

BILL NO. 1924

ORDINANCE NO. 2242
(2000 Uniform Fire Code)

AN ORDINANCE OF THE CITY OF HENDERSON REPEALING CHAPTER 15.32 "FIRE CODE," OF THE HENDERSON MUNICIPAL CODE IN ITS ENTIRETY EXCEPT FOR CHAPTER 15.32.110 PERMIT AND SERVICE FEE SCHEDULE WHICH IS AMENDED AND ADOPTING A NEW CHAPTER 15.32 TO THE HENDERSON MUNICIPAL CODE ENTITLED "2000 UNIFORM FIRE CODE," AND OTHER MATTERS RELATED THERETO.

NOW, THERFORE, the City Council does ordain as follows:

SECTION 1. Henderson Municipal Code Chapter 15.32 entitled "Fire Code" is hereby repealed in its entirety except for Chapter 15.32.110 Permit and Service Fee Schedule.

SECTION 2. Pursuant to the provisions of the Henderson City Charter Section 2.160(3), the Uniform Fire Code 2000 Edition as amended herein and with certain appendixes is hereby adopted by reference with said amendments and other matters related thereto set forth as follows:

15.32.010 SHORT TITLE.

This Chapter shall be known as the City of Henderson "Fire Code" and may be cited as such.

Where the designation "Uniform Fire Code" or the abbreviation "UFC" appears in this ordinance, it shall be construed as referring to the 2000 Uniform Fire Code as adopted by this Ordinance.

15.32.020 ADOPTION.

The City of Henderson adopts as its Fire Code the "Uniform Fire Code, 2000 Edition", as published by the Western Fire Chiefs Association, 727 Center St. NE, #300, Salem, Oregon 97301, including the following Appendices: I-C Stairway Identification; II-A, Suppression and Control of Hazardous Fire Areas; II-C, Marinas as amended; II-E, Hazardous Materials Management Plans and Hazardous Materials Inventory Statements; II-H, Site Assessments for Determining Potential Fire and Explosion Risks from Underground Flammable or Combustible Liquid Tank Leaks; II-I, Ozone Gas-generating Equipment; II-M, Mobile Fleet Fueling at Commercial, Industrial and Governmental Sites as amended; III-A, Fire-flow Requirements for Buildings as amended; III-B, Fire Hydrant Locations and Distribution as amended; IV-B Christmas Trees, and VI-J, Refrigerant Groups and Properties is hereby designated as the City of Henderson Fire Code and by this designation and reference is hereby adopted and made a part of this chapter, the same as if it were fully set forth herein. One copy of this Fire Code is on file in the Office of the City Clerk.

Chapter 15.32 Uniform Fire Code

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| 15.32.010 | Short Title. |
| 15.32.020 | Adoption. |
| 15.32.030 | Code Amended. |
| 15.32.050 | Amendments to the 2000 Uniform Fire Code and to the 2000 Southern Nevada Fire Code Consensus Amendments. |
| 15.32.060 | Enforcement Authority. |
| 15.32.070 | State Fire Marshal's Regulations. |
| 15.32.080 | Citations. |
| 15.32.090 | Appeals and Relief from Regulations. |
| 15.32.100 | Penalties. |
| 15.32.110 | Permit and Service Fee Schedule. |

15.32.030 CODE AMENDED.

The City of Henderson adopts as an amendment to the Uniform Fire Code, Attachment A, a booklet entitled The City of Henderson Fire Code Amendments to the 2000 Uniform Fire Code and the 2000 Southern Nevada Fire Code Consensus Amendments. This booklet is adopted in its entirety, including all of the amendments and changes as stated in Appendix A. One copy of this Amendment Booklet is on file in the Office of the City Clerk.

15.32.050 AMENDMENTS TO THE 2000 UNIFORM FIRE CODE.

Certain parts, articles, divisions, sections and/or subsections of the 2000 Edition of the Uniform Fire Code are hereby supplemented, modified, amended and deleted as specified in Attachment A, "The City of Henderson Fire Code Amendments to the 2000 Uniform Fire Code and the 2000 Southern Nevada Fire Code Consensus Amendments".

15.32.060 ENFORCEMENT AUTHORITY.

A Fire Safety Division is established within the Building and Fire Safety Department. The City of Henderson Fire Code shall be enforced by the Fire Safety Division, which shall be operated under the direction of the City of Henderson Fire Marshal. The primary function of the Fire Safety Division will be to assist the Fire Chief in the administration and enforcement of the Fire Code. Management oversight of the Fire Safety Division is provided by the Director of the Building and Fire Safety Department. The Fire Chief has the final decision making authority on all technical fire code issues.

15.32.070 STATE FIRE MARSHAL'S REGULATIONS.

Pursuant to NAC 477.280, the Building and Fire Safety Department, Fire Safety Division shall enforce the Nevada State Fire Marshal Regulations as adopted by the State Fire Marshal.

15.32.080 CITATIONS.

The City of Henderson Fire Marshal, the Deputy Fire Marshal(s), the Fire Investigators, and members of Code Enforcement for the Henderson Building and Fire Safety Department may prepare, sign, and serve written citations on persons accused of violating any provision of this title. Any designated employee issuing a citation pursuant to this section shall comply with the provisions of NRS 171.1773.

15.32.090 APPEALS AND RELIEF FROM REGULATIONS.

All decisions made by the City of Henderson Fire Marshal, the Director of the Building and Fire Safety Department, or the Chief of the Fire Department under any discretionary authority granted to them by Sections 2.28.040 of the Henderson Municipal Code; or any discretionary Section contained in the Uniform Fire Code; or any local amendment to the Uniform Fire Code are subject to review by the City Council. Presentation of a written protest by an affected party must be made to the Building and Fire Safety Department with a copy filed with the City Clerk within 14 calendar days from the date of the action protested.

Any person desiring relief from any of the provisions of the Nevada State Fire Marshal Regulations must appeal same in accordance with NRS 477.285. Written approval from the State Fire Marshal's Office for relief from regulations adopted by the State shall be required prior to any appeal to the Fire Chief for relief in regulations contained in this Ordinance which are also contained in the State Fire Marshal's Regulations.

15.32.100 PENALTIES.

(a) Any person, firm, or corporation who violates any of the provisions of the Code shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished as the law allows for a misdemeanor crime.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

15.32.110 PERMIT AND SERVICE FEE SCHEDULE.

An Ordinance of the City Council of the City of Henderson, Nevada, amending Chapter 15.32 of the Henderson Municipal Code as it relates to the Permit and Service Fee Schedule, setting February 01, 2000, as the effective date was adopted by Bill No. 1627 on December 07, 1999 is not repealed and Section 15.32.110 remains in effect until a new fee schedule is adopted.

See document whereas the 1997 Southern Nevada Fire Code Amendments were revised by Bill No. 1627 (12/07/99)

Section 15.32.110 Permit and Service Fee Schedule, fifth paragraph is revised as follows:

Permit and plan review fees may be charged to Federal, State, and local governmental entities, including the Clark County School District unless they are exempt by Federal, State or Local Regulations.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES All ordinances, or parts of ordinances, sections, subsection, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed.

SECTION 4. VALIDITY. The City Council of the City of Henderson, Nevada, hereby declares that should any section, subsection, paragraph, clause, or provision of this Ordinance or of the Code or Standards hereby adopted be declared for any reason to be invalid or unenforceable, it is the intent of the City Council of the City of Henderson, Nevada, that it would have passed all other portions of this ordinance independent of the elimination therefrom of any such portion as may be declared invalid or unenforceable.

SECTION 5. DATE OF EFFECT: January 9, 2004. A copy of this Ordinance shall be filed with the Office of the City Clerk, and notice of such filing shall be published once by title in the Henderson Home News, a newspaper having general circulation in the City of Henderson, at least one (1) week prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective.

ORDINANCE NO.2242
UNIFORM FIRE CODE

Was *PASSED* and *ADOPTED* on the 6th day of January, 2004

JAMES GIBSON, MAYOR

ATTEST:

MONICA M. SIMMONS
CITY CLERK

The above and foregoing Ordinance was first proposed and read in title to the City Council on December 16, 2003, which was a Regular Meeting and referred to a Committee of the following Council Members:

"COUNCIL AS A WHOLE"

Thereafter, said Committee reported favorably on the Ordinance on January 06, 2004 which was a Regular Meeting of the Henderson City Council, at which time the Ordinance was read in title and adopted by roll call vote.

Those voting AYE:

Those voting NAY:

Those Absent:

JAMES GIBSON, MAYOR

ATTEST:

MONICA M. SIMMONS
CITY CLERK