirements thereof, or who erect, install, alter, repair or do work in violation of the approved construction documents or directives of the fire code official, or of a permit or certificate used under the provisions of this code, 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.

**H. Chapter 1 Section 111.4-Failure to comply.**

Section 111.4 of the International Fire Code is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, 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.

**I. Chapter 2 through Chapter 80**

Chapters 2 through Chapter 80 are amended as indicated in the 2012 Northern Nevada Fire Amendments **with the following changes to the 2012 Northern Nevada Fire**

**Amendments:**

1. **Delete the definition of Institutional Group I-1 from the 2012 Northern Nevada Fire Amendments.**
2. **Delete the sentence in Section 903.3.1.1 “An R-1 or R-2 occupancy that has more than two stories must have an NFPA 13 system installed.” from the Northern Nevada Fire Amendments.**
3. **Delete Section 903.3.1.2 as amended from the 2012 Northern Nevada Fire Amendments.**

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.

VOTE:                      AYES: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

ABSENT: SUPERVISORS: \_\_\_\_\_

\_\_\_\_\_

Robert L. Crowell, Mayor

ATTEST:

SUSAN MERRIWETHER  
CLERK/RECORDER

This ordinance shall be in force and effect from and after the 1st day of the month of July of the year, 2016.

# Part One

## 2012 International Fire Code

### Section 202 Definitions.

*Amend Section 202 to read as follows:*

**HIGH-RISE BUILDING.** A building with an occupied floor located more than ~~75-55~~ feet (~~22-860-16~~ 764 mm) above the lowest level of fire department vehicle access.

~~**Institutional Group I-1.** This occupancy shall include buildings, structures or parts thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self-preservation. All portions of a care facility which houses patients or residents which is classified by the State Board of Health as ‘Category 2,’ and which has an occupant load of more than 10 residents, is classified as an ‘I-1’ occupancy classification. This group shall include, but not be limited to, the following: Alcohol and drug centers Assisted living facilities Congregate care facilities Convalescent facilities Group homes Half-way houses Residential board and custodial care facilities Social rehabilitation facilities Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or *International Residential Code* Section P2904. Six to sixteen persons receiving care. A facility such as above, housing at least six and not more than 16 persons receiving such care, shall be classified as Group R-4.~~

**Institutional Group I-4, Day Care Facilities.** This group shall include buildings and structures occupied by more than ~~five-six~~ persons of any age who receive custodial care for less than 24 hours by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following: Adult day care Child day care **Classification as Group E.** A child day care facility that provides care for more than ~~five-six~~ but no more than 100 children 2 1/2 years or less of age, where the rooms in which the children are cared for are located on a *level of exit discharge* serving such rooms and each of these child care rooms has an *exit* door directly to the exterior, shall be classified as Group E. **Within a place of religious worship.** Rooms and spaces within places of religious worship providing such care during religious functions shall be classified as part of the primary occupancy. **Five or fewer occupants receiving care.** A facility having ~~five-six~~ or fewer persons receiving custodial care shall be classified as part of the primary occupancy.

### Section 903.3.1.1 NFPA 13 Sprinkler Systems

*Amend section 903.3.1.1 to read as follows:*

**903.3.1.1 NFPA 13 Sprinkler Systems.** Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1. ~~An R-1 or R-2 occupancy that has more than two stories must have an NFPA 13 system installed.~~ In North Lake Tahoe Fire Protection District all Group R-3 occupancies larger than ten thousand (10,000) square feet or exceeding four (4) stories in height are required to have automatic sprinklers installed throughout in accordance with NFPA 13.

### Section 903.3.1.2 NFPA 13R Sprinkler System

*Amend section 903.3.1.2 to read as follows:*

~~903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four two stories in height shall be permitted to be installed throughout in accordance with NFPA 13R. An R-1 or R-2 occupancy that has more than two stories shall have an N.F.P.A. 13 system installed.~~





## BUSINESS IMPACT STATEMENT

This Business Impact Statement was prepared in accordance with the provisions of NRS (Nevada Revised Statutes) 237.030 to 237.150, inclusive, as a statutory prerequisite to the adoption of any rule\*\*, as that term is defined in NRS 237.060, by the Carson City Board of Supervisors.

\*\*\* A "rule" may include an ordinance, or an action taken by the Board, that imposes, increases or changes the basis for the calculation of a fee which is paid in whole or in substantial part by businesses. A "rule" **does not** include actions that impose, increase or change the basis for the calculation of: (1) special assessments imposed pursuant to NRS chapter 271; (2) impact fees imposed pursuant to NRS chapter 278B; (3) fees for remediation imposed pursuant to NRS chapter 540A; (4) taxes ad valorem; (5) sales and use taxes; or (6) a fee that has been negotiated pursuant to a contract between a business and Carson City. A "rule" also **does not** include: an action taken by the Board that approves, amends or augments the annual budget of Carson City; an ordinance adopted by the Board pursuant to a provision of NRS chapter 271, 271A, 278, 278A, 278B or 350; an ordinance adopted or action taken by the Board that authorizes or relates to the issuance of bonds or other evidence of debt of Carson City; or any rule for which Carson City does not have the authority to consider less stringent alternatives, including, for example, a rule that Carson City is required to adopt pursuant to a federal or state statute or regulation or to a contract into which Carson City has entered.

### ORDINANCE OR ACTION PROPOSED FOR ADOPTION

#### **Carson City Municipal Code Title 14 Chapter 14.02**

1. *The manner in which notice was provided to the applicable trade associations and officers of businesses likely to be affected by the proposed ordinance or action, and a summary of any data, arguments or comments received from those recipients:*

a. Notice

**Phone and email conversation with Rob Scott of Scott Fire Protection representing local fire protection contractors on various dates in April 2016. Email notification to Aaron West-Nevada Builders Alliance 5-23-16.**

b. Summary of comments

**Scott Fire Protection and the Nevada Builders Alliance support changes to the code language as the proposed language is less restrictive than the existing language**

2. *The estimated economic effect of the proposed ordinance or rule on businesses, including both adverse and beneficial effects, and both direct and indirect effects:*

a. Adverse effects:

**NA**

c. Beneficial effects:

c. Beneficial effects:

**Decreased sprinkler system costs allow for lower overall building costs.**

d. Direct effects:

**Lower cost of construction to building owners**

e. Indirect effects:

**NA**

3. *The methods considered by the Carson City Board of Supervisors to reduce the impact of the proposed ordinance or action on businesses and whether any of those methods were used:*

**NA**

4. *Estimate of the annual cost to Carson City for enforcement of the proposed ordinance or action:*

**Covered by existing inspection process**

5. *The total annual amount of money expected to be collected as a result of the new fee or increase in fee proposed by the ordinance or action, and the manner in which the money will be used:*

**None**

6. *The proposed ordinance or action [ ] DOES [ X ] DOES NOT include any provisions which duplicate or are more stringent than Federal, State or local standards regulating the same activity.*

7. *The reasons for the conclusions regarding the impact of the proposed ordinance or action:*

**Summary of the foregoing**

8. *Based on the information considered, it has been determined that this proposed ordinance or rule:*

[ ] DOES [ x ] DOES NOT impose a direct and significant economic burden upon a business.

[ ] DOES [ x ] DOES NOT directly restrict the formation, operation or expansion

of a business.

Pursuant to NRS 237.090(3), this Business Impact Statement was prepared and made available for public inspection by the Carson City Fire Department at the time the agenda notice on which the proposed ordinance or rule described in this statement is included was posted.

Pursuant to NRS 237.090(2), I, Nick Marano, the Carson City Manager, hereby certify that to the best of my knowledge and belief, the information contained herein was properly prepared and accurate.

Lich Marano  
Signature

6/6/16  
Date

Nick Marano  
Printed Name