



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: September 20, 2018

Staff Contact: Dave Ruben, Battalion Chief/Fire Marshal and Iris Yowell, Deputy District Attorney

Agenda Title: For Possible Action: To accept and place the Business Impact Statement on file with this Board with a finding that the proposed changes to CCMC Title 14, Chapter 14.02 do not [impose a direct and significant economic burden on a business AND/OR do not directly restrict the formation, operation, or expansion of business]. (Dave Ruben, druben@carson.org and Iris Yowell, iyowell@carson.org)

Staff Summary: NRS Chapter 237.030 to 237.150, inclusive, requires the City to prepare a Business Impact Statement as a statutory prerequisite to the adoption of any rule as defined in NRS 237.060. This Business Impact Statement has been prepared in accordance with NRS 237.080.

Agenda Action: Formal Action/Motion

Time Requested: 5 minutes

Proposed Motion

I move to accept and place the Business Impact Statement on file with this Board with a finding that the proposed changes to CCMC Title 14, Chapter 14.02 do not [impose a direct and significant economic burden on a business AND/OR do not directly restrict the formation, operation, or expansion of business].

Board's Strategic Goal

Safety

Previous Action

N/A

Background/Issues & Analysis

The following notice was given:

- On July 19, 2018, email notification of the potential ordinance changes were sent on to cannabis industry representatives.
- On July 25, 2018, an outreach meeting was held with cannabis industry representatives. There were no changes requested by the cannabis industry at this meeting. The proposed changes were well-received.
- On July 25, 2018, email notifications of the potential ordinance changes were sent to Aaron West-Nevada Builders Alliance and Don Tatro of Builders Association of Northern Nevada.
- On August 1, 2018, a meeting was held for the building industry to solicit feedback. Comments were heard at the meeting. A request was made to clarify the meaning in some sections in Chapter 9 and Chapter 39. Those changes were incorporated in to the document where possible.
- On August 20, 2018, letters were sent to the Carson City Chamber of Commerce, Nevada Builders Alliance, and Builders Association of Northern Nevada, the industry stakeholders. The letters consisted of an explanation in regard to the proposed changes and web links to the materials. This draft Business Impact Statement was included with the materials, along with the draft ordinance changes.

- The comments received during the public meetings were generally positive. Stakeholders were appreciative that Carson City was participating in a regional approach.
- It is arguable that a Business Impact Statement is not needed. Permit fees are currently in place for construction permits and no fee increase is planned at this time. However, it is possible that there could be a fee increase before the next cycle of code amendments takes place. Since the imposition of a fee is authorized by this code, notice was provided to the stakeholders and this Business Impact Statement was prepared.
- No comments were received as a result of the notice sent out on August 20, 2018.
- Based on the above, staff is asking the Board of Supervisors to make a finding that the changes to CCMC do not impose a direct or significant economic burden or directly restrict the formation, operation, or expansion of a business.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 237; CCMC Title 14, NRS Chapter 244.095- NRS 244.119, and Article 2 of the Carson City Charter

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

The Board may make the finding that the proposed ordinance does impose a direct and significant economic burden upon a business or directly restricts the formation, operation, or expansion of a business.

Attachments:

- 1) Business Impact Statement

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)



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

AN ORDINANCE RELATING TO FIRE PREVENTION, AMENDING SECTIONS OF TITLE 14, CHAPTER 14.02, TO REFLECT THE ADOPTION OF THE 2018 EDITIONS OF THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, AND THE NORTHERN NEVADA FIRE AMENDMENTS.

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

- On July 19, 2018, email notification of the potential ordinance changes were sent on to cannabis industry representatives.
- On July 25, 2018, an outreach meeting was held with cannabis industry representatives. There were no changes requested by the cannabis industry at this meeting. The proposed changes were well-received.
- On July 25, 2018, email notifications of the potential ordinance change were sent to Aaron West-Nevada Builders Alliance and Don Tatro of Builders Association of Northern Nevada.
- On August 1, 2018, a meeting was held for the building industry to solicit feedback. Comments were heard at the meeting. A request was made to clarify the meaning in some sections in Chapter 9 and Chapter 39. Those changes were incorporated in to the document where possible.

- On August 20, 2018, letters were sent to the Carson City Chamber of Commerce, Nevada Builders Alliance, and Builders Association of Northern Nevada, the industry stakeholders. The letters consisted of an explanation in regard to the proposed changes and web links to the materials. The rough draft of the Business Impact Statement was included with the materials, along with the draft ordinance changes. The link provided is as follows: Carson.org/firecodes

b. Summary of comments

No comments were received.

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:

- It is arguable that a Business Impact Statement is not needed. Permit fees are currently in place for construction permits and no fee increase is planned at this time. However, it is possible that there could be a fee increase before the next cycle of code amendments takes place. Since the imposition of a fee is authorized by this code, notice was provided to the stakeholders and this Business Impact Statement was prepared.

b. Beneficial effects:

- The changes updating the 2012 code to the 2018 editions of each applicable fire code will streamline project submittals across all northern Nevada fire agencies. Utilizing the 2018 codes will provide for the highest level of safety to the citizens of Carson City.

c. Direct effects:

- Project designs will cost less due to streamlined requirements.

d. Indirect effects:

- Buildings will be safer as a result of the streamlined requirements. Decreasing the number of fires preserves businesses, keeps jobs, and prevents injuries and deaths.

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:

Costs may be associated with the enforcement of the proposed action; however, those costs cannot be determined at this time. However, it is anticipated that any enforcement costs will be minimal or will be covered by the 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 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:

Comments received about the proposed changes were generally positive in nature. There will be a minimal impact, if any, on businesses.

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

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

DOES DOES NOT directly restrict the formation, operation, or expansion of a business.

This Business Impact Statement was completed on September 11, 2018, in accordance with the time requirements in NRS 237.090(3) and made available for public inspection 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, Nancy Paulson, the Carson City Manager, hereby certify that to the best of my knowledge and belief, the information contained herein was properly prepared and accurate.

Nancy Paulson
Signature

9/11/18
Date

Nancy Paulson
Printed Name