



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, June 11, 2019

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.S.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocity.com>, the State of Nevada's Public Notice Website,

<https://notice.nv.gov> in the following locations:

ELKO CITY HALL

1751 College Avenue, Elko, NV 89801

Date/Time Posted: June 6, 2019 at 8:30 a.m.

ELKO COUNTY COURTHOUSE

571 Idaho Street, Elko, NV 89801

Date/Time Posted: June 6, 2019 at 8:40 a.m.

ELKO POLICE DEPARTMENT

1448 Silver, Elko NV 89801

Date/Time Posted: June 6, 2019 at 8:50 a.m.

ELKO COUNTY LIBRARY

720 Court Street, Elko, NV 89801

Date/Time Posted: June 6, 2019 at 9:00 a.m.

Posted by: Kim Wilkinson

Name

Administrative Assistant

Title

Kim Wilkinson

Signature

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at kwilkinson@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

Dated this 6th day of June, 2019

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

Curtis Calder
Curtis Calder, City Manager

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.S.T., TUESDAY, JUNE 11, 2019
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES: May 28, 2019 **Regular Session**

I. PRESENTATIONS

- A. Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY2019/2020 Funds in the amount of \$464,971.41, and matters related thereto.
FOR POSSIBLE ACTION

As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.

Your agenda packet includes an overview of coverage offered for the following fiscal year. The City of Elko's total program costs for FY 2019/2020 are \$464,971.41, representing a 9.09% increase over FY 2018/2019. CC

- B. Presentation by the Nevada Rural Housing Authority, and matters related thereto.
INFORMATION ITEM ONLY – NON ACTION ITEM

II. PERSONNEL

- A. Employee Introductions:

1.) Aaron Gallegos, Golf Course Laborer, Parks and Recreation Department

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Print 'n Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- C. Review, consideration, and possible award of the Public Works Department Preventive Maintenance Project 2019, to apply Micro Slurry Seal to select City streets, and matters related thereto. **FOR POSSIBLE ACTION**

At their April 9, 2019, meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2019. Bids were received until 3:00 p.m., on May 30, 2019. DS

- D. Review and possible award for the custodial services at the airport terminal, and matters related thereto. **FOR POSSIBLE ACTION**

Bids for the Terminal Custodial Services were opened on Friday, May 31, 2019. Staff received one (1) bid from Royal Pane Janitorial who is the current Custodian at the airport terminal. Staff would recommend signing a Two (2) Year Contract with the provision of a One (1) Year Contract Extension should both parties agree for a total of Three (3) Years. JF

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. MR

V. NEW BUSINESS

- A. Review, consideration, and possible initiation to amend Title 2, Chapter 13 of the Elko City Code entitled "Sidewalks, Curbs, Gutters" and to recodify it as Title 8, Chapter 21, and matters related thereto. **FOR POSSIBLE ACTION**

The section of the City Municipal Code regulating the installation of curb, gutter, and sidewalk is currently located within the City's Building code. With the replacement of the current code with the adoption of the 2018 IBC, this curb, gutter, and sidewalk section needs to be placed elsewhere in the City Code to continue to be enforced.

Concurrently with this change in location, some updates to the language are proposed. The most significant change is the addition of standard enforcement language located in other sections of the City Code. Smaller changes include rewording existing language and correcting typos. MR

- B. Review, consideration, and possible action to initiate the deletion of Title 2, Chapter 1, Section 15 of the Elko City Code entitled "Exemptions for Existing Buildings, Structures and Building Service Equipment Systems", and matters related thereto **FOR POSSIBLE ACTION**

This chapter needs to be deleted as the City will be adopting the 2018 International Building Codes that includes the exemptions for existing buildings in ordinance 839. KW

- C. Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Shilo Inn, and matters related thereto. **FOR POSSIBLE ACTION**

The Shilo Inn is routinely delinquent in its payment of transient lodging taxes. On March 28, 2019, the City Attorney recorded a Notice of Tax Lien for August, October and November 2018 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled \$30,983.65. Shilo Inn subsequently paid \$12,282.28 for the August 2018 delinquent taxes and that portion of the lien was released. However, \$18,701.37, together with penalties and interest, remains unpaid for October 2018 and November 2018 taxes. On May 9, 2019, the City Attorney recorded another Notice of Tax Lien in the amount of \$5,548.07 for unpaid transient lodging taxes for January 2019, including penalty and interest. That amount has not been paid. Transient lodging taxes for April 2019 are also delinquent, but a lien has not yet been recorded for that month. The City has several options, to include commencing a civil action to foreclose on the property pursuant to NRS 268.095(7)(b) for the amounts stated in the recorded liens; commencing a proceeding before the City Council to terminate, suspend or revoke the Shilo Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commencing a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW

- D. Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Thunderbird Inn, owned by Elko 345, LLC., and matters related thereto. **FOR POSSIBLE ACTION**

Elko 345, LLC, the owner of the Thunderbird Inn, owes for delinquent transient lodging taxes for February, March and April 2019. On May 13, 2019, the City Attorney recorded a Notice of Tax Lien for December 2018 and January 2019 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled \$6,289.10. Elko 345, LLC has also failed to provide a number of Transient Lodging Tax Returns, which are required under Elko City Code Section 4-6-9 and 4-6-15(B). Elko 345, LLC does not own the property on which the Thunderbird Inn is located, but instead has only a leasehold interest. Therefore, a foreclosure action may not be cost-effective, since the leasehold interest is unlikely to have value. The City may also commence a proceeding before the City Council to terminate, suspend or revoke the Thunderbird Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commence a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW

VI. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 9-19, a Resolution providing for the transfer of the City's 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 9-19 have been enclosed in the agenda packet for review. CC

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of approximately 900 square feet of the northeasterly portion of 3rd Street, filed by David and Juliane Ernst and processed as Vacation No. 3-19, and matters related thereto. **FOR POSSIBLE ACTION**

Third Street, as it exists today, is an 80' wide Right-of-Way. The applicant is asking for a vacation of the excess right-of-way. CL

- B. Review, consideration, and possible action concerning an appeal from AM Engineering to not require a full forensic and structural analysis as a condition for the tenant improvement to the old terminal building and the City allow the appellant to mitigate any remaining issues concerning the additional roof structure under 2009 IBC, Chapter 34, Section 3412, and matters related thereto. **FOR POSSIBLE ACTION**

The City entered into a lease agreement with Elko Leasing Company. AM Engineering is managing the tenant improvement for Elko Leasing Company. Recent activities associated with the tenant improvements have resulted in the discovery that an additional roof structure was constructed over the original roof by the City. The additional roof structure was not considered in the tenant improvement design and submittals to the City. The appellant is in the process of finalizing permitting to address revisions to the initial tenant improvement and is requesting relief from a possible requirement to complete a forensic and structural analysis on this portion of the structure. SAW

VIII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading and possible adoption of Ordinance No. 839, an ordinance amending Title 2, Chapters 2, 3, 4, 5, 6, 7, 8 & 13 of the Elko City Code entitled "Building Regulations" by adding 2018 International Code, and corresponding amendments, and matters related thereto. **FOR POSSIBLE ACTION**

On January 9, 2018, Council directed Staff to initiate the adoptions of the 2018 International Building Codes and initiate a Business Impact Statement. On May 14, 2019 Council found that Ordinance No. 839 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019, Council approved first reading of Ordinance No. 839. KW

- B. Second reading and possible adoption of Ordinance No. 840, an ordinance amending Title 6, Chapter 1, of the Elko City Code entitled "Fire Code", and other matters related thereto. **FOR POSSIBLE ACTION**

On February 26, 2019, Council approved the initiation on Ordinance No. 840 and directed Staff to complete a Business Impact Statement. On May 14, 2019, Council found that Ordinance No. 840 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019 Council approved first reading of Ordinance No. 840. KW

IX. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner

- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

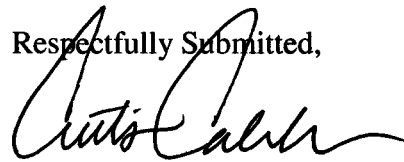
COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager

City of Elko)
County of Elko)
State of Nevada)

SS May 28, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, May 28, 2019.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
 Councilman Robert Schmidlein
 Councilman Chip Stone *left at 5:54 p.m.*
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Ryan Limberg, Utilities Director
 Kelly Wooldridge, City Clerk
 Michele Rambo, Development Manager
 Jeff Ford, Building Official
 Bob Thibault, Civil Engineer
 Candi Quilici, Accounting Manager
 Dennis Strickland, Public Works Director
 Ben Reed Jr., Police Chief
 James Wiley, Parks and Recreation Director
 Jim Foster, Airport Manager
 John Holmes, Fire Marshal
 Cathy Laughlin, City Planner
 Dale Johnson, Water Superintendent
 Dean Cernick, Assistant Water Superintendent
 Dave Stanton, City Attorney
 Shelby Archuleta, Planning Technician
 Mike Haddenham, WRF Superintendent
 Jack Snyder, Fire Department
 Matt Griego, Fire Chief
 Mike Hess, Landfill Superintendent

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

APPROVAL OF MINUTES: May 14, 2019 Regular Session

The minutes were approved by general consent.

I. PRESENTATIONS

- A. Proclamation by the Mayor in recognition of the month of June as Men's Health Month, and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

Mayor Keener read the Proclamation.

- B. Pursuant to NRS 354.596, review, discussion, and approval of the Final Budget for the City of Elko for Fiscal Year 2019/2020, inclusive of all funds, and matters related thereto. **FOR POSSIBLE ACTION**

Curtis Calder, City Manager, gave a presentation on the 2019/2020 Fiscal Year Budget (Exhibit "A"), and handed out a Final Budget Summary (Exhibit "B") and a copy of the Final Budget (Exhibit "C"). He explained he will be making a few changes before this gets sent to the State and went over each fund.

**** A motion was made by Councilman Schmidtlein, seconded by Councilwoman Simons, to approve the Final Budget for the City for FY 2019-2020, inclusive of all funds, with the minor changes that Mr. Calder identified.**

The motion passed unanimously. (5-0)

II. CONSENT AGENDA

- A. Review, consideration, and possible acceptance of a Grant of Easement between Joy Global Surface Mining Inc., and the City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

This easement was requested by the City of Elko in response to satisfy NDEP requirement. RL

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance to approve the Consent Agenda.**

The motion passed unanimously. (5-0)

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

Councilman Hance asked about the Freon recapture. Are we getting any of that back from people that bring it in.

Mike Hess, Landfill Superintendent, answered we do not get anything back from the general public.

Mayor Keener said he noticed we are still hauling tires. Has that cost changed at all?

Mr. Hess answered those costs are holding steady.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the general warrants.**

The motion passed unanimously. (5-0)

B. Review and possible approval of Print 'n Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Print 'N Copy warrants.**

The motion passed. (4-0 Mayor Keener abstained.)

C. Review, consideration, and possible issuance of final acceptance or the East Secondary Clarifier Rehabilitation Project 2019, and matters related thereto. **FOR POSSIBLE ACTION**

The Gateway Company of Utah, LLC has completed the work. Staff recommends the issuance of final acceptance. There were no change orders for the project. RL

Ryan Limberg, Utility Director, explained the work has been done ahead of schedule. He recommended final acceptance.

Mayor Keener pointed out that the appropriation was listed at just over \$104,000 but the budgeted amount was listed as \$81,700.

Mr. Limberg said when they were doing the budget a year ago, the WRF Superintendent had reached out to some previous contractors that have done this work for us in the past. Their estimate was lower than what was budgeted. When we got into the project, none of those contractors bid on the project. The bids came in higher than expected and we awarded it to the lowest bidder. They do have the balance in the Sewer Fund to pick up the difference.

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to issue Final Acceptance for the East Secondary Clarifier Rehabilitation Project 2019.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible approval of a request from Double Dice RV Park (Ms. Lori Vavak) for reimbursement of water damage related expenses due to higher than normal water pressure at Double Dice RV Park, and matters related thereto. **FOR POSSIBLE ACTION**

At the May 14, 2019 City Council meeting, action was taken by Council to table this item until the May 28, 2019 meeting.

On July 25, 2018, the pressure at Double Dice RV Park was checked in response to a customer request. It was 110 psi. Typical pressure here is in the 65-85 psi range. The root cause of the high pressure was a faulty City Pressure Reducing Valve, which was promptly repaired.

In the attached backup documents, Double Dice RV Park claims this has been an ongoing problem for over 2 years. City Staff refute this claim. City insurance (Alternative Service Concepts) has denied coverage of this claim and suggested Double Dice RV Park install "proper equipment" and "prevention measures" such as their own pressure reducing valve. Uniform Plumbing Code section 608.2 requires customers to install and maintain their own pressure reducing valve when the water pressure exceeds 80 psi. RL

Mr. Limberg explained this was tabled at last meeting. In the packet, there is a letter from Dean Vavak dated 5/15/2019. There are also two statements; one from Dean Cernick, Assistant Water Superintendent, and one from Dale Johnson, Water Superintendent. The fees that were reimbursed in 2015 were questioned at the last meeting. The amount reimbursed was \$1,795. That was not a Council decision; it was a staff action. The reimbursement was signed by the Superintendent. It would have been on warrants. He did give a report in a 2015 Council Meeting where he explained the issue. He was asked at the last meeting if the Vavas or Double Dice was ever informed that they should install their own Pressure Reducing Valve. If you look at the statements from Dean Cernick and Dale Johnson, they both assert that was mentioned to the Vavaks after the 2015 event. In City Code 9-1-5(M) talks about damages through leaking pipes and fixtures. The last sentence of that subsection states, "the City Council's jurisdiction and responsibility ends at the property line. The City Council will in case be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes inside the property lines." The location where the pipes were damaged was inside the property lines.

Dean Vavak 3730 E. Idaho Street, said basically no one told him that or would he have done it. All the RV's have pressure reducers. Before 2015, they were being charged a lot of money for water. They just wanted to pay for what they use. He had a vault put in and the City drew up the plans. The vault was built to the City's specs. There was no pressure regulator in the City specs. When this happened in 2015, the City helped him fix the issue and he thought that was it. He was reimbursed for the damages. Now, in 2018 they started having pressure problems again. He was told to get a pressure regulator and check the pressure. If the pressure got past a certain number he was supposed to call. It was up to 135 psi and he called. There was more cost than what he reported. He asked the City employees for help fixing the problem and he was told they

couldn't help. His wife helped him. The pressure blew out two of their washers and the back out plumbing. He asked Dean Cernick what to do and he was told to turn the costs into the City insurance. He is looking at getting a pressure regulator put on the water line in the vault. He didn't make the pressure go up either time. It has been a lot of problems. He even had sprinkler issues.

Mayor Keener said no one is contesting that they had pressure problems.

Mr. Vavak insisted that the vault was built to the City specifications and no one told him to install a pressure regulator. Why wasn't the pressure regulator included in the specs? Someone dropped the ball.

Councilwoman Simons asked if we had the specs for the vault from 2015.

Mr. Vavak said the City drew it up. The City made him change the pipe from 6 inches to 4 inches. It was at 6 inches for the Fire Code.

Mr. Limberg said the meter vault was installed long before 2015. The last pressure issues here were in 2015 and is when Dale Johnson claims he mentioned to Mr. Vavak that he should consider a pressure reducing valve, and Dean Cernick collaborates that statement. The meter vault was installed long before that time. The meter and meter sizing is not the issue. The issue is the reimbursement. When we hand out anything to property owners about the insurance, we do not tell them the insurance will handle it. We don't know what the insurance will do. We do tell them to submit it to the City insurance, or call the City Clerk to file a claim. The 135 psi issue that keeps coming up, he did some calculations with the City Engineer. If the water tank is full and overflowing, the max pressure that can get to the Double Dice RV Park is 116 psi. It doesn't matter what that pressure really was, 80 psi is what the UPC calls out. If you are above 80 psi, you need to put in a pressure reducing valve and the customer needs to install that. In a situation like this, 80 psi is what the Building Department would be enforcing. These same codes were in effect when this RV Park was built.

Bob Thibault, Civil Engineer, clarified that in regards to 4" to 6" in the meter, reducing would increase velocity of flow through that device but does not increase the pressure in that device or anything downstream of it on the property.

Lori Vavak, 3730 E. Idaho Street, said she was in the ditch with Dean when the pressure first went up. When Mr. Johnson and Mr. Cernick pulled up they explained they were trying to get pressure up to the Hilton. The only reason they expect payment this time is because they were paid the last time. No one ever told him that a pressure reducing valve should be on there. They have passed every inspection so she wasn't sure at what point the ball was dropped. They have complied with everything. She is fine with the City responsibility ending at the property line as long as the City equipment is working properly. The City pressure damaged her lines. The lines were fine until the pressure damaged them. Why would they have been told to turn it into the insurance if it wasn't going to be covered?

Dave Stanton, City Attorney, explained that Loren Landa, an attorney in his firm, does work for Double Dice RV Park and the Vavaks. His firm has a conflict of interest in this case. He does see some legal issues here. Both sides need legal advice on this. He recommended that if Council

was inclined to seek legal advice on this, they should table it and get a legal opinion from Counsel that doesn't have a conflict of interest.

Mayor Keener asked Curtis Calder if the City had any liability for designing vault.

Curtis Calder, City Manager, said he didn't know for sure because he wasn't an attorney. He did know that Ferron Konakis was the City Engineer at the time and was involved in designing the meter pit and the vault but he didn't know to what degree. From a practical standpoint, that if the City wanted to go out and seek legal advice, we will probably end up spending more on legal fees than just coming to some sort of an agreement on an amount to pay. It is apparent that there is no pressure reducing valve. This park was built a long time ago. Regarding the previous payment, a lot of small claims, when they come in to the City Clerk, there is a determination made at the City Clerk's Office, that if it doesn't reach the deductible level for the insurance policy, that they will just pay out the claim. Those claims are supposed to be submitted to the insurance carrier for review and determination of coverage, but that didn't always happen. This claim was submitted to the third-party claims administrator for the coverage determination. The first time it probably wasn't.

Mr. Thibault said the plan that the City provided the Vavaks was a standard detail for 3" to 8" water meter. It is the standard detail that they would provide to anyone in the city. It does not account for high pressures. This is just the general detail available on our website.

Councilwoman Simons noted that this detail was not specific to anyone; it is generic.

Mr. Thibault said that according to the Vavaks, this is what the City provided them to build their meter pit. That makes sense because we would give anyone building a meter pit this detail that shows the pieces needed for a proper meter pit.

Mayor Keener said that as a customer of NV Energy, 99.9% they provide reliable power but there are times where there are surges. He has surge protection on all of his delicate equipment. That is the same thing we are talking about with the pressure reducing valves.

Councilwoman Simons thought these people try to maintain a very nice facility and work hard to do so. All of a sudden, due to something the City is doing, it damages a bunch of stuff. She can see that putting liability on the City. But she doesn't see that the City has liability if someone didn't tell them to install the pressure reducing valves. That should be the responsibility of the business owner. The City cannot be held responsible just for that.

Councilman Schmidtlein asked the Vavaks if they submitted this to their insurance.

Ms. Vavak said she didn't want to submit it to her insurance because that would raise her insurance.

Mr. Vavak said they didn't submit to their insurance because the City reimbursed them the last time.

Councilman Schmidtlein said regarding the letter from Alternative Services, where it said, "since this incident happened and will continue to occur until you install the property equipment on

your property, we suggest you consider some prevention measures.” When did they receive this letter?

Mr. Vavak said it was sent to Sun Valley Idaho. They got it the day of the Council Meeting.

Councilman Schmidtlein said Mr. Vavak stated he started to pursue getting a pressure reducing valve quote to get one installed.

Mr. Vavak said they were going to try to put it in the vault.

Councilman Schmidtlein asked City staff if there were any email correspondence that the Double Dice or Vavaks received any of this correspondence?

Kelly Wooldridge, City Clerk, said she had email from the insurance company saying they had received it and that all communication needed to go through them. She had them communicating with ASC and Dain. She did not have actual copies of emails that they were emailed the letter. She had no way of knowing if that address was correct or not.

Mayor Keener asked for thoughts from Councilman Hance and Stone.

Councilman Hance said his main concern is the washers. If you know you need to put a regulator on an RV, you should probably put a regulator on a washer.

Mr. Vavak said he was a fair guy. He did a lot of the labor himself. The City dropped the ball and he dropped the ball. He offered to take off his labor and split the bill in half. That will make it \$4,900 and the City would not have to get any attorneys involved.

Councilman Schmidtlein asked if council agrees to come to terms to potentially split the costs, would they be willing to file a settlement release.

Mr. Vavak said, absolutely.

Mayor Keener thought the City’s maximum liability would be \$5,000 if the claim had been approved by insurance. He wondered if this opened up the City to future events if a situation came up with another property owner that experiences a high pressure situation like they did.

Mr. Stanton said that in general, the City is obligated to treat similarly situated people the same. It is an equal protection principal.

Mr. Calder stated that in this case, findings would be helpful. Council can differentiate between RV parks and a different type of facility.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to award the complainant \$5,000 and in exchange, they will provide a Hold Harmless and Release of Liability to the City of Elko, and this is a very unique situation in that we are dealing with an RV Park, which is different than almost any other type of business in terms of their use of water utilities.**

After the motion and before the vote, Councilman Schmidlein, said he thought the City was being fair. Everyone is taking responsibility. The Vavaks have been officially noticed what they need to do.

Councilwoman Simons added that even without written notification, the business owners need to be aware of every responsibility. Don't wait for the City to tell you.

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18.
MR

Michele Rambo, Development Manager, asked Council to table this item. NDEP denied the most recent resubmittal by the developer. Now they will be required to uncover a certain portion of their water and storm drain system so that Ryan Limberg can inspect it. We may be seeing this for a while longer. She went on to say there might be an option. We can make a decision such as approving this with conditions on it that they can't do anything before NDEP lifts the cease and desist order. Maybe at the next meeting we can have an alternative solution.

Councilman Schmidlein asked if they could make a motion to give Mr. Capps 30 or 90 more days to comply or we will move it off the agenda.

Mayor Keener thought Mr. Capps was at the mercy of engineers and NDEP. It is a matter of when that approval will come through.

Ms. Rambo said her conversations with NDEP indicate that as soon as they uncover this place they want to look at, and Mr. Limberg says it is okay, they will lift the order. If it is not okay then they would have to repair it in order to lift the order.

Ryan Limberg, Utility Director, said what he heard today was the contractor hoping to do that work in the next week. He didn't think the work will take a long time.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to table this item.**

The motion passed unanimously. (5-0)

BREAK

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to rename the segment of 15th Street, south of Silver Street to the cul-de-sac, to Walters Court, and matters related thereto. **FOR POSSIBLE ACTION**

This request is from the City of Elko Police Department Honor Guard. The name "Walters" is referencing the Elko Police Department's only line of duty death to this date, Officer Clyde "Rusty" Walters. The City Council accepted the name change petition at their April 23, 2019 meeting and directed Staff to set the matter for a public hearing. BT

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to approve the action to rename a segment of 15th Street, south of Silver Street to the cul-de-sac, to Walters Court.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible adoption of Resolution No. 8-19, a resolution of the Elko City Council amending the Elko City Master Plan Transportation Component and Transportation Atlas Map #12, filed as Elko City Master Plan Amendment No. 1-19, and matters related thereto. **FOR POSSIBLE ACTION**

On May 7, 2019 the Planning Commission adopted its Resolution No. 1-19 to amend the Transportation Component and the Transportation Atlas Map #12 of the current Elko City Master Plan, and also took action to recommend City Council adopt said amendment via a resolution. An amendment of this type requires positive action by both the Planning Commission and the City Council. If the City Council suggests any changes to the Master Plan amendment as adopted by the Planning Commission, the Master Plan must first go back to the Planning Commission for review and approval. CL

Cathy Laughlin, City Planner, said this was brought to the attention of Staff at a Stage 1 meeting for a subdivision on a property that was recently purchased from the Elko County School District. Over the years, property owners have done quiet title changes to the areas we had listed as future roadways. This change to the Master Plan eliminated El Armuth Drive from Sage Crest Drive to Celtic Way, and it also eliminated the extension of El Armuth to the I80 frontage road. This proposal went through two hearings at Planning Commission. She recommended approval.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to adopt Resolution No. 8-19, a resolution of the Elko City Council amending Elko City master Plan Transportation Component and Transportation Atlas Map #12.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- A. Review, consideration, and possible approval for a grant of a utility, access, and maintenance easement on a portion of APN 001-673-003 to Sierra Pacific Power Company, a Nevada Corporation, dba NV Energy associated with utility service to an abutting private property, and matters related thereto. **FOR POSSIBLE ACTION**

A City-owned parcel separates the existing NV Energy power poles and a privately-owned parcel currently being developed. The requested easement is to provide power service to this developing parcel along with the ability for NV Energy to access and maintain the new service line. MR

Michele Rambo, Development Manager, explained the property on the overhead screen outlined in red is privately owned property being developed. NV Energy asked for an easement across our property because of the location of the power poles. Staff has reviewed this and they do not have any issues with this easement.

Mayor Keener asked if there would be a power line over the area marked easement.

Ms. Rambo said it would be underground.

Dennis Strickland, Public Works Director, said per their franchise agreement, new lines are required to go underground.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Hance, to approve a grant of a utility, access and maintenance easement on a portion of APN: 001-673-003 to Sierra Pacific Company, a Nevada Corporation, dba NV Energy associated with utility service to an abutting private property.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of the First Amendment to Contract of Purchase and Sale, between Bailey & Associates, LLC and City of Elko, and matters related thereto. **FOR POSSIBLE ACTION**

Bailey & Associates was the only bidder at the public auction for the sale of APN 001-066-005. Staff, as well as Elko County Assessor's Office, has since determined that the title to the property does not contain a needed right-of-way dedication. With this amendment, Bailey & Associates LLC will be agreeing to dedicate the northeasterly 10' of Lot 1 to the City of Elko after the purchase of the property. CL

Ms. Laughlin explained the City entered into a Purchase and Sale Agreement with Bailey and Associates. We received a check to start the escrow. Then we determined there were some discrepancies between what the Assessor had mapped, what we felt the property was, what it was appraised at and the legal description. According to the legal description, it didn't say, "minus the easterly 10 feet of Lot 1." We felt something happened to the 10 feet over the years and we

tried to determine what happened. Jon Bailey knew he was buying 40 feet but the legal description was not accurate. With this agreement, he is still agreeing to the sale of the property and he is agreeing to dedicate the 10 feet to the City to make the property the actual 40 feet it truly is.

Councilman Hance asked if the City needed the dedication. Wasn't that the back of the sidewalk?

Ms. Laughlin answered it is actually 8th Street. Bob Thibault went out and surveyed the corners.

Bob Thibault showed the discrepancy on the overhead screen. They thought the 10' had been dedicated in the past but they could not find a record.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to approve the First Amendment to the Contract of Purchase and Sale between Bailey & Associates and the City of Elko for APN: 001-066-005, and the northeasterly 10-foot dedication on that.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible approval of a Performance/Maintenance Agreement for subdivision improvements associated with the Great Basin Estates Phase 3 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-21 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-22. As part of the conditions of approval the Planning Commission recommended that the agreement be approved by the City Council. The Planning Commission also recommended that the Developer shall enter into the agreement within 30 days of the City Council's approval of the final plat. MR

NO ACTION

VI. RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance No. 839, an ordinance amending Title 2, Chapters 2, 3, 4, 5, 6, 7, 8 & 13 of the Elko City Code entitled "Building Regulations" by adding 2018 International code, and corresponding amendments, and matters related thereto. **FOR POSSIBLE ACTION**

On January 9, 2018, Council directed Staff to initiate the adoptions of the 2018 International Building Codes and initiate a Business Impact Statement. On May 14, 2019 Council found that Ordinance No. 839 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. KW

Kelly Wooldridge, City Clerk, explained there have not been any changes since the Business Impact Statement was approved. Mr. Kimble from WC3 was present to answer any questions.

Councilman Stone left at 5:54.

Chris Kimble, 908 W Gordon Ave. Ste. 3, Layton, Utah, gave a summary of the changes. This will put the City on the same codes as most of the state. The State Fire Marshal will be adopting the 2018 codes on January 1.

**** A motion was made by Councilman Hance, seconded by Councilman Schmidtlein, to conduct the first reading of Ordinance No. 839, and direct staff to set the matter for Second Reading, Public Hearing and Possible Adoption.**

The motion passed unanimously. (5-0)

- B. First reading of Ordinance No. 840, an ordinance amending Title 6, Chapter 1, of the Elko City Code entitled "Fire Code", and direct Staff to set the matter for public hearing, second reading, and possible adoption, and matters related thereto.
FOR POSSIBLE ACTION

On February 26, 2019, Council approved the initiation on Ordinance No. 840 and directed Staff to complete a Business Impact Statement. On May 14, 2019, Council found that Ordinance No. 840 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. KW

Ms. Woodridge explained this was also attached to the Business Impact Statement and there have been no changes to it since then. The biggest difference in this code is that we have never had amendments to the International Fire Code. Mr. Holmes was part of a task force with 25 other cities and counties that came up with northern Nevada specific amendments that were added to this.

Mr. Kimble highlighted some of the changes to the Fire Code.

**** A motion was made by Councilman Hance, seconded by Councilman Schmidtlein, to conduct the first reading of Ordinance No. 840, and direct staff to set the matter for Second Reading, Public Hearing and Possible Adoption.**

The motion passed unanimously. (5-0)

VIII. REPORTS

- A. Mayor and City Council

Councilman Hance said he is watching river. He noticed the drainage is constricted in a few places near the Westbound Amtrak.

Dennis Strickland said they have been paying close attention, and they have had crews out last Friday afternoon in the thunderstorms. They are predicting river to spike. If it hits the 7' mark we will start seeing water

appear at First and Water, 6th and Front. Today the crews put bags in and are prepared if the water spikes.

Councilman Schmidlein reported he will be gone for the next Council Meeting.

B. City Manager – Legislative Update

Curtis Calder reported the Legislature final day is June 3rd unless they call for a special session. We will know where we stand on some major legislation by the next Council Meeting.

Mayor Keener and Council thanked Mr. Calder for his work on the budget. Council appreciates how he stepped up and took care of it.

Mr. Calder said he had help from Candi and her staff. They aren't through the woods yet. They still need to get the final changes to the State but the City is in a good financial situation.

C. Assistant City Manager

D. Utilities Director

E. Public Works

Dennis Strickland said he and his Street Superintendent attended the American Public Works Association National Snow Conference. It was held in Salt Lake City this year. They both achieved the Winter Maintenance Supervisor Certification Program. They will keep an eye on river. They are set to start paving and they are hoping for better weather to get started.

F. Airport Manager

Jim Foster reported the AIP 50 Project received two bids that came in \$300,000 over the engineer's estimate. He is working with the FAA and Aviation on the funding. He is confident we will receive money needed to complete project, and if not, they are value-engineering the project.

G. City Attorney

H. Fire Chief

Matt Griego stated they just got a report of a fire at the Living Stones Church. It sounds like it was isolated to a fixture there. He will give further reports as he hears more.

I. Police Chief

Chief Reed reported the newest officer has graduated from the POST Academy last week with good marks and has moved back to Elko. Lt. Palhegyi will graduate from the National Academy next week.

J. City Clerk – Non-Compliant Lodging Businesses (Transient Lodging Tax)

Kelly Wooldridge updated Council on the Shilo Inn, and Thunderbird room tax issue. She has been in touch with the CFO of Shilo Inn. She will try to schedule a meeting with Curtis, ECVA and legal counsel to talk about the next steps. The Thunderbird has not sent any documentation and she hasn't received a payment since December. Last week she attended the CDBG Grant Training in Carson City. There are some things that would qualify for the grant in Elko.

K. City Planner

Mayor Keener said we have talked about some of the problems related to real estate in the foreclosure process. He wondered if she could do a couple tours of the problem properties.

Cathy Laughlin said the one correspondence she sent him had pictures of garbage in the back yard. It finally did go vacant and now you can really see the trash in the back yard that had been blocked previously by trailers.

- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director

James Wiley reported they are getting close to the Pool project deadline. Framing was finished up and Monday they will be working on metal roofing, window and doors. He is anticipating the pool opening June 17.

Councilwoman Simons pointed out that there will be 3 sessions instead of 4 for swimming lessons this year. She questioned the fiscal impact that will have.

Mr. Wiley said he hasn't dug down deep into the issue but he thought it was due to timing and trying to get them into the summer. They may try to accommodate more children per session. The situation at the Golf Course is a little tense but the security system has been installed.

- O. Civil Engineer

Bob Thibault reported the Fire Department driveway is underway but has been delayed due to all of the rain. The Sports Complex was expected to start June 3 but the water is high and we will push that another two weeks.

- P. Building Official

Jeff Ford reported the new opening date for our newest hotel will be in October.

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Brief presentation and possible acceptance of a renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approval of invoice for payment from FY2019/2020 Funds in the amount of \$464,971.41, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PRESENTATION**
4. Time Required: **10 Minutes**
5. Background Information: **As a member of the Insurance Pool, the City of Elko owns a share of the equity that forms the basis for its financial strength.**

Your agenda packet includes an overview of coverage offered for the following fiscal year. The City of Elko's total program costs for FY 2019/2020 are \$464,971.41, representing a 9.09% increase over FY 2018/2019. CC
6. Budget Information:

Appropriation Required: \$464,971.41
Budget amount available: \$464,971.41
Fund name: Various
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Fiscal Year 2019/2020 Program Costs Quotation; Member Coverage Summary; Invoice**
9. Recommended Motion: **Approve the renewal proposal from Nevada Public Agency Insurance Pool (POOL), and approve invoice for payment from FY 2019/2020 Funds in the amount of \$464,971.41.**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Agenda Distribution: **LP Insurance**
Fax: 775.473.9288

Wayne Carlson
Fax: 775.883.7398



City of Elko
2019 - 2020 PROGRAM COSTS QUOTATION

The Program Costs are reflective of members' exposure to loss in conjunction with loss experience. Exposure simply means total insured property values, expenditures, payroll, number of autos, etc. The information provided is warranted to be true and accurate by an official of each member.

The City of Elko's annual program costs and comparisons are as follows:

| | 2017-2018 | 2018-2019 | 2019-2020 |
|--|------------------|------------------|------------------|
| NPAIP Total Costs | \$409,330.74 | \$415,448.56 | \$456,971.41 |
| Additional Agency Service Compensation | \$ 8,000.00 | \$ 8,000.00 | \$8,000.00 |
| Environmental Liability Coverage | INCLUDED | INCLUDED | INCLUDED |
| Total Program Costs | \$417,330.74 | \$423,448.56 | \$464,971.41 |

Maintenance Deductible: \$5,000 applies to each and every loss with the exception of Environmental Liability.

Note: Acceptance of this renewal constitutes official acceptance of the pricing and approval for payment. Payment is due immediately upon receipt of invoice, but no later than July 8, 2019.

City of Elko

9.09% (\$41,522.85) increase in premium

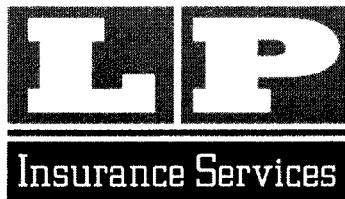
4.8% (\$5,816,114) increase in the total insured value of the property

4.9% (\$605,317) payroll increase

11 vehicle increase

Reinsurance price firming due to natural disasters (CRL casualty=33.80%) (Lloyds of London property=4.48%) (PRM property=22.55%)

Adverse development of combined POOL member losses



**Client Service Agreement
Property & Casualty**

This Client Service Agreement ("Agreement") is made and entered into this First Day of July 2019 ("Effective Date"), by and between LP Insurance Services (Agency), having an office located at 555 5th St, Elko, NV 89801, and City of Elko("Client").

WHEREAS, LP Insurance Services is duly licensed to engage in the insurance business for the purposes set forth herein, and;

WHEREAS, Client desires to engage the services of LP Insurance Services upon the terms and conditions hereinafter set forth;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. LINES OF INSURANCE COVERAGE

This Agreement is entered into with respect to the Property and Casualty lines of insurance coverage offered by Nevada Public Agency Insurance Pool (NPAIP) and other unrelated lines of Property and Casualty lines of insurance for which Client agrees to name LP Insurance Services as its Broker of Record.

2. SERVICES

LP Insurance Services agrees to provide to Client the following insurance services:

Risk Management

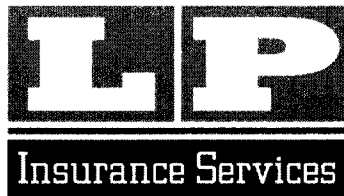
- Conduct exposure analysis
- Analyze current insurance program and make recommendations for program enhancements and potential savings
- Review coverage unrelated to NPAIP if requested by Client.

Marketing

- Develop underwriting submission
- Place and implement selected lines of coverage, i.e Airport Liability, at Clients request.

LP Insurance Services, Inc.

300 East 2nd Street Suite 1300 - Reno, Nevada 89501 - ph (775)996-6000 - fax (775) 473-9288



Ongoing

- Consult on special projects
- Review policies for accuracy prior to delivery.
- Monitoring losses and loss control issues.
- Proactively monitor and facilitate claims handling and procedures

The above-referenced services shall be rendered by LP Insurance Services to Client pursuant to the terms of this Agreement.

3. COMPENSATION

LP Insurance Services will be compensated for the services outlined in this agreement through the payment of an administration fee by the Client to LP Insurance Services and commissions paid on insurance premiums by selected insurance companies to LP Insurance Services.

| DESCRIPTION | Agency Services Compensation | Commission(s) (%) | Fixed Monthly Cost(s) (\$) |
|---------------------|------------------------------|---|----------------------------|
| | | | |
| Agency Compensation | \$8,000.00 | Average of 7% of insurance premiums only. | \$0.00 |

Contingent, supplemental, or bonus commissions

Some of the insurance companies LP Insurance Services represents may pay it additional incentive commission, sometimes referred to as contingent, supplemental or bonus commissions, which may be based on the total volume of business we sell for them, and/or the growth rate of that business, retention rate, claims loss ratio, or other factors considering our entire book of business with an insurance company for a designated period of time. Such additional commissions would be in addition to any other compensation LP Insurance Services may receive. This is not applicable for the NPAIP agents.

4. BROKERAGE INTERMEDIARIES

LP Insurance Services may utilize the services of other intermediaries, such as wholesale brokers, excess and surplus lines brokers and underwriting managers, to assist in the marketing of Client insurance coverage, when in LP Insurance Services professional judgment those services are necessary

LP Insurance Services, Inc.

300 East 2nd Street Suite 1300 - Reno, Nevada 89501 - ph (775)996-6000 - fax (775) 473-9288



5. TERM AND TERMINATION

The term of this Agreement shall commence on 7/1/2019 and shall terminate one (1) year thereafter. The term may be extended by mutual written agreement of the parties. In the event of termination, LP Insurance Services will assist Client in arranging a smooth transition process. However, LP Insurance Services obligation and the obligation of its affiliates to provide services to Client will cease upon the effective date of termination, unless otherwise agreed in writing.

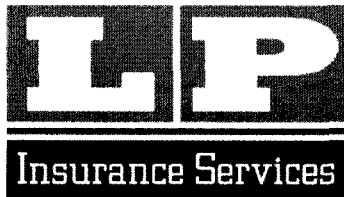
Notwithstanding the term of this Agreement, either party shall have the right to terminate this Agreement upon 90 days' prior notice to the other. In the event of termination by the Customer prior to expiration, LP Insurance Services Agency Services compensation will be deemed fully earned at inception.

6. ACCURACY OF INFORMATION

LP Insurance Services ability to provide Client with the services outlined in paragraph 2 above is conditioned upon LP Insurance Services receipt of accurate and timely information from Client. LP Insurance Services will not independently verify or authenticate information provided by or on behalf of you. You shall be solely responsible for the accuracy and completeness of such information and other documentation furnished to LP Insurance Services.

7. BOOKS AND RECORDS

Client is entitled to copies of reports prepared by LP Insurance Services hereunder, contracts between Client and its carriers/administrators to the extent such contracts are in LP Insurance Services possession and control, and communications between LP Insurance Services and Client's insurance carriers and employee benefits providers to the extent such books and records are maintained by LP Insurance Services with regard to its performance under this Agreement



8. ENTIRE AGREEMENT

This Agreement contains the entire understanding of the parties with respect to the subject matter contained herein, superseding all prior agreements, understandings, and negotiations with respect to such matters. This Agreement may be modified or otherwise amended and the observance of any term of this Agreement may be waived only if such modification, amendment, or waiver is in writing and signed by the party to be charged with same. This Agreement shall be binding upon and inure to the benefit of the parties' respective successors. Neither party shall have any liability for any failure or delay in performance of its obligations under this Agreement because of circumstances beyond its reasonable control, including, without limitation, acts of God, fires, floods, earthquakes, acts of war or terrorism, civil disturbances, sabotage, accidents, unusually severe weather, governmental actions, power failures, computer/network viruses that are not preventable through generally available retail products, catastrophic hardware failures, or attacks on its server. The parties further agree that neither party shall have any liability for indirect, special, punitive, consequential, or incidental damages, including, without limitation, loss of profits.

9. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Nevada.

10. SELECTION OF ISSUING INSURANCE COMPANY

LP Insurance Services has no ownership interest in and is not under common control with the insurance company that is issuing the lines of insurance coverage described in this Agreement.

IN WITNESS THEREOF, the parties have hereunto set their hands on the date and year first above written for the purposes set forth in this Agreement:

LP Insurance Services

City of Elko

Signature

Signature

Print Name

Print Name

Title

Title

LP Insurance Services, Inc.

300 East 2nd Street Suite 1300 - Reno, Nevada 89501 - ph (775)996-6000 - fax (775) 473-9288



INVOICE

City of Elko
1751 College Avenue
Elko, NV 89801

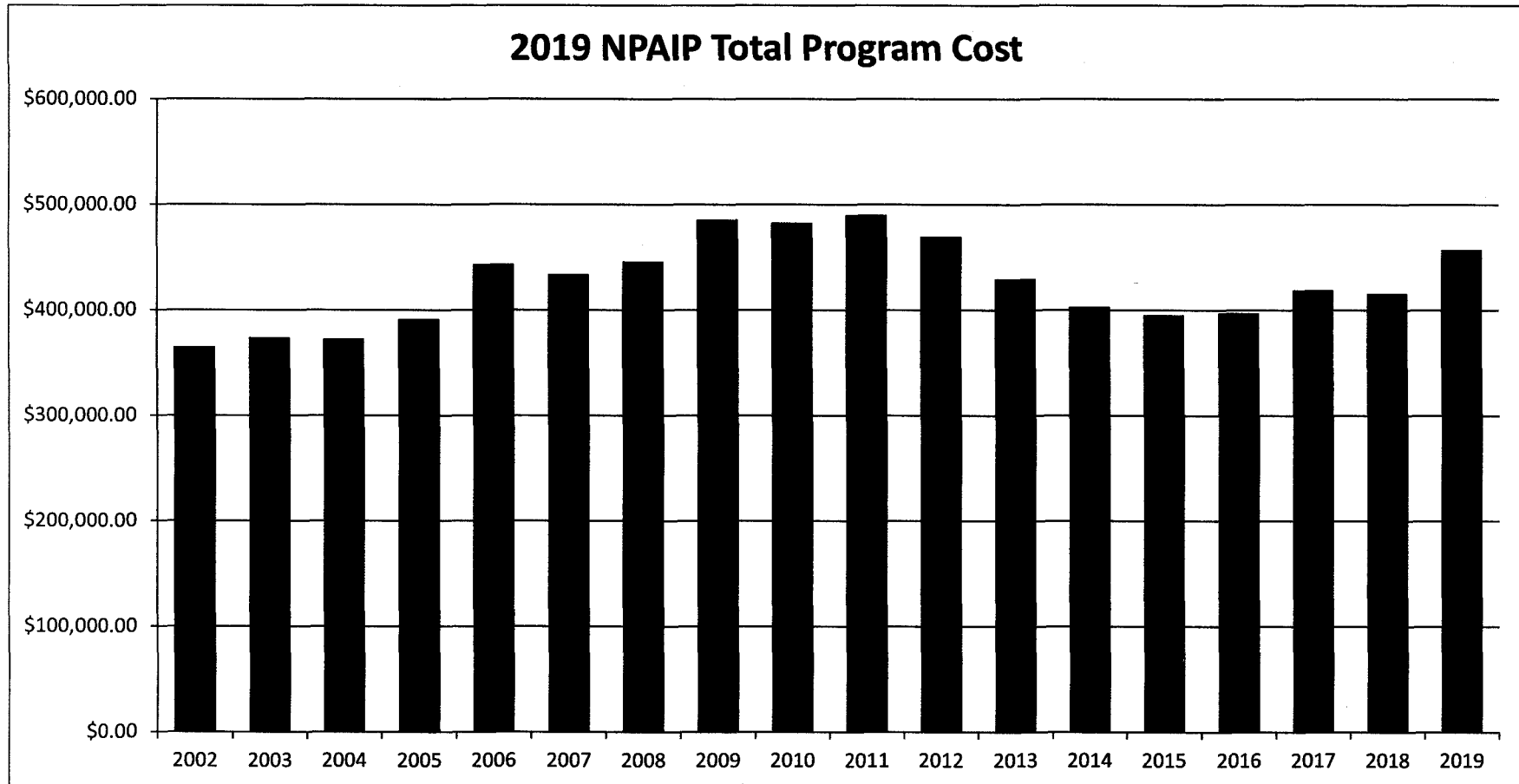
| | |
|---------------------|--|
| Customer: | City of Elko |
| Date: | May 31, 2019 |
| Customer Service | John Smales & Dain Uriarte john.smales@lpins.net dain.uriarte@lpins.net |
| Page | 1 of 1 |
| Payment Information | |
| Invoice Summary | POOL Total Costs |
| Payment Amount | \$ |
| Due Date | 07/08/2019 |

Customer: City of Elko

| Invoice | Effective | Transaction | Description | Amount |
|--|-----------|-------------|------------------------------|--------------|
| | 7/1/2019 | Renewal | POOL Total Costs | \$456,971.41 |
| | | Renewal | Agency Services Compensation | \$8,000.00 |
| Total Due: | | | | \$464,971.41 |
| PLEASE MAKE PAYMENT PAYABLE TO: LP Insurance Services LLC | | | | |
| Due Date: 07/08/2019 | | | | |
| LP Insurance Services, LLC 300 E. 2 ND St., Suite 1300 Reno, NV 89501 | | | May 31, 2019 | |

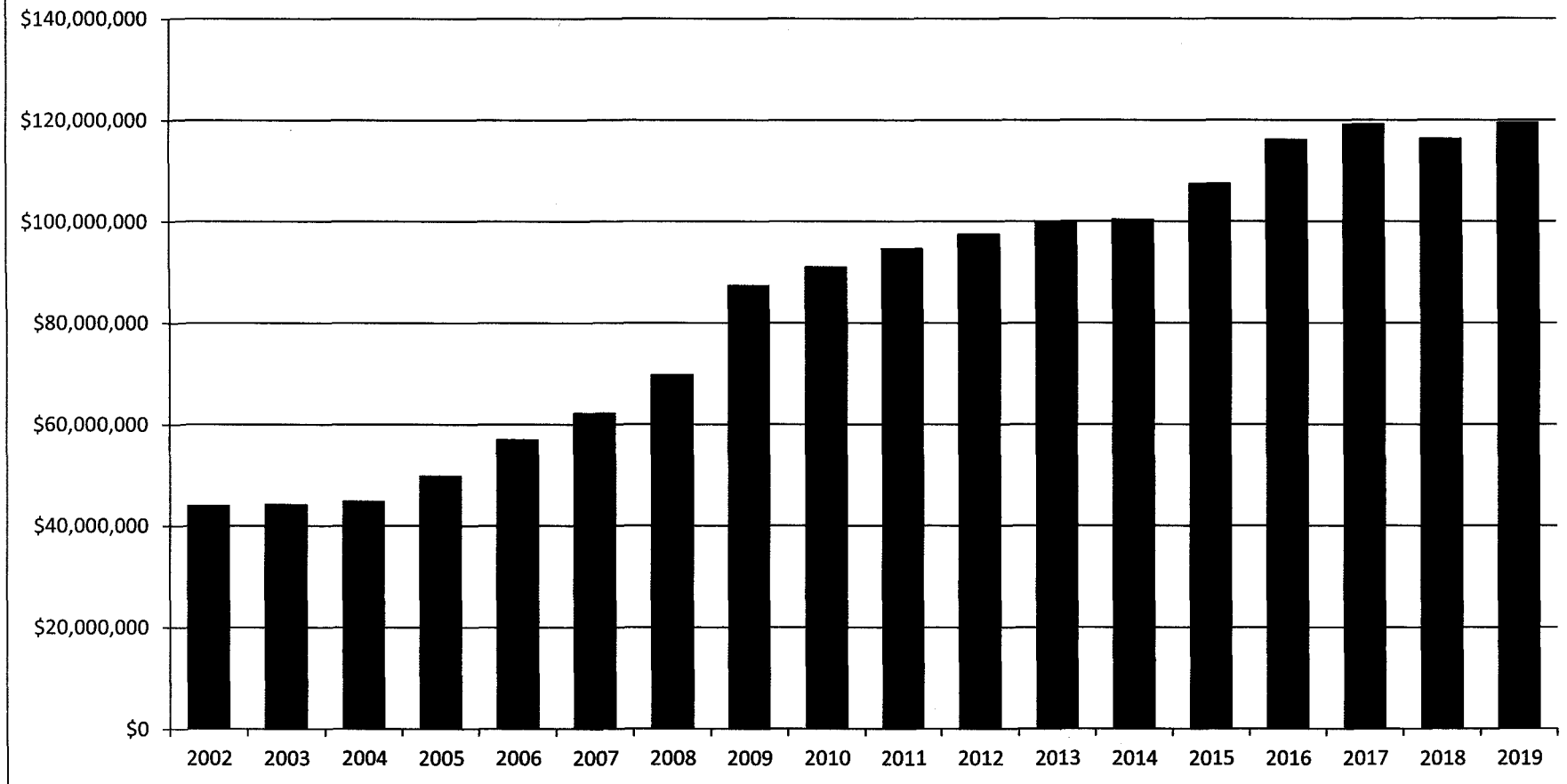
CITY OF ELKO

2019 NPAIP Total Program Cost



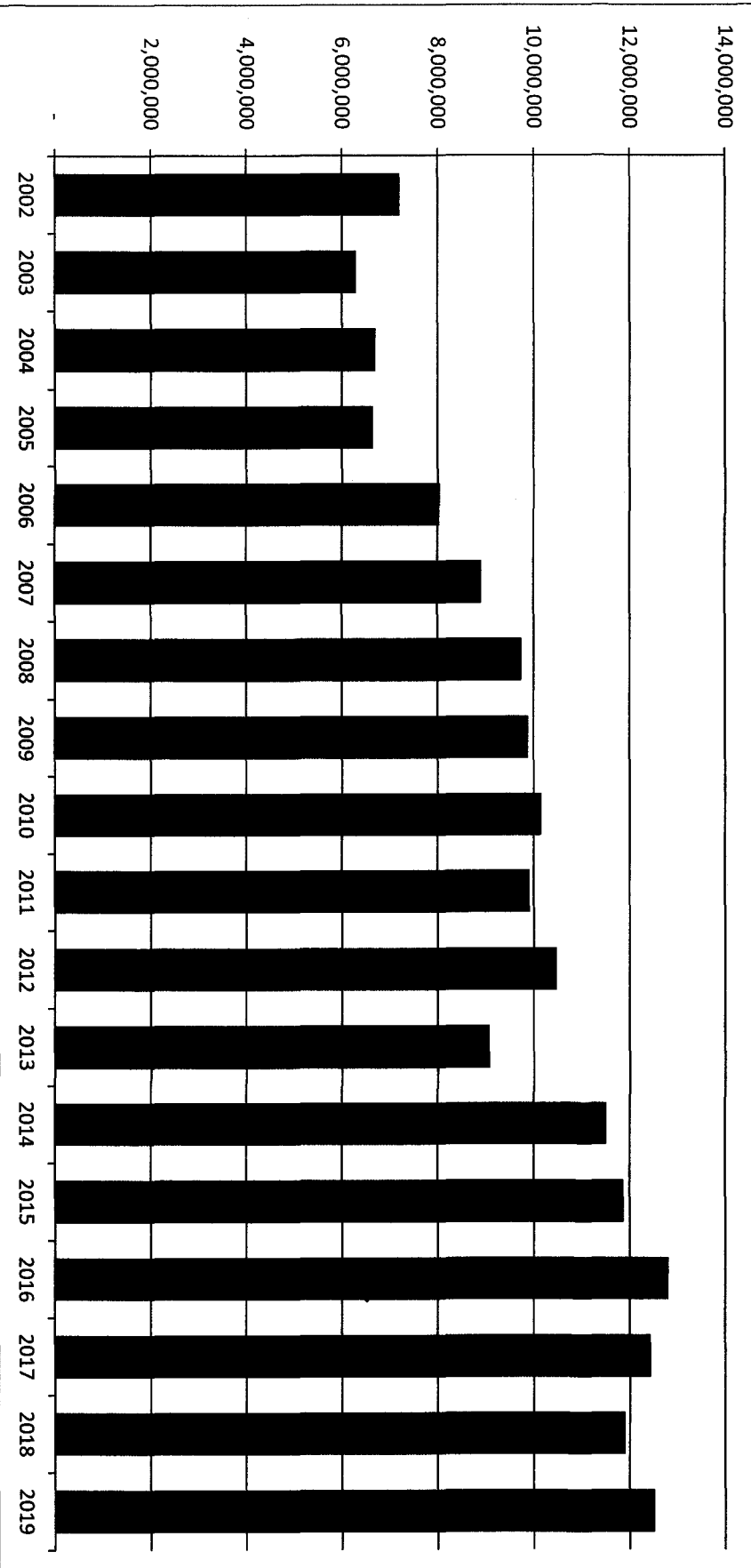
CITY OF ELKO

2019 Total Insured Values

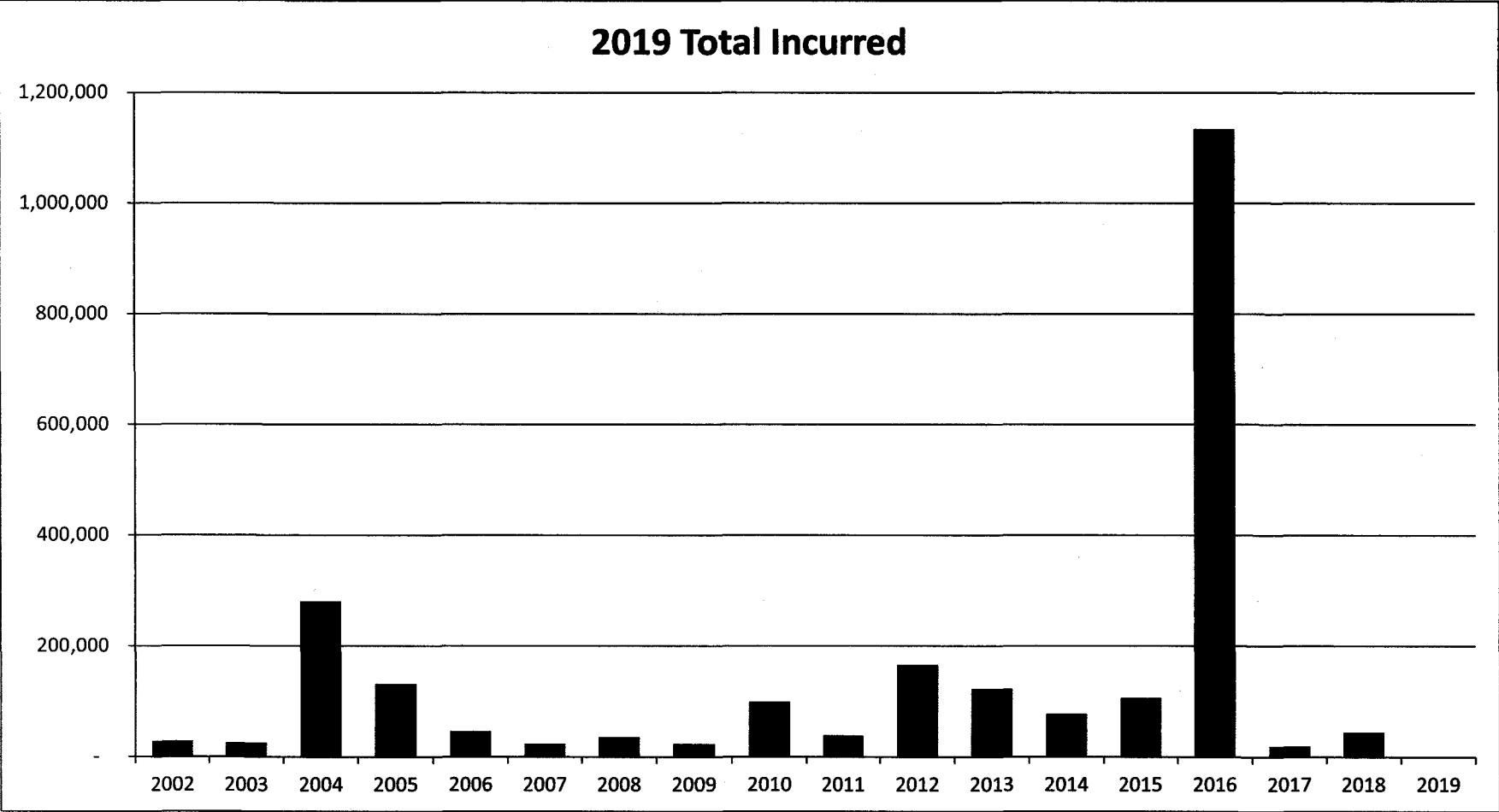


CITY OF ELKO

2019 Total Payroll

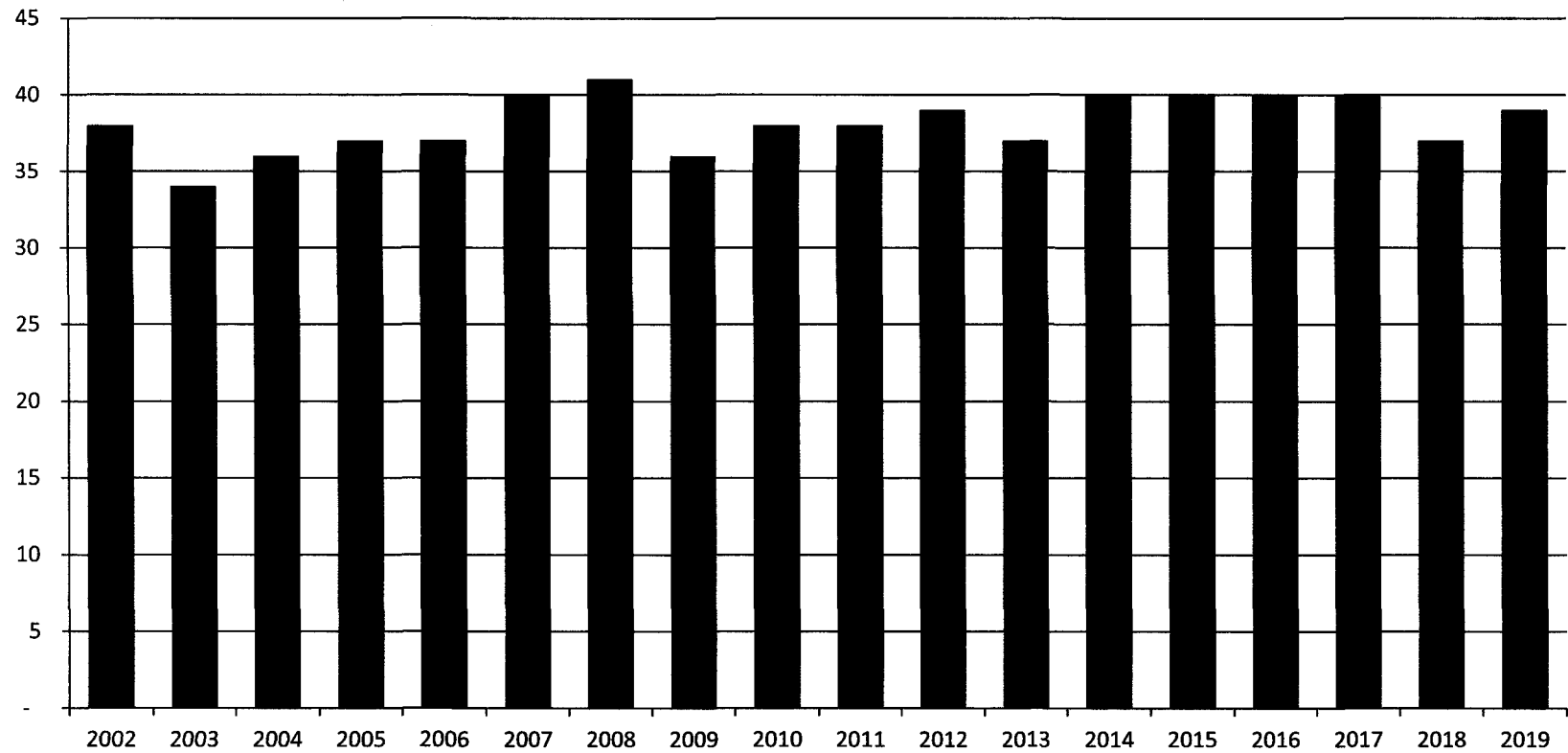


CITY OF ELKO



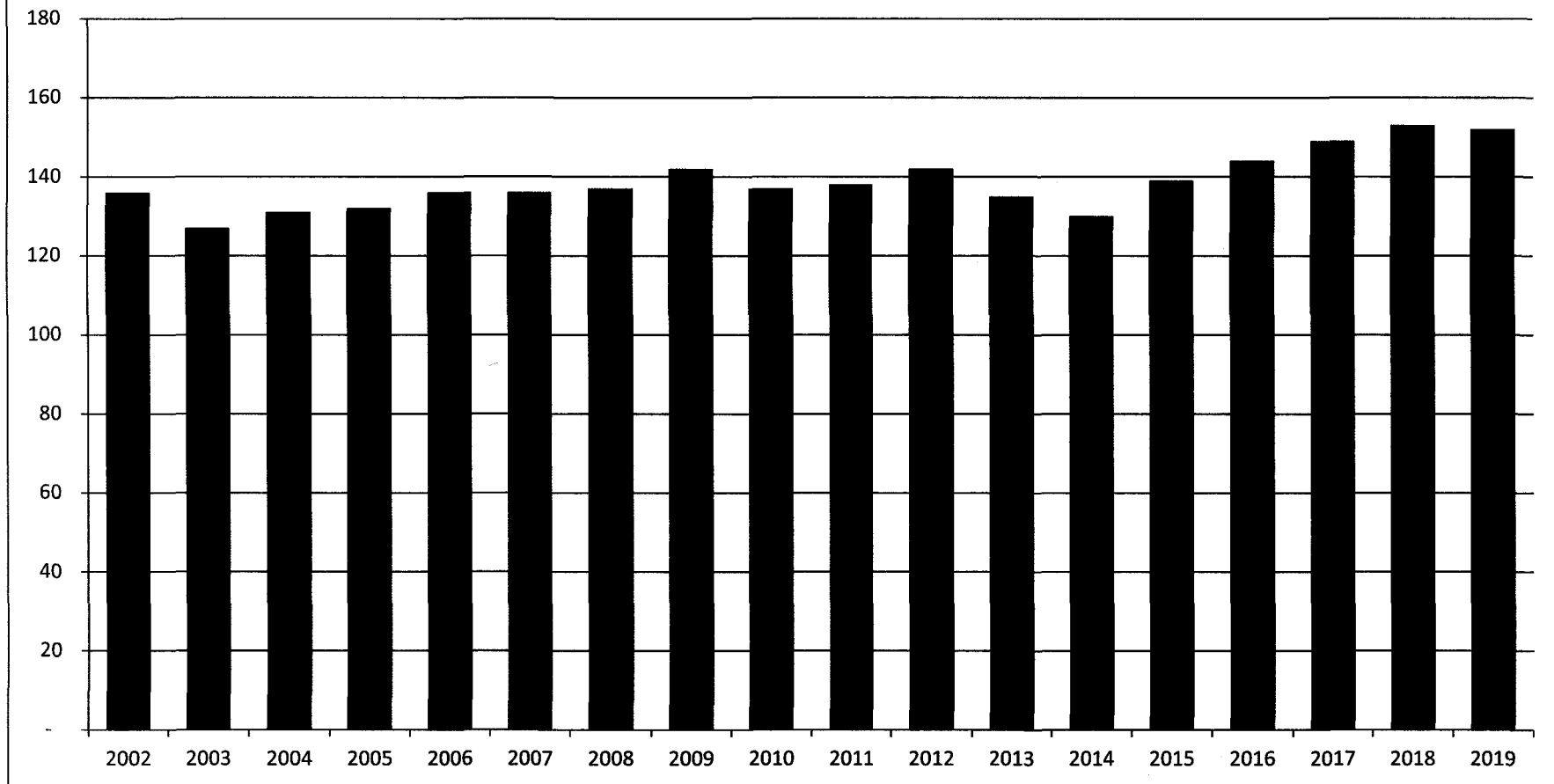
CITY OF ELKO

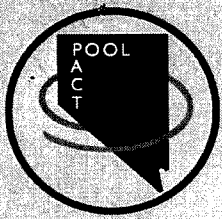
2019 Officer Count



CITY OF ELKO

2019 Auto Count





The Power of the POOL

NEVADA PUBLIC AGENCY INSURANCE POOL MEMBER COVERAGE SUMMARY

Prepared For:

Elko, City of

Prepared By:

LP Insurance Services, Inc.

This summary is intended for reference only. For specific terms, conditions, limitations and exclusions, please refer to the POOL Coverage Form edition July 1, 2019.

Dear POOL Member:

Thank you for your renewed commitment to the Nevada Public Agency Insurance Pool (POOL). In 1987, four Nevada counties formed their own risk sharing pool and now over thirty years later, the vast majority of Nevada's rural public entities remain committed to each other and the mission of their risk pool organization.

We are pleased to provide this Member Coverage Summary for your review. We continue to excel and provide an unparalleled level of service to our members. Our mission seeks to help members manage their risks so they can serve the public effectively.

The POOL Board is comprised of dedicated, hardworking, and ethical Member leaders focused on public risk management. They continue to do a superb job of representing the interests of the Member-owners of POOL.

Our members continue to see great value in being part of the POOL because of the extensive services, thus membership retention remains strong. We encourage you to discuss the services we offer with your insurance agent, a valued partner in the POOL program. Details on the financial performance and the services we offer are available on our website at www.poolpact.com.

If you have any questions, please call us at (775) 885-7475.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Carlson', with a stylized, flowing script.

Wayne Carlson
Executive Director
Nevada Public Agency Insurance Pool

**NEVADA PUBLIC AGENCY INSURANCE POOL (POOL)
COVERAGE SUMMARY**

| RENEWAL PROPOSAL | COVERAGE PERIOD | NAMED ASSURED | MAINTENANCE DEDUCTIBLE |
|-------------------------|---|----------------------|-------------------------------|
| | 07/01/2019 – 07/01/2020 Standard Time | Elko, City of | \$5,000 |

PROPERTY LIMITS

Blanket Limit per schedule of locations on file with POOL subject to a maximum limit of \$300,000,000 per loss.

The following sub-limits apply to Section V. C. Extensions of Property Coverage:

| | |
|--|--|
| Accounts Receivable | \$5,000,000 per loss |
| Arson Reward | 10% up to \$25,000 per loss |
| Earthquake | \$150,000,000 aggregate |
| Flood | \$150,000,000 aggregate \$25,000,000 aggregate - Flood Zone A |
| Equipment Breakdown | \$100,000,000 per loss |
| <ul style="list-style-type: none"> • Loss of Income & Extra Expense | included |
| <ul style="list-style-type: none"> • Hazardous Substance Coverage | \$250,000 per loss |
| <ul style="list-style-type: none"> • Spoilage Coverage | \$250,000 per loss |
| <ul style="list-style-type: none"> • Data Restoration | \$100,000 per loss |
| Expediting Expenses | \$25,000 per loss |
| Unintentional Errors and Omissions | \$5,000,000 per loss |
| Money and Securities | \$500,000 per loss |
| Transmission Facilities | \$100,000 per loss |
| Vehicle Replacement | Per Attachment E, if applicable |

LIABILITY LIMITS

The Limits of Liability are as follows:

| | | |
|--|--------------|------------------------|
| Combined Single Limit | \$10,000,000 | Each Event/Each Member |
| Each Member Annual Aggregate Limit: \$10,000,000 | | |
| Liability Limits are subject to sub-limits | | |
| Includes Auto Liability, General Liability, Personal Injury Liability, Employment Practices Liability, Law Enforcement Liability and Wrongful Acts Liability | | |

CYBER SECURITY EVENT AND PRIVACY RESPONSE EXPENSE COVERAGE LIMITS

The Limits of Liability are as follows:

| | | |
|---|-------------|------------------------------|
| Per Cyber Security Event including Privacy Response Expense | \$3,000,000 | Each Member/Annual Aggregate |
|---|-------------|------------------------------|

ENVIRONMENTAL LIABILITY COVERAGE

The Limits of Liability are as follows:

| | |
|------------|--|
| Coverage A | Third Party Claims for Bodily Injury, Property Damage or Remediation Expense |
| Coverage B | First Party Remediation Expense |
| Coverage C | Emergency Response Expense |
| Coverage D | Business Interruption |

| COVERAGE | DEDUCTIBLE | EACH INCIDENT LIMIT | AGGREGATE LIMIT |
|----------|------------|---------------------|-----------------|
| A,B,C | \$25,000 | \$2,000,000 | \$10,000,000 |

| COVERAGE | DEDUCTIBLE | BUSINESS INTERRUPTION LIMIT (Days) | BUSINESS INTERRUPTION LIMIT (\$) |
|----------|------------|------------------------------------|----------------------------------|
| D | 3 Days | 365 | \$2,000,000 |

MEMBER CONTRIBUTION:

| | |
|---|---------------------|
| TOTAL COST: | \$427,086.69 |
| AGENT COMPENSATION: | \$29,884.72 |
| TOTAL PROGRAM COST INCLUDING ALL SERVICES: | \$456,971.41 |

This summary is intended for reference only. For specific terms, conditions, limitations and exclusions, please refer to the POOL Coverage Form edition July 1, 2019.

Programs and Services available to POOL/PACT Members: RISK MANAGEMENT

Training

POOL/PACT provides extensive E-Learning and other training. Here are some samples, but check out www.poolpact.com for more: Safe Driving Techniques • Blood Borne Pathogens • Ethics • Nevada Open Meeting Law • POOL/PACT 101 • Positive Governance

Risk Management On-Site Programs

Risk Control Program Analysis • Infrared Thermography (IRT) • Safety Policies and Procedures Review • Site Surveys • OSHA Compliance Assistance • Safety and Loss Control Committees Review and Development • Traffic Safety Cones • Improved Security Systems • On-site Respirator Fit and Fire Extinguisher Training • Swimming Pool Safety Training and Inspections • School and Bus Safety Training • Accident Investigation Claims Analysis • Hazard Communication Program Review and Development

Law Enforcement and Fire Protection

On-line Law Enforcement training, policies, and best practices from the Legal Liability Risk Management Institute • Fire and EMS training, policies, and best practices from TargetSolutions.

Risk Management Grant Program

Grant applications online for innovative and effective grants to mitigate or eliminate risk to employees and citizens • Five, \$2,000 risk management grants are available to each member each year.

24-7-365 Workers Comp Nurse Triage Program

PACT members are eligible to use our innovative and streamed lined WC information and reporting system for non-life threatening on-the-job injuries.

Cyber-Security Assessments

Passive Network Assessments, training, and best practices.

MSDSonline

OSHA and state compliance with safety data sheet management and updates are available online.

For additional information contact Marshall Smith, POOL/PACT Risk Manager, (775) 885-7475

email: marshallsmith@poolpact.com website: www.poolpact.com

Programs and Services available to POOL/PACT Members: HUMAN RESOURCES

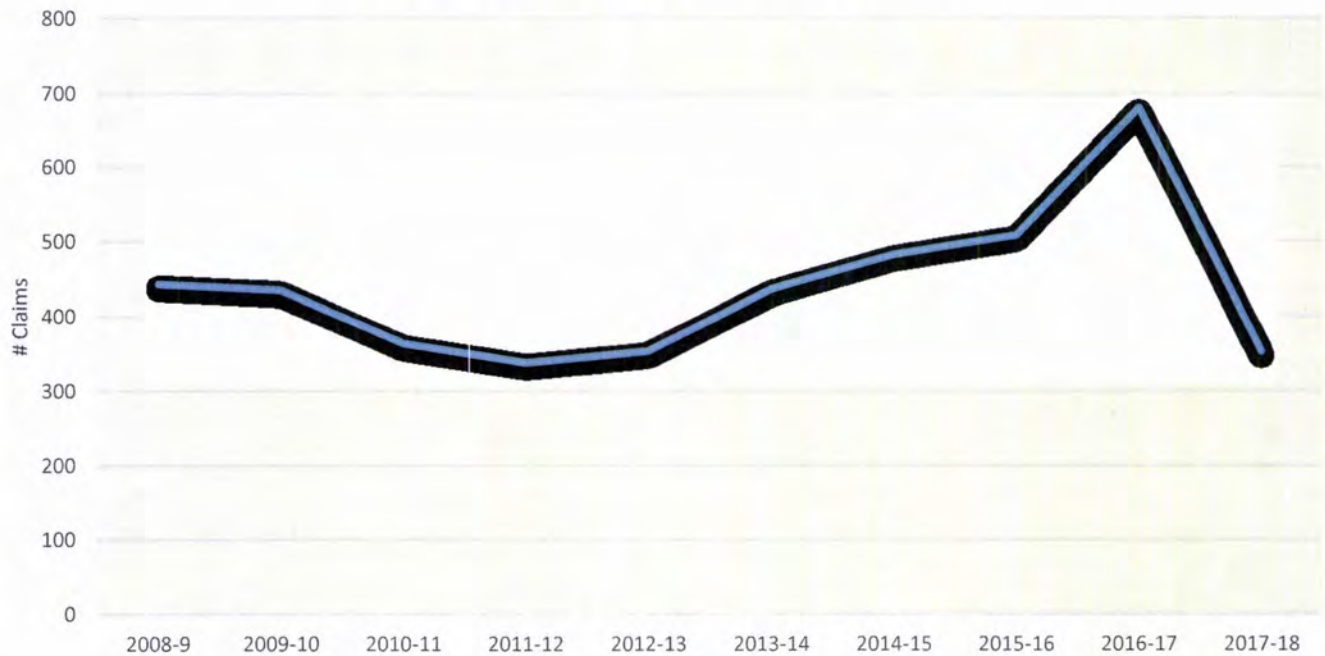
A variety of services are offered through POOL/PACT HR. We work with each member individually to address their specific HR-related needs and to reduce liability. Basic services include:

- Consultation with members to manage and resolve critical employment-related issues to include identifying options, providing step-by-step guidance, monitoring progress, and answering questions.
- Instructor-led training courses and workshops such as: Essential Management Skills; Anti-Bullying and Harassment; Dealing withirate Customers, Effective Communication Skills
- On-line training courses
- On-site assessment of member's HR practices with recommendations.
- Communication issued as "Alerts" to notify members when a significant HR-related law or practice has changed.
- On-site HR Briefings tailored to specific needs/requests of members.
- Sample personnel policies which may be adopted for use by members.
- Over 200 sample job descriptions and numerous HR forms that can be tailored for use by members.
- Legislative Updates after each Legislative Session and changes to sample HR policies
- Quarterly webinars in partnership with Resources for Living, employee assistance program (EAP).
- HR Scholarships to assist member HR representatives in attaining nationally recognized HR certifications.
- Annual HR Seminar providing HR representatives and CEOs valuable information on communication, leadership, and legal updates.

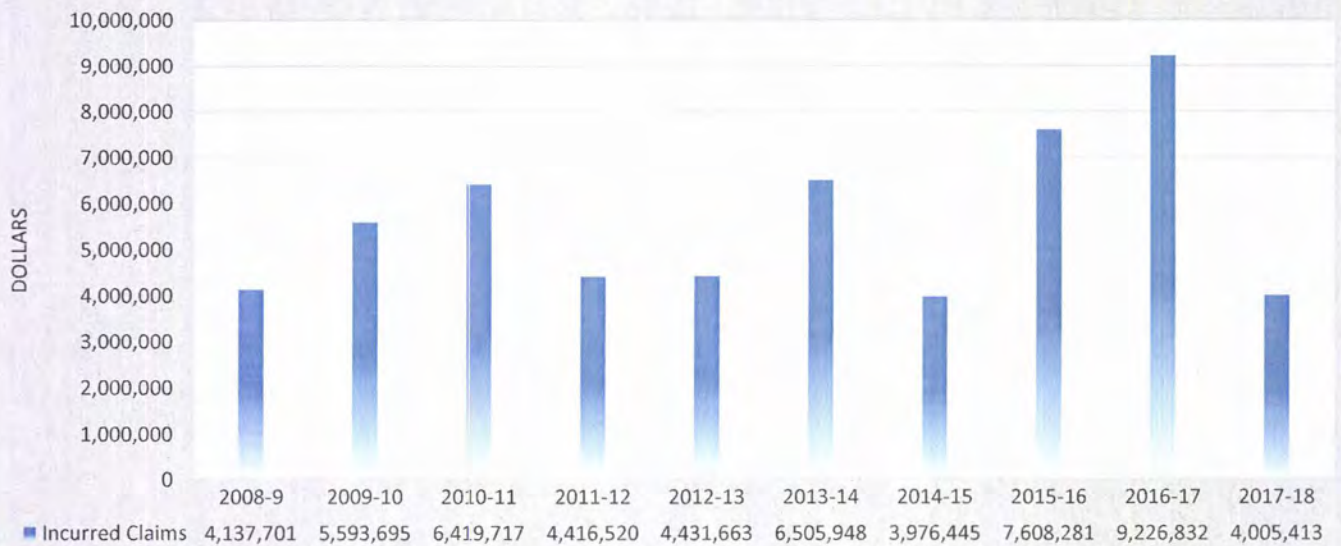
For additional information contact Stacy Norbeck, POOL/PACT Human Resources Manager, (775) 885-7475 email: stacynorbeck@poolpact.com website: www.poolpact.com

10 YEARS OF POOL CLAIMS EXPERIENCE

FREQUENCY TOTAL BY YEAR



SEVERITY TOTAL BY YEAR



NPAIP Membership

Counties:

Churchill County
Douglas County
Elko County
Esmeralda County
Eureka County
Humboldt County
Lander County
Lincoln County
Lyon County
Mineral County
Nye County
Pershing County
Storey County
White Pine County

Towns:

Town of Gardnerville
Town of Genoa
Town of Minden
Town of Pahrump
Town of Round Mountain
Town of Tonopah

School Districts:

Carson City School District
Churchill County School District
Douglas County School District
Elko County School District
Esmeralda County School District
Eureka County School District
Humboldt County School District
Lander County School District
Lincoln County School District
Lyon County School District
Mineral County School District
Nye County School District
Pershing County School District
Storey County School District

Cities:

Boulder City
City of Caliente
City of Carlin
City of Elko
City of Ely
City of Fernley
City of Lovelock
City of Wells
City of West Wendover
City of Winnemucca
City of Yerington

Fire Districts:

Mt. Charleston Fire Protection District
North Lake Tahoe Fire Protection District
North Lyon County Fire Protection District
Pahranagat Valley Fire District
Tahoe Douglas Fire Protection District
Washoe County Fire Suppression
White Pine Fire District

Others:

Central Nevada Historical Society
Central Nevada Regional Water Authority
County Fiscal Officers Association of Nevada
Douglas County Redevelopment Agency
Elko Central Dispatch
Elko Convention & Visitors Authority
Humboldt River Basin Water Authority
Mineral County Housing Authority
Nevada Association of Counties
Nevada Commission for the Reconstruction of the V & T Railway
Nevada League of Cities
Nevada Risk Pooling, Inc.
Nevada Rural Housing Authority
Regional Transportation Commission of Washoe County
Truckee Meadows Regional Planning Agency
U.S. Board of Water Commissioners
Virginia City Tourism Convention
Western Nevada Regional Youth Center
White Pine County Tourism

Special Districts:

Alamo Water & Sewer District
Amargosa Library District
Beatty Library District
Beatty Water & Sanitation District
Canyon General Improvement District
Carson-Truckee Water Conservancy District
Carson Water Subconservancy District
Churchill County Mosquito, Vector and Weed Control District
Coyote Springs General Improvement District
Douglas County Mosquito District
Douglas County Sewer
East Fork Swimming Pool District
Elko County Agricultural Association
Elko TV District
Fernley Swimming Pool District
Gardnerville Ranchos General Improvement District
Gerlach General Improvement District
Humboldt General Hospital
Incline Village General Improvement District
Indian Hills General Improvement District
Kingsbury General Improvement District
Lakeridge General Improvement District
Lincoln County Water District
Logan Creek Estates General Improvement District
Lovelock Meadows Water District
Marla Bay General Improvement District
Mason Valley Swimming Pool District
Minden Gardnerville Sanitation District
Moapa Valley Water District
Nevada Association of Conservation Districts
Nevada Tahoe Conservation District
Northern Nye County Hospital District
Pahrump Library District
Palomino Valley General Improvement District
Pershing County Water Conservation District
Sierra Estates General Improvement District
Silver Springs General Improvement District
Silver Springs Stagecoach Hospital
Skyland General Improvement District
Smoky Valley Library District
Southern Nevada Area Communication Council
Southern Nevada Health District
Stagecoach General Improvement District
Sun Valley General Improvement District
Tahoe Douglas District
Topaz Ranch General Improvement District
Tahoe Reno Industrial General Improvement District
Tonopah Library District
Walker Basin Conservancy
Walker River Irrigation District
Washoe County Water Conservation District
West Wendover Recreation District
Western Nevada Development District
White Pine Television District #1
Zephyr Cove General Improvement District



INVOICE

City of Elko
1751 College Avenue
Elko, NV 89801

| | |
|---------------------|--|
| Customer: | City of Elko |
| Date: | May 31, 2019 |
| Customer Service | John Smales & Dain Uriarte john.smales@lpins.net dain.uriarte@lpins.net |
| Page | 1 of 1 |
| Payment Information | |
| Invoice Summary | POOL Total Costs |
| Payment Amount | \$ |
| Due Date | 07/08/2019 |

Please detach and return with payment

Thank you

Customer: City of Elko

| Invoice | Effective | Transaction | Description | Amount |
|--|-----------|-------------|------------------------------|--|
| | 7/1/2019 | Renewal | POOL Total Costs | \$456,971.41 |
| | | Renewal | Agency Services Compensation | \$8,000.00 |
| PLEASE MAKE PAYMENT PAYABLE TO: LP Insurance Services LLC Due Date: 07/08/2019 | | | | Total Due: \$464,971.41 |
| LP Insurance Services, LLC 300 E. 2 ND St., Suite 1300 Reno, NV 89501 | | | May 31, 2019 | |

**Elko City Council
Agenda Action Sheet**

1. Title: **Presentation by the Nevada Rural Housing Authority, and matters related thereto. INFORMATION ITEM ONLY – NON ACTION ITEM**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PRESENTATION**
4. Time Required: **20 Minutes**
5. Background Information:
6. Budget Impact Statement:

Appropriation Required:
Budget amount available:
Fund name:
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information:
9. Recommended Motion:
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

Nevada State Department of Business & Industry
Distribution of Federal Tax Exempt Private Activity Bonding Authority (CAP)
For Use in Calendar Year 2019

\$318,611,160.00 =Total statewide allocation
\$159,305,580.00 =Local jurisdictions allocation Total

Based upon estimates from the Nevada State Demographer, Nevada Department of Taxation

| Counties & Incorporated Cities | 2018 Population Estimate** | | Percentage of State Population | | |
|--------------------------------|----------------------------|---------------------|--------------------------------|---------------------------|-----------------------|
| | County Totals | Jurisdiction Totals | | Total for Distribution \$ | 159,305,580 |
| Carson City | 56,057 | 56,057 | 1.83338% | \$ | 2,920,671.60 |
| Churchill County | 25,628 | | | | |
| Fallon | | 9,125 | 0.29844% | \$ | 475,429.09 |
| Unincorporated County | | 16,503 | 0.53974% | \$ | 859,836.30 |
| Clark County | 2,251,175 | | | | |
| Boulder City | | 15,887 | 0.51959% | \$ | 827,741.58 |
| Henderson | | 310,244 | 10.14671% | \$ | 16,164,276.33 |
| Las Vegas | | 644,113 | 21.06609% | \$ | 33,559,458.11 |
| Mesquite | | 22,557 | 0.73774% | \$ | 1,175,260.70 |
| North Las Vegas | | 248,701 | 8.13391% | \$ | 12,957,774.17 |
| Unincorporate County | | 1,009,673 | 33.02194% | \$ | 52,605,798.59 |
| Douglas County | 49,070 | 49,070 | 1.60486% | \$ | 2,556,636.20 |
| Elko County | 54,326 | | | | |
| Carlin | | 2,613 | 0.08546% | \$ | 136,142.05 |
| Elko | | 21,158 | 0.69198% | \$ | 1,102,370.26 |
| Wells | | 1,365 | 0.04464% | \$ | 71,118.98 |
| West Wendover | | 4,406 | 0.14410% | \$ | 229,560.61 |
| Unincorporated County | | 24,784 | 0.81058% | \$ | 1,291,291.45 |
| Esmeralda County | 969 | 969 | 0.03169% | \$ | 50,486.66 |
| Eureka County | 1,951 | 1,951 | 0.06381% | \$ | 101,650.65 |
| Humboldt County | 16,989 | | | | |
| Winnemucca | | 7,856 | 0.25694% | \$ | 409,311.88 |
| Unincorporated County | | 9,133 | 0.29870% | \$ | 475,845.90 |
| Lander County | 6,065 | 6,065 | 0.19836% | \$ | 315,997.52 |
| Lincoln County | 5,255 | | | | |
| Caliente | | 1,084 | 0.03545% | \$ | 56,478.37 |
| Unincorporated County | | 4,171 | 0.13641% | \$ | 217,316.68 |
| Lyon County | 55,551 | | | | |
| Fernley | | 19,790 | 0.64724% | \$ | 1,031,094.97 |
| Yerington | | 3,424 | 0.11198% | \$ | 178,396.62 |
| Unincorporated County | | 32,337 | 1.05760% | \$ | 1,684,816.48 |
| Mineral County | 4,690 | 4,690 | 0.15339% | \$ | 244,357.53 |
| Nye County | 47,856 | 47,856 | 1.56516% | \$ | 2,493,384.59 |
| Pershing County | 6,858 | | | | |
| Lovelock | | 1,965 | 0.06427% | \$ | 102,380.07 |
| Unincorporated County | | 4,893 | 0.16003% | \$ | 254,934.19 |
| Storey County | 4,227 | 4,227 | 0.13825% | \$ | 220,234.38 |
| Washoe County | 460,237 | | | | |
| Reno | | 248,806 | 8.13735% | \$ | 12,963,244.86 |
| Sparks | | 100,140 | 3.27514% | \$ | 5,217,476.03 |
| Unincorporated County | | 111,291 | 3.63984% | \$ | 5,798,463.39 |
| White Pine County | 10,678 | | | | |
| Ely | | 4,149 | 0.13570% | \$ | 216,170.44 |
| Unincorporated County | | 6,529 | 0.21353% | \$ | 340,172.77 |
| Totals = | 3,057,582 | 3,057,582 | 100.0000% | \$ | 159,305,580.00 |

IRS Notice 2019-19

**State Demographer's 'Governor Certified Population of Nevada Counties, Cities and Towns 2018'

Saved in Excel as: 2019 Volume Cap Distribution & Demographer Info



A Program of
Nevada Rural
Housing Authority
HomeAtLastNV.org

Home At Last™ in Your Community

The Nevada Rural Housing Authority mission is to promote, provide and finance affordable housing opportunities for all rural Nevadans.

Home At Last™ is an integral part of expanding and ensuring homeownership opportunities in rural Nevada, which is a key component to successful economic development throughout the state. We recognize the tremendous value in working with our local communities – your commitment to helping ensure every citizen has a home they can afford is what makes rural Nevada a great place to live and thrive. It's also a cornerstone for building healthy communities.

Total Home At Last™ Program Performance (Since 2006 Launch)

\$1.6 BILLION
in Mortgages Provided

8,106 FAMILIES ASSISTED
with Mortgage Credit Certificates and/or
Down Payment Assistance

\$26.4 MILLION
in tax savings reinvested into local
communities

\$46.7 MILLION
in Down Payment Assistance



\$7.8 Million in PABC Transfers
from the City of Elko to NRHA



\$544,00 Thousand in Federal Tax
Savings to Homeowners in the City of Elko



\$2 Million in Down Payment Assistance
Provided to Elko City Homebuyers



323 Families Assisted in the City of Elko

**City of Elko
Impact**

**\$66.9
Million in
Loan Volume**

This institution is an equal opportunity provider and employer.





A Program of
Nevada Rural
Housing Authority
HomeAtLastNV.org

Home At Last™ in Elko County

As a national award-winning program, Home At Last™ provides unprecedented access to credit, resulting in doors being opened so that rural Nevadans can afford to own a home of their own. Local government transfer of private activity bond cap supports Nevada Rural Housing Authority's ability to help support your rural community through single-family home financing.

| Township | Loan Volume Since 2006 | Families Assisted Since 2006 |
|------------------------------|------------------------|------------------------------|
| Elko | \$66,906,215 | 323 |
| Spring Creek | \$54,056,909 | 264 |
| Carlin | \$3,961,078 | 27 |
| Wendover | \$3,281,528 | 22 |
| Wells | \$2,080,964 | 14 |
| Lamoille | \$907,507 | 3 |
| Charleston | \$123,068 | 1 |
| Total | \$131,317,269 | 654 |
| Program | Loan Volume Since 2006 | Families Assisted Since 2006 |
| Down Payment Assistance | \$119,164,651 | 593 |
| Mortgage Credit Certificates | \$12,152,618 | 61 |
| Total | \$131,317,269 | 654 |

**Average Loan Size in the City of
Elko (2018-2019): \$215,041**

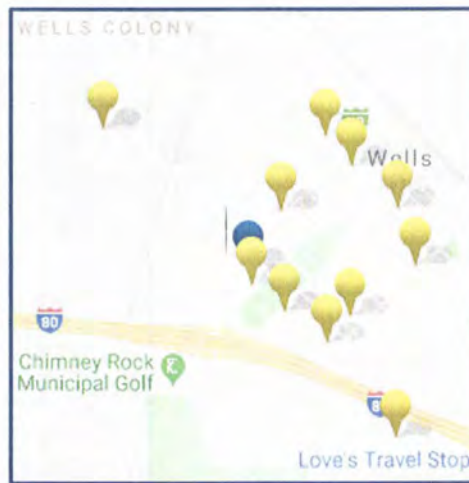
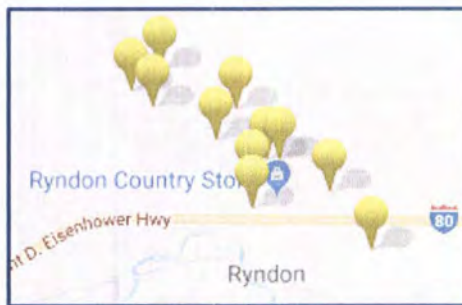
**Average Household Income in the
City of Elko (2018-2019): \$72,892**

**Average FICO Credit Score in the
City of Elko (2018-2019): 706**

Elko County

Pursuant to NRS 315.977, NRHA operates under the oversight of a board of commissioners consisting of five commissioners appointed by the Nevada Association of Counties and Nevada League of Cities and Municipalities. NRS 315.983 defines that NRHA is an instrumentality, local government and political subdivision of the State, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out the purposes and provisions of NRS 315.961 to 315.99874, inclusive. NRHA's area of operation is defined per NRS 315.9835, as follows: The State Authority may operate in any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

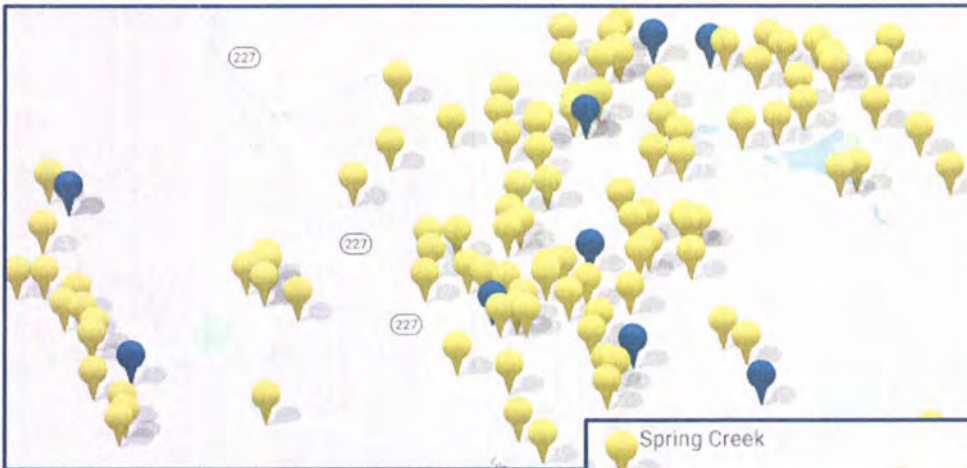
 Down Payment Assistance  Mortgage Credit Certificates



Elko County

Pursuant to NRS 315.977, NRHA operates under the oversight of a board of commissioners consisting of five commissioners appointed by the Nevada Association of Counties and Nevada League of Cities and Municipalities. NRS 315.983 defines that NRHA is an instrumentality, local government and political subdivision of the State, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out the purposes and provisions of NRS 315.961 to 315.99874, inclusive. NRHA's area of operation is defined per NRS 315.9835, as follows: The State Authority may operate in any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.

 Down Payment Assistance  Mortgage Credit Certificates



**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible award of the Public Works Department Preventive Maintenance Project 2019, to apply Micro Slurry Seal to select City streets, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **APPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **At their April 9, 2019, meeting, Council authorized Staff to solicit bids for the Preventive Maintenance Project 2019. Bids were received until 3:00 p.m., on May 30, 2019. DS**
6. Budget Information: Estimated total cost of project **\$450,000.00**
Appropriation Required: **\$450,000.00**
Budget amount available: **\$550,000.00 in the FY 19/20 Budget**
Fund name: **General Fund: Public Works Department**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **A Bid Tabulation is included in the packet.**
9. Recommended Motion: **Award the bid to Sierra Nevada Construction for the Public Works Department Street Maintenance Project 2019, in the amount of \$404,007.00.**
10. Prepared By: **Dennis Strickland, Public Works Director**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Paul Algerio, Streets Superintendent**
palgerio@elkocitynv.gov

Alex Faust, Sierra Nevada Construction
afaust@snc.biz

Eric Reimshiisel, American Pavement Preservation
ericr@americanpave.com

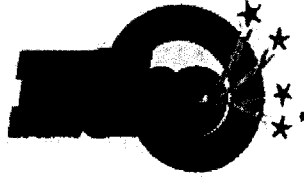
MICRO SLURRY PROJECT 2019
BID TABULATION
Bids Opened May 30, 2019

| ITEM | ITEM | UNIT | SIERRA NEVADA CONSTRUCTION | | | AMERICAN PAVEMENT PRESERVATION | | |
|------|--|------|----------------------------|-------------|--------------|--------------------------------|-------------|--------------|
| | | | QUANTITY | UNIT PRICE | TOTAL | QUANTITY | UNIT PRICE | TOTAL |
| 1 | Mobilization/Demobilization | LS | 1 | \$10,000.00 | \$10,000.00 | 1 | \$26,000.00 | \$26,000.00 |
| 2 | Microsurface Type 3 | SY | 219,301 | \$1.60 | \$350,881.60 | 219,301 | \$1.94 | \$425,443.94 |
| 3 | Downtown Corridor Microsurface Type 3 | SY | 10,770 | \$1.90 | \$20,463.00 | 10,770 | \$3.28 | \$35,325.60 |
| 4 | Placement and Maintenance of Traffic Control | LS | 1 | \$22,622.40 | \$22,662.40 | 1 | \$24,000.00 | \$24,000.00 |
| | | | TOTAL | | | TOTAL | | |
| | | | \$404,007.00 | | | \$510,769.54 | | |

**Elko City Council
Agenda Action Sheet**

1. Title: **Review and possible award for the custodial services at the airport terminal, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **APPPROPRIATION**
4. Time Required: **5 Minutes**
5. Background Information: **Bids for the Terminal Custodial Services were opened on Friday, May 31, 2019. Staff received one (1) bid from Royal Pane Janitorial who is the current Custodian at the airport terminal. Staff would recommend signing a Two (2) Year Contract with the provision of a One (1) Year Contract Extension should both parties agree for a total of Three (3) Years. JF**
6. Budget Impact Statement:

Appropriation Required: \$20,400.00
Budget amount available: \$20,400.00
Fund name:
7. Business Impact Statement: **Required/Not Required**
8. Supplemental Agenda Information: **Copy of Contract and Scope of Work**
9. Recommended Motion: **Move to award at Two (2) Year Custodial Contract for custodial services at the airport terminal to Royal Pane Janitorial at an annual cost of \$20,400.00 per year with the provision of a One (1) Year Extension should both parties agree.**
10. Prepared By: **Jim Foster, Airport Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Royal Pane Janitorial**
Attention: Susanne Ellingson
susanneellingson@gmail.com



CONTRACT FOR CUSTODIAL SERVICES
ELKO REGIONAL AIRPORT

On this ___ day of _____, 2019 (hereinafter the "Effective Date"), the City of Elko, Nevada, a municipal corporation and political subdivision of the State of Nevada ("the City") and _____ ("Contractor"), agree to the terms and conditions set forth below:

RECITALS

WHEREAS, Contractor agrees to perform custodial services as an independent contractor for the City under the terms and conditions set forth in this Contract;

NOW, THEREFORE, in consideration of the mutual promises set forth in this Contract, it is agreed by and between the Contractor and the City, as follows:

I.
DESCRIPTION OF WORK

The work to be performed by Contractor includes all services generally performed by a custodian at the Elko Regional Airport, to include janitorial services, and all matters described in the Scope of Work attached hereto at **Exhibit 1** (hereinafter the "Work"). Contractor will not engage in any activities contrary to the instructions of the City.

| | |
|-------------------|-------------|
| Contractor | City |
| | |

II.
TERM

The Term of this Contract shall be two (2) year(s). The Work shall commence upon signature hereof by both parties and shall continue until termination.

III.
PAYMENT

The City will pay the Contractor the sum of \$1700.00 per month for performing the Work, to be prorated as appropriate for any partially completed month upon termination. Contractor shall provide a monthly invoice to the Airport Director by hand delivering a copy to the Airport Manager's office at 975 Terminal Way, Elko, Nevada, by the 10th day of the month for Work performed during the previous month. The City shall have no obligation to pay for any Work performed unless and until an invoice has been delivered to the Airport Director in accordance with this Section III and interest shall not accrue on any unpaid amounts.

IV.
RELATIONSHIP OF PARTIES

The parties intend that an independent contractor relationship will be created by this Contract. The City is only interested in the results to be achieved, and the conduct and control of the work will lie solely with the Contractor. Contractor is not to be considered an agent or employee of the City for any purpose, and the employees of the Contractor, if any, are not entitled to any of the benefits that the City provides to its employees. It is understood that the City does not agree to use the Contractor exclusively. The parties agree that Contractor is not an employee for purposes of NRS 616A through 616D, which are the Nevada Revised Statutes governing industrial insurance.

| | |
|-------------------|-------------|
| <u>Contractor</u> | <u>City</u> |
| | |

V.
LIABILITY

The work to be performed under this Contract will be performed entirely at Contractor's risk and Contractor assumes all responsibility for the condition of the premises or any equipment used in the performance of this Contract. Contractor agrees to hold harmless and release the City from any and all claims arising from or in relation to the services provided under or activities related to this Contract, to include acts or omissions of third parties. Contractor further agrees to indemnify and defend the City against any and all such claims.

VI.
CANCELLATION AND EXTENSION

Notwithstanding any other provision herein contain, the City may terminate this Contract for any reason or no reason upon thirty (30) days prior written notice to the Contractor. The parties may extend the Term of this Contract for any period of time by mutual written agreement, *provided*, in the event the Term of this Contract is extended, all other provisions of this Contract not otherwise modified by written mutual agreement shall remain in full force and effect, *further provided*, that if a new term is not specified in the written agreement extending the Contract, the Term of the extension period shall be **one (1) year** from the date of the last signature on the written agreement. The one year contract extension provision can be renewed a **total of one time (1)**. The custodial services contract may not be **renewed beyond a three (3) year period**. Upon completion of year three (3), the new contract must be re-opened for public participation following current City of Elko open bidding procedures.

VII.
CONTRACTOR TO FURNISH ALL LABOR AND MATERIALS

Unless otherwise specifically agreed to in writing or as provided in this Section VII, Contractor shall furnish, at Contractor's own expense, all labor, material (including cleaning products), equipment and other items necessary to carry out the terms of this Contract. All cleaning products must be approved by the City before

| | |
|------------|------|
| Contractor | City |
| | |

use. Notwithstanding the foregoing, the City will supply all paper towels, toilet paper, sanitary toilet covers, hand soap, air fresheners and trash bags required for use at the Elko Regional Airport.

VIII.

TERMINATION FOR UNSATISFACTORY SERVICES

The actual performance and supervision of all work hereunder shall be by Contractor, but the City shall at all times have the right to judge whether such Work is being performed by Contractor in accordance with the provisions hereof. In the event the City determines that Contractor's services are unsatisfactory for any reason, the City shall have the right to immediately terminate this Contract without prior notice to Contractor at the City's sole discretion, *provided*, the City shall exercise due diligence in notifying the Contractor of the termination as soon as reasonably practicable.

IX.

PAYMENT OF TAXES, ASSESSMENTS, LIENS AND THE LIKE

Contractor agrees to pay any and all taxes, fees or assessments of whatever nature or kind are levied, required or imposed as a consequence of the Work performed. Contractor shall pay in full for all labor performed or material furnished to City property, and shall keep City property, free and clear of all materialmens, laborers and mechanics liens and all other liens, security interests and encumbrances. If any such lien or liens shall be filed against City property, or any part thereof, Contractor shall have the right to contest any such lien or liens, but shall, within thirty (30) days after the filing of such liens, discharge every lien filed against City property by bonding or otherwise.

X.

WORK PERFORMED AT CONTRACTOR'S RISK

Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder. All work shall be done at Contractor's risk.

| | |
|-------------------|-------------|
| <u>Contractor</u> | <u>City</u> |
| | |

XI.
INSURANCE

Contractor agrees to purchase insurance or otherwise arrange at its own expense and to keep such insurance in force at all times this Contract is in effect, as follows:

A. Workers Compensation Insurance covering all persons engaged in the performance of Work on City property.

B. Comprehensive General Public Liability Insurance against claims for bodily injury or death of any person and property damage arising out of or resulting from Contractor's activities and the use of City property in connection with performance of the Work. Such insurance shall be in an amount not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. The City shall be named as an additional insured on any such policy of insurance. Contractor shall furnish to the City proof that such insurance has been obtained and is in force.

C. General Vehicle Liability Insurance against claims for injury or death of any person and property damage arising out of or resulting from Contractor's operation of any motor vehicle used in connection with the activities contemplated herein, to include travel to, from and at the Elko Regional Airport. Such insurance shall be in an amount of not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. This policy shall include vehicles operated by Contractor and Contractors agents, employees and contractors. The City shall be named as an additional insured on any such policy of insurance. Contractor shall furnish to the City proof that such insurance has been obtained and is in force.

D. The City shall be provided with copies of all insurance policies required under this Contract.

E. The foregoing insurance may be part of a blanket policy.

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| <u>Contractor</u> | <u>City</u> |
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XII.
BACKGROUND AND SECURITY CHECK

Contractor shall be required to pass a background and criminal history record check in order to obtain the required security clearance in accordance with the Airport Security Plan and TSA CFR 1542.

XIII.
GENERAL TERMS AND CONDITIONS

The following general terms and conditions shall apply to this Contract:

A. TERMS TO BE EXCLUSIVE

The entire agreement between the parties with respect to the subject matter hereunder is contained in this Contract. Except as otherwise provided to the contrary, the provisions of this Contract are exclusively for the benefit of the parties hereto and not for the benefit of any other person, persons or legal entities.

B. WAIVER OR MODIFICATION INEFFECTIVE UNLESS IN WRITING

No waiver, alteration or modification of any of the provisions of this Contract shall be binding unless in writing and signed by the parties hereto or their duly authorized representatives.

C. ASSIGNMENT

An assignment of this Contract by the Contractor without the written consent of the City shall be void.

D. GOVERNING LAW

This Contract or any dispute arising under or in connection with this Contract shall be governed by the laws of the State of Nevada, United States of America.

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| Contractor | City |
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E. JURISDICTION AND VENUE

The parties agree that in the event of a dispute arising under or in relation to this Contract or the services to be performed by Contractor under this Contract, the Fourth Judicial District Court for the County of Elko, State of Nevada, shall have jurisdiction and venue over said dispute.

F. PRIOR CONTRACTS OR AGREEMENTS

This Contract, together with its attached exhibit, contains the entire agreement between the parties hereto with respect to the subject matter hereof and any prior agreements, discussions or understandings, written or oral, are superseded by this Contract and shall be of no force or effect.

G. COMPLIANCE WITH APPLICABLE LAWS

Contractor shall at all times comply in all material respects with all municipal, State and Federal ordinances, rules and statutes applicable to Contractor's Work and use of City property. Contractor shall actively pursue all required permits for the activities contemplated herein and shall be solely responsible for obtaining all required permits prior to engaging in the Work.

H. ATTORNEY FEES

Should either party pursue legal action to enforce any term of condition of this Contract, or any legal action arising from or in relation to the performance of services under this Contract, the prevailing party shall be entitled to reasonable attorney fees and costs.

I. CONSTRUCTION OF DOCUMENT

The parties agree that they were each represented by legal counsel in connection with the preparation of this instrument or had the opportunity to consult with legal counsel; accordingly, the parties waive the usual rule of construction that

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| Contractor | City |
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contracts are to be strictly construed against the drafting party.

J. BINDING EFFECT

This Contract is binding upon and shall inure to the benefit of the parties' heirs, administrators, successors and assigns, subject to the restriction on assignment herein contained.

K. NOTICE

Service of all notices pursuant to this Contract shall be sufficient if made by certified mail to the specific party involved herein at the respective addresses hereinafter set forth or as such party may provide from time-to-time in writing:

Company: Elko Regional Airport
ATTN: Jim Foster, Airport Manager
975 Terminal Way
Elko, NV 89801

Contractor: Royal Pane Janitorial
ATTN: Susanne Ellingson
2230 Clear Water Court
Elko, NV 89801

L. SURVIVAL OF OBLIGATIONS

All duties and obligations of Contractor contained herein shall survive the Term and shall continue thereafter in perpetuity unless and until satisfied or except as otherwise provided herein.

M. SUCCESSORS

References to Contractor in this Contract shall include its respective successors, heirs, assigns, agents, employees, contractors, representatives, affiliates, parent companies and subsidiaries. The term Asuccessor@ shall mean any person,

| Contractor | City |
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firm, corporation or other business entity which at any time by merger, purchase or otherwise shall acquire all or substantially all of the assets or business of either party.

N. COUNTERPARTS

This Contract may be executed in counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same.

O. SIGNATURES

A facsimile, electronic or pdf signature may be used in lieu of an original signature.

P. PARTIAL INVALIDITY

If any term or provision of this Contract, or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Contract or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be effected thereby, and each remaining term and provision of this Contract shall be valid and enforceable to the fullest extent permitted by law.

Q. NO WAIVER

No waiver of any right under this Contract shall be effective for any purpose unless in writing, signed by the party hereto possessing the right, nor shall any such waiver be construed to be a waiver of any subsequent right, term or provision of this Contract. Moreover, the failure to enforce at any time any of the provisions of this Contract or to require at any time performance by any party any of the provisions hereof shall in no way be construed to be a waiver of such provisions or to affect either the validity of this Contract or any part hereof, or the right of each party thereafter to enforce each and every provision in accordance with the terms of this Contract.

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| <u>Contractor</u> | <u>City</u> |
| | |

R. FORCE MAJEURE

In the event either party is prevented from performing its obligations (except for the payment of monies) under this Contract by labor strikes, fires, floods, explosions, riots, any unusual mining casualties, Acts of God, government restrictions or orders, severe weather conditions or other extraordinary events not reasonably within its control, then the time for performance of that obligation by the affected party shall be suspended during the continuance of such acts which prevent performance.

S. BREACH OF REPRESENTATIONS AND COVENANTS

Each party shall be responsible to the other for any claims, demands, liabilities, damages, suits, actions, judgments, fines, penalties, loss, costs and expense (including but not limited to attorneys' fees) arising or resulting from, or suffered, sustained or incurred as a result (direct or indirect) of the material untruth or inaccuracy of any of the matters represented and warranted by one party to the other or the material breach of any of the covenants, representations, and warranties of the parties as set forth herein.

T. REMEDIES

This Contract and any of the requirements contained herein may be enforced by an action at law or in equity to include, without limitation, an action for specific performance.

U. AUTHORITY

Contractor warrants to the City that entering into this Contract is within its authority, does not violate any agreement to which it is a party and does not require the consent of any other person.

V. TIME IS OF THE ESSENCE

Time is of the essence with respect to all provisions of this Contract that

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| <u>Contractor</u> | <u>City</u> |
| | |

specify a time for performance.

CITY OF ELKO:

CONTRACTOR:

By: _____
REECE KEENER MAYOR

By: _____
SUSANNE ELLINGSON

ATTEST:

KELLY WOOLDRIDGE
CITY CLERK

| <u>Contractor</u> | <u>City</u> |
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CUSTODIAL SERVICES FOR THE ELKO REGIONAL AIRPORT

GENERAL:

The CITY will provide paper products (paper towels, toilet paper, sanitary toilet covers), hand soap, air fresheners, and trash bags. CUSTODIAN will provide all cleaning equipment/products as approved by CITY for the purpose of performing janitorial duties. The main terminal (Terminal) airport facility is 16,769 square feet inside. The Snow Response Equipment Building (SRE) is 500 square feet. The Information Technology Building (IT) is 1,070 square feet.

CUSTODIAN the IT Department, Airport Administration and the SRE Building will be serviced during normal business hours and servicing the terminal building areas the time will be negotiated with the Airport Manager. The following janitorial duties will performed at the frequencies listed below:

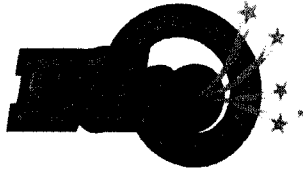
- Emptying and/or replacing all trash bags within the trash receptacles both inside and outside the terminal building (1 time a day, five days a week)
- Wiping down all decorative trash receptacles in the terminal building (1 time a day 5 days a week)
- Spot cleaning ground-level glass surfaces in terminal building entryways, concession space, security check-point, and passenger waiting areas in the terminal building (2 times a day, five days a week)
- Vacuuming all carpeted areas inside the terminal building (1 time a day, five days a week)
- Sweeping and mopping all floors inside the terminal building (1 time a day, five days a week)
- Sweeping sidewalks outside the terminal building (1 time a day, five days a week)
- Emptying cigarette cans located outside the terminal building (1 time a day, five days a week)
- Cleaning all public restrooms inside the terminal, to include mopping floors, cleaning and sanitizing all restroom fixtures, stocking all paper projects, emptying trash cans, cleaning mirrors, and stocking air fresheners (2 times a day, five days a week)
- Dusting all surfaces and fixtures inside the airport terminal (Twice a week)
- Cleaning trash receptacles located inside and outside the terminal building (Once a week)
- Thoroughly cleaning ground-level glass surfaces in terminal building, entryways, concession space, security checkpoint, and passenger waiting areas in the terminal building (Once a week)

- Wiping down chairs in passenger and terminal waiting areas, bathroom stalls to include the base boards and corners **(Once a week)**
- Cleaning Airport Administration offices, to include vacuuming, emptying trash cans. Cleaning restroom, to include mopping, cleaning and sanitizing all restroom fixtures, stocking all paper products, cleaning office glass surfaces **(2 times a week)**
- Cleaning Information Technology Building offices, to include vacuuming and mopping, emptying trash cans and dusting all surfaces. Cleaning restroom, to include mopping, cleaning and sanitizing all restroom fixtures, and stocking all paper products. **(2 times a week)**
- Cleaning SRE Building offices, to include mopping, emptying trash cans. Cleaning restroom to include, mopping, cleaning and sanitizing all restroom fixtures, and stocking all paper products. **(Once a week)**
- Waxing and sealing all tiled floors inside the airport terminal (sterile area, main terminal floors, restaurant main floor and all bathrooms. **(Once a year)**

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **UNFINISHED BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. MR**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. action report, Staff reports and related correspondence.**
9. Recommended Motion: **Conditionally approve Final Plat No. 11-18 for the Great Basin Estates, Phase 3 subdivision subject to the conditions as recommended by the Planning Commission OR table item if Cease and Desist Order issued by NDEP is still in effect.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Parrado Partners, LP
Robert Capps-robertcapps@cappshomes.com
12257 Business Park Drive #1
Truckee, CA 96161**



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO

PLANNING COMMISSION ACTION REPORT

Special Meeting of September 6, 2018

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on September 6, 2018 pursuant to City Code Sections 3-3-6 (B)1 and (C) 2:

Final Plat No. 11-18, filed by Parrado Partners, LP, for the development of a subdivision entitled Great Basin Estates Phase 3 involving the proposed division of approximately 9.65 acres divided into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto.

The subject property is located generally at the extension of Village Parkway and Opal Drive. (001-633-030).

NOW/THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to conditionally approve Final Plat No. 11-18 subject to the conditions in the City of Elko Staff Report dated August 23, 2018 listed as follows:

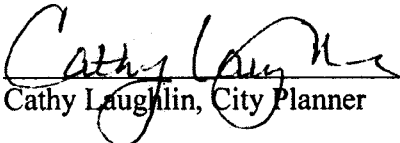
1. **The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.**
2. **The Performance Agreement shall be approved by the City Council.**
3. **The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.**
4. **The Final Plat is approved for 38 single family residential lots.**
5. **The Utility Department will issue a Will Serve Letter for the subdivision.**
6. **State approval of the subdivision is required.**
7. **Conformance with Preliminary Plat conditions is required.**
8. **Civil improvements are to comply with Chapter 3-3 of City code.**
9. **The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest**

edition Standard Specifications for Public Works. All Right -of-Way and utility improvements are to be certified by the Engineer of Record for the project.

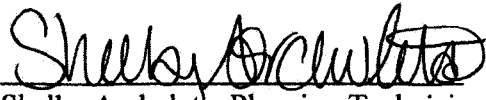
10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.

11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

The Planning Commission's findings to support its recommendation are the Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Plat is in conformance with the Preliminary Plat. The proposed subdivision is in conformance with the Land Use Component of the Master Plat. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms with Sections 3-3-20 through 3-3-27 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of City Code. The Subdivider has submitted civil improvement plans in conformance with Section 3-3-41 of City Code. The plans have been approved by City Staff. The Subdivider has submitted plans to the City and State agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of City Code. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of City Code. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of City Code. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of City Code. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of City Code. The proposed development is in conformance with Section 3-8 of City Code. The subdivision is in conformance with 3-8 Floodplain Management.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

| | |
|----------------------------------|------------------------------|
| DATE: | August 23, 2018 |
| PLANNING COMMISSION DATE: | September 6, 2018 |
| AGENDA ITEM NUMBER: | I.B.2 |
| APPLICATION NUMBER: | Final Plat 11-18 |
| APPLICANT: | Parrado Partners, LP |
| PROJECT DESCRIPTION: | Great Basin Estates, Phase 3 |

A Final Map for the division of approximately 9.650 acres into 38 lots for single family residential development within an R (Single Family and Multiple Family Residential) Zoning District and one remaining lot.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE this item subject to findings of fact and conditions.

PROJECT INFORMATION

PARCEL NUMBERS: 001-633-030

PARCEL SIZE: 9.650 acres Phase 3, final phase of the subdivision

EXISTING ZONING: (R) Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- Northwest: River corridor / Undeveloped
- Northeast: RMH- Residential Mobile Home / Developed
- Southwest: Single Family Residential (R) / Developed
- Southeast: Single Family Residential (R) and (RMH) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The area abuts the second phase the Great Basin Estates Subdivision.
- The parcel is generally flat.

MASTER PLAN, COORDINATING PLANS, and CITY CODE SECTIONS:

Applicable Master Plan Sections, Coordinating Plans, and City Code Sections are:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Chapter 3 Subdivisions
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Zoning Districts
- City of Elko Zoning – Section 3-2-5(E) Single-Family Residential District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback And Height Schedule For Principal Buildings
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND INFORMATION

1. The Final Plat for Great Basin Estates Phase 1B was recorded on June 29, 2017.
2. The Final Plat for Great Basin Estates Phase 2 was approved by City Council on August 14, 2018.
3. The Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
4. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Preliminary Plat on May 3, 2016.

5. The City Council conditionally approved the Preliminary Plat at its meeting on May 24, 2016.
6. Phasing was shown on the preliminary plat.
7. Under the conditional approval for the preliminary plat, a modification of standards was granted for all lot dimensions.
8. The subdivision is located on APN 001-633-030, shown as parcel E on Final Plat for Phase 2.
9. The proposed subdivision consists of 38 lots with no additional phases.
10. The total subdivided area is approximately 9.650 acres in size.
11. The proposed density is 5.09 units per acre.
12. Approximately 2.187 acres are offered for dedication for street development.
13. The area proposed for subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.
14. The property is located off Opal Drive and Clarkson Drive.

MASTER PLAN:

Land Use

1. Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat and the Master Plan.

The proposed subdivision is in conformance with the Land Use Component of the Master Plan.

Transportation

2. Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.

The proposed subdivision is in conformance with Transportation Component of the Master Plan.

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property lies within the 20 year capture zone for the City of Elko.

The proposed subdivision is in conformance with the Wellhead Protection Program. The sanitary sewer will be connected to a programmed sewer system and all street drainage will report to a storm sewer system.

SECTION 3-3-6 FINAL PLAT STAGE (STAGE III)

Pre-submission Requirements (A)(1) – The Final Plat is in conformance with the zone requirements. A modification of standards for the lot dimensions was granted with the conditional approval of the Preliminary Plat.

Pre-submission Requirements (A)(2) – The proposed final plat conforms to the preliminary plat.

Pre-submission Requirements (A)(3) – The Title Sheet includes an affidavit for public utilities and no objections were received from public utilities upon notification for the Preliminary Plat.

SECTION 3-3-8 INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL

- A. Form and Content-The final plat conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The subdivision map identified the subdivision, and provides its location by section, township, range and county.
 - 2. The subdivision map was prepared by a properly licensed surveyor.
 - 3. The subdivision map provides a scale, north point, and date of preparation.
- C. Survey Data
 - 1. The boundaries of the tract are fully balanced and closed.
 - 2. All exceptions are noted on the plat.
 - 3. The location and description of cardinal points are tied to a section corner.
 - 4. The location and description of any physical encroachments upon the boundary of the tract are noted on the plat.
- D. Descriptive Data
 - 1. The name, right of way lines, courses, lengths and widths of all streets and easements are noted on the plat.
 - 2. All drainage ways are noted on the plan.
 - 3. All utility and public service easements are noted on the plat.
 - 4. The location and dimensions of all lots, parcels and exceptions are shown on the plat.
 - 5. All residential lots are numbered consecutively on the plat.
 - 6. There are no sites dedicated to the public shown on the plat.
 - 7. The location of adjoining subdivisions are noted on the plat with required information.
 - 8. There are no deed restrictions proposed.
- E. Dedication and Acknowledgment
 - 1. The owner's certificate has the required dedication information for all easements and right of ways.
 - 2. The execution of dedication is acknowledged and certified by a notary public.
- F. Additional Information
 - 1. All centerline monuments for streets are noted as being set on the plat.
 - 2. The centerline and width of each right of way is noted on the plat.
 - 3. The plat indicates the location of monuments that will be set to determine the boundaries of the subdivision.
 - 4. The length and bearing of each lot line is identified on the plat.
 - 5. The city boundary adjoining the subdivision is not identified on the plat, as the plat is not adjoining a boundary.
 - 6. The plat identifies the location of the section lines, and 1/16th section line adjoining the subdivision boundaries.
- G. City Engineer to Check
 - 1. The Engineer shall check the final map for accuracy of dimensions, placement of monuments, the establishment of survey records, and conformance with the preliminary map.
 - a) Closure calculations have been provided.

- b) Civil improvement plans have been provided, previous civil improvement plans have been approved for this subdivision.
 - c) Civil improvement plans for drainage have been submitted.
 - d) An engineer's estimate has **not** been provided.
 - 2. It appears the lot closures are within the required tolerances.
- H. Required certifications
- 1. The Owner's Certificate is shown on the final plat.
 - 2. The Owner's Certificate offers for dedication all right of ways shown on the plat.
 - 3. A Clerk Certificate is shown on the final plat, certifying the signature of the City Council.
 - 4. The Owner's Certificate offers for dedication all easements shown on the plat.
 - 5. A Surveyor's Certificate is shown on the plat and provides the required language.
 - 6. The City Engineer's Certificate is listed on the plat.
 - 7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
 - 8. A copy of review by the state engineer is not available at this time.
 - 9. A certificate from the Division of Water Resources is provided on the plat with the required language.
 - 10. The civil improvement plans identify the required water meters for the subdivision.

SECTIONS 3-3-20 through 3-3-27 (inclusive)

- 1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).

SECTION 3-3-40-RESPONSIBILITY FOR IMPROVEMENTS

The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.

SECTION 3-3-41-ENGINEERING PLANS

The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

SECTION 3-3-42-CONSTRUCTION AND INSPECTION

The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.

SECTION 3-3-43-REQUIRED IMPROVEMENTS

The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.

Civil improvements include curb, gutter and sidewalk, paving and utilities within the Village Parkway, Village Green Circle, Nicole Court and Opal Drive right of ways.

SECTION 3-3-44-AGREEMENT TO INSTALL IMPROVEMENTS

The Subdivider will be required to enter into a Performance Agreement to address to conform to Section 3-3-44 of city code.

SECTION 3-3-45-PERFORMANCE GUARANTEE

The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.

SECTION 3-8-FLOODPLAIN MANAGEMENT

1. The proposed subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.

The proposed development is in conformance with Section 3-8 of city code.

FINDINGS

1. The Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Final Plat is in conformance with the Preliminary Plat.
3. The proposed subdivision is in conformance with the Land Use Component of the Master Plan.
4. The proposed subdivision is in conformance with Transportation Component of the Master Plan.
5. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).
6. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.
7. The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

8. The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.
9. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.
10. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of city code.
11. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.
12. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.
13. The proposed development is in conformance with Section 3-8 of city code.
14. The subdivision is in conformance with 3-8 Floodplain Management.

RECOMMENDATION

Staff recommends **approval** of the subdivision based on the following conditions:

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council.
3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
4. The Final Plat is approved for 38 single family residential lots.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. State approval of the subdivision is required.
7. Conformance with Preliminary Plat conditions is required.
8. Civil improvements are to comply with Chapter 3-3 of City code.
9. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.

10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.
11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 9/6

Do not use pencil or red pen, they do not reproduce

Title: Final Plat 11-18 Great Basin Estates Phase 3
Applicant(s): Parrado Partners, LP
Site Location: Extension of Village Parkway + Opal Drive
Current Zoning: R Date Received: 8/15/18 Date Public Notice: N/A
COMMENT: This is to subdivide 9.65 acres into 38 lots.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 8/24/18
- Recommend approval as presented by Staff

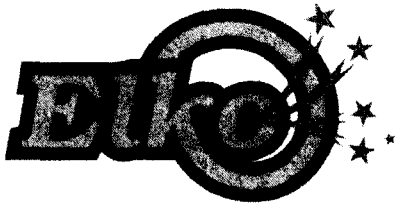
SAW

Initial

City Manager: Date: 8/24/18
Recommend approval based upon conditions listed in Staff Report.

cc

Initial



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR FINAL PLAT APPROVAL

| | | | |
|--|---|-------------|-------------------------|
| APPLICANT(s): | Parrado Partners, LP | | |
| MAILING ADDRESS: | 12257 Business Park Drive #8, Truckee, CA 96161 | | |
| PHONE NO (Home): | | (Business): | (530) 587-0740 |
| NAME OF PROPERTY OWNER (If different): | | | |
| (Property owner consent in writing must be provided) | | | |
| MAILING ADDRESS: | | | |
| LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary): | | | |
| ASSESSOR'S PARCEL NO.: | 001-633-030 | Address | Flagstone Dr/Granite Dr |
| Lot(s), Block(s), & Subdivision | Lot E, Great Basin Estates Subdivision, Phase 2 | | |
| Or Parcel(s) & File No. | | | |
| PROJECT DESCRIPTION OR PURPOSE: | | | |
| | | | |
| APPLICANT'S REPRESENTATIVE OR ENGINEER: | High Desert Engineering, LLC | | |

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the final plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 1/2" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
2. Pre-Submission Requirements:
 - a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
 - b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
 - c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
 - d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

Final Plat Checklist as per Elko City Code 3-3-8

| | |
|--------------------------------------|--|
| | |
| Identification Data | |
| | Subdivision Name |
| | Location and Section, Township and Range |
| | Name, address and phone number of subdivider |
| | Name, address and phone number of engineer/surveyor |
| | Scale, North Point and Date of Preparation |
| | Location maps |
| Survey Data (Required) | |
| | Boundaries of the Tract fully balanced and closed |
| | Any exception within the plat boundaries |
| | The subdivision is to be tied to a section corner |
| | Location and description of all physical encroachments |
| Descriptive Data | |
| | Street Layout, location, widths, easements |
| | All drainageways, designated as such |
| | All utility and public service easements |
| | Location and dimensions of all lots, parcels |
| | Residential Lots shall be numbered consecutively |
| | All sites to be dedicated to the public and proposed use |
| | Location of all adjoining subdivisions with name date, book and page |
| | Any private deed restrictions to be imposed upon the plat |
| Dedication and Acknowledgment | |
| | Statement of dedication for items to be dedicated |
| | Execution of dedication acknowledged by a notary public |
| Additional Information | |
| | Street CL, and Monuments identified |
| | Street CL and width shown on map |
| | Location of mounuments used to determine boudaries |
| | Each city boundary line crossing or adjoining the subdivision |
| | Section lines crossing the subdivision boundaries |
| City Engineer to Check | |
| | Closure report for each of the lots |
| | Civil Improvement plans |
| | Estimate of quantities required to complete the improvements |
| Required Certifications | |
| | All parties having record title in the land to be subdivided |
| | Offering for dedication |
| | Clerk of each approving governing body |
| | Easements |
| | Surveyor's Certificate |
| | City Engineer |
| | State Health division |
| | State Engineer |
| | Division of Water Resources |
| | City Council |

By My Signature below:

- ☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.
- ☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)
- ☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.
- ☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.
- ☒ I acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.
- ☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent

Robert E. Morley, P.L.S.

(Please print or type)

Mailing Address

640 Idaho Street

Street Address or P.O. Box

Elko, Nevada 89801

City, State, Zip Code

Phone Number:

775-738-4053

Email address:

remorley@frontiernet.net

SIGNATURE:

Robert E. Morley

FOR OFFICE USE ONLY

38 Lots x 25 \$950 = \$36100
\$1700

File No.:

11-18

Date Filed:

8/15/18

Fee Paid:

\$1700 CR# 1504

RECEIVED

AUG 15 2018

Phase 3.txt

Parcel name: Lot 44

North: 28473550.8913 East : 612360.1426
Line Course: S 48-15-09 E Length: 59.00
North: 28473511.6062 East : 612404.1617
Line Course: S 41-44-51 W Length: 100.00
North: 28473436.9976 East : 612337.5768
Line Course: N 48-15-09 W Length: 74.00
North: 28473486.2704 East : 612282.3664
Line Course: N 41-44-51 E Length: 9.55
North: 28473493.3955 East : 612288.7253
Line Course: N 41-44-51 E Length: 75.45
North: 28473549.6878 East : 612338.9636
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: N 86-44-51 E
Course In: S 48-15-09 E Course Out: N 41-44-51 E
RP North: 28473539.7000 East : 612350.1549
End North: 28473550.8913 East : 612360.1426

Perimeter: 341.56 Area: 7,352 S.F. 0.169 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 341,560,000.00

Parcel name: Lot 45

North: 28473511.6062 East : 612404.1617
Line Course: S 48-15-09 E Length: 60.00
North: 28473471.6552 East : 612448.9269
Line Course: S 41-44-51 W Length: 100.00
North: 28473397.0466 East : 612382.3420
Line Course: N 48-15-09 W Length: 60.00
North: 28473436.9975 East : 612337.5768
Line Course: N 41-44-51 E Length: 100.00
North: 28473511.6062 East : 612404.1617
Line Course: S 21-04-39 W Length: 0.00
North: 28473511.6062 East : 612404.1617

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 46

North: 28473471.6552 East : 612448.9268
Line Course: S 48-15-09 E Length: 60.00
North: 28473431.7042 East : 612493.6920
Line Course: S 41-44-51 W Length: 100.00
North: 28473357.0956 East : 612427.1071
Line Course: N 48-15-09 W Length: 60.00
North: 28473397.0465 East : 612382.3419
Line Course: N 41-44-51 E Length: 100.00
North: 28473471.6552 East : 612448.9268
Line Course: S 31-08-20 W Length: 0.00
North: 28473471.6552 East : 612448.9268

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 47

North: 28473431.7042 East : 612493.6920
Line Course: S 48-15-09 E Length: 60.00
North: 28473391.7532 East : 612538.4571
Line Course: S 41-44-51 W Length: 100.00
North: 28473317.1446 East : 612471.8722
Line Course: N 48-15-09 W Length: 60.00
North: 28473357.0955 East : 612427.1070
Line Course: N 41-44-51 E Length: 100.00
North: 28473431.7042 East : 612493.6920
Line Course: S 44-32-56 W Length: 0.00
North: 28473431.7042 East : 612493.6920

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Phase 3.txt

Parcel name: Lot 48

North: 28473391.7532 East : 612538.4571
Line Course: S 48-15-09 E Length: 60.00
North: 28473351.8022 East : 612583.2223
Line Course: S 41-44-51 W Length: 100.00
North: 28473277.1936 East : 612516.6374
Line Course: N 48-15-09 W Length: 60.00
North: 28473317.1445 East : 612471.8722
Line Course: N 41-44-51 E Length: 100.00
North: 28473391.7532 East : 612538.4571
Line Course: S 46-10-09 W Length: 0.00
North: 28473391.7532 East : 612538.4571

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 49

North: 28473311.8512 East : 612627.9874
Line Course: N 48-15-09 W Length: 60.00
North: 28473351.8021 East : 612583.2222
Line Course: S 41-44-51 W Length: 100.00
North: 28473277.1935 East : 612516.6373
Line Course: S 48-15-09 E Length: 60.00
North: 28473237.2425 East : 612561.4025
Line Course: N 41-44-51 E Length: 100.00
North: 28473311.8512 East : 612627.9874
Line Course: S 36-17-33 W Length: 0.00
North: 28473311.8512 East : 612627.9874

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 50

North: 28473307.5780 East : 612632.7754
Line Course: N 48-15-09 W Length: 6.42
North: 28473311.8528 East : 612627.9855

Phase 3.txt

Line Course: S 41-44-51 W Length: 100.00
 North: 28473237.2442 East : 612561.4006
 Line Course: S 48-15-09 E Length: 25.06
 North: 28473220.5580 East : 612580.0975
 Line Course: S 37-41-16 E Length: 43.58
 North: 28473186.0708 East : 612606.7405
 Line Course: N 41-45-12 E Length: 105.55
 North: 28473264.8130 East : 612677.0289
 Curve Length: 61.56 Radius: 775.00
 Delta: 4-33-04 Tangent: 30.80
 Chord: 61.54 Course: N 45-58-37 W
 Course In: S 46-17-55 W Course Out: N 41-44-51 E
 RP North: 28472729.3656 East : 612116.7424
 End North: 28473307.5826 East : 612632.7754
 Line Course: S 01-47-24 E Length: 0.00
 North: 28473307.5826 East : 612632.7754

Perimeter: 342.16 Area: 6,912 S.F. 0.159 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0045 Course: N 00-20-13 E
 Error North: 0.00452 East : 0.00003
 Precision 1: 76,037.78

Parcel name: Lot 51

North: 28473264.8082 East : 612677.0290
 Curve Length: 74.85 Radius: 775.00
 Delta: 5-32-02 Tangent: 37.45
 Chord: 74.82 Course: S 40-56-04 E
 Course In: S 46-17-55 W Course Out: N 51-49-57 E
 RP North: 28472729.3608 East : 612116.7425
 End North: 28473208.2818 East : 612726.0533
 Line Course: S 48-00-44 W Length: 108.30
 North: 28473135.8321 East : 612645.5553
 Line Course: N 37-41-16 W Length: 63.48
 North: 28473186.0672 East : 612606.7463
 Line Course: N 41-45-12 E Length: 105.55
 North: 28473264.8095 East : 612677.0347

Perimeter: 352.18 Area: 7,389 S.F. 0.170 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0058 Course: N 77-25-02 E
 Error North: 0.00125 East : 0.00562
 Precision 1: 60,720.69

Phase 3.txt

Parcel name: Lot 52

North: 28473208.2841 East : 612726.0514
 Curve Length: 74.85 Radius: 775.00
 Delta: 5-32-01 Tangent: 37.45
 Chord: 74.82 Course: S 35-24-03 E
 Course In: S 51-49-57 W Course Out: N 57-21-58 E
 RP North: 28472729.3631 East : 612116.7405
 End North: 28473147.2966 East : 612769.3940
 Line Course: S 50-43-33 W Length: 111.20
 North: 28473076.9034 East : 612683.3113
 Line Course: N 32-39-03 W Length: 69.99
 North: 28473135.8332 East : 612645.5504
 Line Course: N 48-00-44 E Length: 108.30
 North: 28473208.2829 East : 612726.0484

Perimeter: 364.34 Area: 7,935 S.F. 0.182 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0032 Course: S 67-29-22 W
 Error North: -0.00121 East : -0.00293
 Precision 1: 113,856.25

Parcel name: Lot 53

North: 28473147.2961 East : 612769.3946
 Curve Length: 74.85 Radius: 775.00
 Delta: 5-32-01 Tangent: 37.45
 Chord: 74.82 Course: S 29-52-02 E
 Course In: S 57-21-58 W Course Out: N 62-53-59 E
 RP North: 28472729.3626 East : 612116.7410
 End North: 28473082.4133 East : 612806.6542
 Line Course: S 53-39-25 W Length: 107.04
 North: 28473018.9794 East : 612720.4353
 Line Course: N 32-39-03 W Length: 68.80
 North: 28473076.9072 East : 612683.3165
 Line Course: N 50-43-33 E Length: 111.20
 North: 28473147.3003 East : 612769.3993
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473147.3003 East : 612769.3993

Perimeter: 361.89 Area: 7,824 S.F. 0.180 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0063 Course: N 47-53-33 E
 Error North: 0.00425 East : 0.00471
 Precision 1: 57,442.86

Phase 3.txt

Parcel name: Lot 54

North: 28473069.3312 East : 612868.4368
Curve Length: 63.52 Radius: 825.00
Delta: 4-24-42 Tangent: 31.78
Chord: 63.51 Course: N 26-32-30 W
Course In: S 65-39-51 W Course Out: N 61-15-09 E
RP North: 28472729.3617 East : 612116.7416
End North: 28473126.1459 East : 612840.0585
Line Course: N 63-48-49 E Length: 103.71
North: 28473171.9123 East : 612933.1240
Line Course: S 33-34-46 E Length: 76.31
North: 28473108.3370 East : 612975.3305
Line Course: S 68-46-47 W Length: 108.63
North: 28473069.0179 East : 612874.0661
Line Course: S 65-39-51 W Length: 5.00
North: 28473066.9574 East : 612869.5104
Line Course: N 24-20-09 W Length: 2.61
North: 28473069.3355 East : 612868.4349

Perimeter: 359.77 Area: 7,621 S.F. 0.175 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0047 Course: N 24-54-01 W

Error North: 0.00429 East : -0.00199

Precision 1: 76,548.94

Parcel name: Lot 55

North: 28473126.1460 East : 612840.0584
Curve Length: 58.26 Radius: 825.00
Delta: 4-02-46 Tangent: 29.14
Chord: 58.25 Course: N 30-46-14 W
Course In: S 61-15-09 W Course Out: N 57-12-23 E
RP North: 28472729.3618 East : 612116.7416
End North: 28473176.1938 East : 612810.2588
Line Course: N 57-29-16 E Length: 100.01
North: 28473229.9471 East : 612894.5949
Line Course: S 33-34-46 E Length: 69.66
North: 28473171.9120 East : 612933.1234
Line Course: S 63-48-49 W Length: 103.71
North: 28473126.1455 East : 612840.0578

Perimeter: 331.63 Area: 6,473 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0008 Course: S 50-47-13 W

Error North: -0.00049 East : -0.00060

Precision 1: 414,550.00

Phase 3.txt

Parcel name: Lot 56

| | | | |
|---------------|---------------|-------------|--------------|
| North: | 28473176.1939 | East : | 612810.2587 |
| Curve Length: | 70.23 | Radius: | 825.00 |
| Delta: | 4-52-39 | Tangent: | 35.14 |
| Chord: | 70.21 | Course: | N 35-13-56 W |
| Course In: | S 57-12-23 W | Course Out: | N 52-19-44 E |
| RP North: | 28472729.3620 | East : | 612116.7414 |
| End North: | 28473233.5426 | East : | 612769.7552 |
| Curve Length: | 22.40 | Radius: | 15.00 |
| Delta: | 85-33-39 | Tangent: | 13.88 |
| Chord: | 20.38 | Course: | N 05-06-33 E |
| Course In: | N 52-19-44 E | Course Out: | N 42-06-37 W |
| RP North: | 28473242.7095 | East : | 612781.6281 |
| End North: | 28473253.8373 | East : | 612771.5697 |
| Line Course: | N 47-53-23 E | Length: | 75.24 |
| North: | 28473304.2903 | East : | 612827.3869 |
| Line Course: | S 42-06-44 E | Length: | 100.22 |
| North: | 28473229.9438 | East : | 612894.5930 |
| Line Course: | S 57-29-16 W | Length: | 100.01 |
| North: | 28473176.1904 | East : | 612810.2569 |
| Line Course: | N 90-00-00 W | Length: | 0.00 |
| North: | 28473176.1904 | East : | 612810.2569 |

Perimeter: 368.09 Area: 8,568 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0039 Course: S 28-20-56 W
Error North: -0.00347 East : -0.00187
Precision 1: 94,384.62

Parcel name: Lot 57

| | | | |
|---------------|---------------|-------------|--------------|
| North: | 28473304.2895 | East : | 612827.3875 |
| Line Course: | N 47-53-23 E | Length: | 60.35 |
| North: | 28473344.7578 | East : | 612872.1584 |
| Curve Length: | 21.47 | Radius: | 15.00 |
| Delta: | 82-00-04 | Tangent: | 13.04 |
| Chord: | 19.68 | Course: | N 88-53-25 E |
| Course In: | S 42-06-37 E | Course Out: | N 39-53-27 E |
| RP North: | 28473333.6300 | East : | 612882.2168 |
| End North: | 28473345.1390 | East : | 612891.8367 |
| Line Course: | S 50-06-33 E | Length: | 84.57 |
| North: | 28473290.9020 | East : | 612956.7246 |
| Curve Length: | 17.45 | Radius: | 20.00 |
| Delta: | 49-59-41 | Tangent: | 9.33 |

Phase 3.txt

Chord: 16.90
 Course In: S 39-53-27 W Course Out: N 89-53-08 E
 RP North: 28473275.5566 East : 612943.8980
 End North: 28473275.5965 East : 612963.8980
 Line Course: S 56-37-37 W Length: 82.99
 North: 28473229.9447 East : 612894.5925
 Line Course: N 42-06-44 W Length: 100.22
 North: 28473304.2912 East : 612827.3865
 Line Course: N 90-00-00 W Length: 0.00
 North: 28473304.2912 East : 612827.3865

Perimeter: 367.04 Area: 8,586 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0020 Course: N 29-41-16 W
 Error North: 0.00171 East : -0.00098
 Precision 1: 183,525.00

Parcel name: Lot 58

North: 28473275.5971 East : 612963.8968
 Curve Length: 81.11 Radius: 50.00
 Delta: 92-56-48 Tangent: 52.64
 Chord: 72.51 Course: S 46-35-16 E
 Course In: N 89-53-08 E Course Out: S 03-03-40 E
 RP North: 28473275.6970 East : 613013.8967
 End North: 28473225.7683 East : 613016.5668
 Line Course: S 03-03-40 E Length: 99.50
 North: 28473126.4103 East : 613021.8802
 Line Course: S 68-46-47 W Length: 49.94
 North: 28473108.3343 East : 612975.3263
 Line Course: N 33-34-46 W Length: 76.31
 North: 28473171.9097 East : 612933.1198
 Line Course: N 33-34-46 W Length: 69.66
 North: 28473229.9448 East : 612894.5914
 Line Course: N 56-37-37 E Length: 82.99
 North: 28473275.5966 East : 612963.8969
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473275.5966 East : 612963.8969

Perimeter: 459.51 Area: 11,758 S.F. 0.270 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0005 Course: S 06-41-40 E
 Error North: -0.00053 East : 0.00006
 Precision 1: 919,020.00

Phase 3.txt

Parcel name: Lot 59

North: 28473225.7683 East : 613016.5668
 Curve Length: 62.48 Radius: 50.00
 Delta: 71-36-03 Tangent: 36.06
 Chord: 58.50 Course: N 51-08-19 E
 Course In: N 03-03-40 W Course Out: S 74-39-43 E
 RP North: 28473275.6970 East : 613013.8968
 End North: 28473262.4713 East : 613062.1159
 Line Course: S 74-39-43 E Length: 262.30
 North: 28473193.0894 East : 613315.0733
 Line Course: S 80-27-31 W Length: 217.18
 North: 28473157.0896 East : 613100.8977
 Line Course: S 68-46-47 W Length: 84.76
 North: 28473126.4104 East : 613021.8848
 Line Course: N 03-03-40 W Length: 99.50
 North: 28473225.7684 East : 613016.5714

Perimeter: 726.22 Area: 18,725 S.F. 0.430 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0046 Course: N 89-24-51 E
 Error North: 0.00005 East : 0.00455
 Precision 1: 157,873.91

Parcel name: Lot 60

North: 28473316.4906 East : 613042.8083
 Curve Length: 61.10 Radius: 50.00
 Delta: 70-00-42 Tangent: 35.02
 Chord: 57.37 Course: S 19-40-04 E
 Course In: S 35-19-35 W Course Out: S 74-39-43 E
 RP North: 28473275.6970 East : 613013.8967
 End North: 28473262.4714 East: 613062.1157
 Line Course: S 74-39-43 E Length: 262.30
 North: 28473193.0894 East : 613315.0731
 Line Course: N 46-55-41 W Length: 204.73
 North: 28473332.9029 East : 613165.5185
 Line Course: N 54-33-09 W Length: 90.62
 North: 28473385.4585 East : 613091.6952
 Line Course: S 35-19-35 W Length: 84.54
 North: 28473316.4848 East : 613042.8113

Perimeter: 703.28 Area: 19,445 S.F. 0.446 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0066 Course: S 27-18-00 E
 Error North: -0.00584 East : 0.00301
 Precision 1: 106,559.09

Phase 3.txt

Parcel name: Lot 61

North: 28473329.2660 East : 612988.7897
Line Course: N 50-06-33 W Length: 34.90
North: 28473351.6483 East : 612962.0121
Line Course: N 37-00-20 E Length: 102.79
North: 28473433.7340 East : 613023.8806
Line Course: S 54-33-09 E Length: 83.24
North: 28473385.4584 East : 613091.6918
Line Course: S 35-19-35 W Length: 84.54
North: 28473316.4847 East : 613042.8080
Curve Length: 39.65 Radius: 50.00
Delta: 45-25-49 Tangent: 20.93
Chord: 38.61 Course: N 77-23-20 W
Course In: S 35-19-35 W Course Out: N 10-06-14 W
RP North: 28473275.6911 East : 613013.8963
End North: 28473324.9157 East : 613005.1246
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: N 75-06-24 W
Course In: N 10-06-14 W Course Out: S 39-53-27 W
RP North: 28473344.6055 East : 613001.6159
End North: 28473329.2601 East : 612988.7894

Perimeter: 362.57 Area: 8,289 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0059 Course: S 02-53-31 W
Error North: -0.00584 East : -0.00030
Precision 1: 61,452.54

Parcel name: Lot 62

North: 28473407.8278 East : 612910.4311
Line Course: N 37-00-20 E Length: 86.93
North: 28473477.2481 East : 612962.7536
Line Course: S 54-33-09 E Length: 75.03
North: 28473433.7339 East : 613023.8766
Line Course: S 37-00-20 W Length: 102.79
North: 28473351.6482 East : 612962.0081
Line Course: N 50-06-33 W Length: 35.20
North: 28473374.2229 East : 612935.0002
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-01 Tangent: 5.60
Chord: 10.79 Course: N 34-27-33 W
Course In: N 39-53-27 E Course Out: S 71-11-28 W
RP North: 28473389.5683 East : 612947.8268

Phase 3.txt
End North: 28473383.1200 East : 612928.8948
Curve Length: 31.36 Radius: 50.00
Delta: 35-56-09 Tangent: 16.22
Chord: 30.85 Course: N 36-46-36 W
Course In: S 71-11-28 W Course Out: N 35-15-19 E
RP North: 28473366.9994 East : 612881.5648
End North: 28473407.8288 East : 612910.4259
Line Course: N 08-52-50 E Length: 0.00
North: 28473407.8288 East : 612910.4259

Perimeter: 342.23 Area: 7,239 S.F. 0.166 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0053 Course: N 79-03-06 W
Error North: 0.00101 East : -0.00524
Precision 1: 64,573.58

Parcel name: Lot 63

North: 28473414.6415 East : 612866.4001
Line Course: N 07-35-56 W Length: 146.26
North: 28473559.6171 East : 612847.0591
Line Course: S 54-33-09 E Length: 142.02
North: 28473477.2516 East : 612962.7553
Line Course: S 37-00-20 W Length: 86.93
North: 28473407.8313 East : 612910.4328
Curve Length: 46.18 Radius: 50.00
Delta: 52-55-02 Tangent: 24.88
Chord: 44.56 Course: N 81-12-12 W
Course In: S 35-15-19 W Course Out: N 17-39-43 W
RP North: 28473367.0019 East : 612881.5718
End North: 28473414.6450 East : 612866.4018

Perimeter: 421.39 Area: 9,139 S.F. 0.210 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0039 Course: N 25-04-50 E
Error North: 0.00353 East : 0.00165
Precision 1: 108,048.72

Parcel name: Lot 64

North: 28473458.0698 East : 612756.4434
Line Course: N 41-44-40 E Length: 136.10
North: 28473559.6170 East : 612847.0601
Line Course: S 07-35-56 E Length: 146.26
North: 28473414.6414 East : 612866.4011

Phase 3.txt
Curve Length: 48.65 Radius: 50.00
Delta: 55-44-56 Tangent: 26.45
Chord: 46.75 Course: S 44-27-49 W
Course In: S 17-39-43 E Course Out: N 73-24-39 W
RP North: 28473366.9983 East : 612881.5711
End North: 28473381.2736 East : 612833.6522
Line Course: N 45-09-12 W Length: 108.90
North: 28473458.0712 East : 612756.4425
Line Course: S 08-52-50 E Length: 0.00
North: 28473458.0712 East : 612756.4425

Perimeter: 439.91 Area: 9,913 S.F. 0.228 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0017 Course: N 32-10-58 W
Error North: 0.00141 East : -0.00089
Precision 1: 258,770.59

Parcel name: Lot 65

North: 28473398.3800 East : 612703.1787
Line Course: N 41-44-40 E Length: 80.00
North: 28473458.0697 East : 612756.4435
Line Course: S 45-09-12 E Length: 108.90
North: 28473381.2722 East : 612833.6532
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-02 Tangent: 5.60
Chord: 10.79 Course: S 32-14-22 W
Course In: N 73-24-39 W Course Out: S 42-06-37 E
RP North: 28473386.9823 East : 612814.4856
End North: 28473372.1452 East : 612827.8968
Line Course: S 47-53-23 W Length: 63.83
North: 28473329.3434 East : 612780.5442
Line Course: N 48-15-17 W Length: 103.69
North: 28473398.3823 East : 612703.1798
Line Course: N 90-00-00 W Length: 0.00
North: 28473398.3823 East : 612703.1798

Perimeter: 367.34 Area: 8,290 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0025 Course: N 26-06-30 E
Error North: 0.00228 East : 0.00112
Precision 1: 146,940.00

Parcel name: Lot 66

Phase 3.txt

North: 28473398.3800 East : 612703.1787
 Line Course: S 48-15-17 E Length: 103.69
 North: 28473329.3411 East : 612780.5431
 Line Course: S 47-53-23 W Length: 54.90
 North: 28473292.5274 East : 612739.8152
 Curve Length: 23.29 Radius: 15.00
 Delta: 88-58-41 Tangent: 14.73
 Chord: 21.02 Course: N 87-37-17 W
 Course In: N 42-06-37 W Course Out: S 46-52-04 W
 RP North: 28473303.6552 East : 612729.7568
 End North: 28473293.3999 East : 612718.8102
 Curve Length: 73.73 Radius: 825.00
 Delta: 5-07-13 Tangent: 36.89
 Chord: 73.70 Course: N 45-41-33 W
 Course In: S 46-52-04 W Course Out: N 41-44-51 E
 RP North: 28472729.3604 East : 612116.7434
 End North: 28473344.8817 East : 612666.0689
 Line Course: N 48-15-09 W Length: 7.93
 North: 28473350.1619 East : 612660.1524
 Line Course: N 41-44-40 E Length: 64.62
 North: 28473398.3763 East : 612703.1770
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473398.3763 East : 612703.1770

Perimeter: 328.16 Area: 6,570 S.F. 0.151 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0041 Course: S 24-14-30 W
 Error North: -0.00371 East : -0.00167
 Precision 1: 80,039.02

Parcel name: Lot 67

North: 28473350.1625 East : 612660.1514
 Line Course: N 48-15-09 W Length: 88.68
 North: 28473409.2100 East : 612593.9885
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: N 03-15-09 W
 Course In: N 41-44-51 E Course Out: N 48-15-09 W
 RP North: 28473420.4013 East : 612603.9762
 End North: 28473430.3890 East : 612592.7849
 Line Course: N 41-44-51 E Length: 49.62
 North: 28473467.4099 East : 612625.8244
 Line Course: S 48-15-17 E Length: 103.67
 North: 28473398.3843 East : 612703.1738
 Line Course: S 41-44-40 W Length: 64.62
 North: 28473350.1699 East : 612660.1492
 Line Course: N 30-41-59 E Length: 0.00
 North: 28473350.1699 East : 612660.1492

Phase 3.txt

Perimeter: 330.16 Area: 6,651 S.F. 0.153 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0077 Course: N 16-43-22 W

Error North: 0.00736 East : -0.00221

Precision 1: 42,876.62

Parcel name: Lot 68

North: 28473467.4083 East : 612625.8264

Line Course: S 48-15-17 E Length: 103.67

North: 28473398.3827 East : 612703.1758

Line Course: N 41-44-40 E Length: 80.00

North: 28473458.0724 East : 612756.4406

Line Course: N 48-15-19 W Length: 80.37

North: 28473511.5838 East : 612696.4750

Curve Length: 56.70

Radius: 50.00

Delta: 64-58-12

Tangent: 31.84

Chord: 53.71

Course: S 59-15-27 W

Course In: N 63-13-39 W

Course Out: S 01-44-33 W

RP North: 28473534.1063

East : 612651.8349

End North: 28473484.1294

East: 612650.3145

Curve Length: 17.45

Radius: 20.00

Delta: 49-59-42

Tangent: 9.33

Chord: 16.90

Course: S 66-44-42 W

Course In: S 01-44-33 W

Course Out: N 48-15-09 W

RP North: 28473464.1386

East : 612649.7064

End North: 28473477.4556

East : 612634.7846

Line Course: S 41-44-51 W Length: 13.46

North: 28473467.4133

East : 612625.8223

Line Course: S 90-00-00 E Length: 0.00

North: 28473467.4133

East : 612625.8223

Perimeter: 351.65 Area: 7,196 S.F. 0.165 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0065 Course: N 38-48-39 W

Error North: 0.00505 East : -0.00406

Precision 1: 54,100.00

Parcel name: Lot 69

North: 28473511.5796

East : 612696.4796

Curve Length: 64.43

Radius: 50.00

Delta: 73-50-06

Tangent: 37.56

Chord: 60.07

Course: N 10-08-42 W

Phase 3.txt

Course In: N 63-13-39 W Course Out: N 42-56-15 E
 RP North: 28473534.1020 East : 612651.8395
 End North: 28473570.7069 East : 612685.8995
 Line Course: N 42-56-15 E Length: 85.16
 North: 28473633.0523 East : 612743.9105
 Line Course: S 54-33-09 E Length: 126.62
 North: 28473559.6182 East : 612847.0611
 Line Course: S 41-44-40 W Length: 136.10
 North: 28473458.0710 East : 612756.4445
 Line Course: N 48-15-19 W Length: 80.37
 North: 28473511.5824 East : 612696.4789
 Line Course: N 03-34-35 W Length: 0.00
 North: 28473511.5824 East : 612696.4789

Perimeter: 492.68 Area: 15,110 S.F. 0.347 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0029 Course: N 13-24-13 W
 Error North: 0.00278 East : -0.00066
 Precision 1: 169,889.66

Parcel name: Lot 70

North: 28473581.5078 East : 612635.9433
 Line Course: N 48-15-19 W Length: 88.98
 North: 28473640.7518 East : 612569.5537
 Line Course: N 46-08-47 E Length: 96.52
 North: 28473707.6226 East : 612639.1554
 Line Course: S 54-33-09 E Length: 128.59
 North: 28473633.0460 East : 612743.9109
 Line Course: S 42-56-15 W Length: 85.16
 North: 28473570.7006 East : 612685.8999
 Curve Length: 53.65 Radius: 50.00
 Delta: 61-28-29 Tangent: 29.73
 Chord: 51.11 Course: N 77-48-00 W
 Course In: S 42-56-15 W Course Out: N 18-32-14 W
 RP North: 28473534.0957 East : 612651.8399
 End North: 28473581.5016 East : 612635.9439
 Line Course: S 43-37-31 E Length: 0.00
 North: 28473581.5016 East : 612635.9439

Perimeter: 452.90 Area: 12,635 S.F. 0.290 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0062 Course: S 05-10-00 E
 Error North: -0.00618 East : 0.00056
 Precision 1: 73,048.39

Phase 3.txt

Parcel name: Lot 71

North: 28473581.8964 East : 612517.0211
Line Course: S 48-30-52 E Length: 107.41
North: 28473510.7447 East : 612597.4844
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: N 16-45-01 E
Course In: N 48-15-09 W Course Out: N 81-45-10 E
RP North: 28473524.0617 East : 612582.5626
End North: 28473526.9306 East : 612602.3558
Curve Length: 69.56 Radius: 50.00
Delta: 79-42-36 Tangent: 41.74
Chord: 64.08 Course: N 31-36-28 E
Course In: N 81-45-10 E Course Out: N 18-32-14 W
RP North: 28473534.1028 East : 612651.8387
End North: 28473581.5087 East : 612635.9427
Line Course: N 48-15-19 W Length: 88.98
North: 28473640.7527 East : 612569.5531
Line Course: S 41-44-51 W Length: 78.89
North: 28473581.8940 East : 612517.0242

Perimeter: 362.30 Area: 7,099 S.F. 0.163 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0040 Course: S 51-25-09 E
Error North: -0.00249 East : 0.00312
Precision 1: 90,572.50

Parcel name: Lot 72

North: 28473581.8964 East : 612517.0211
Line Course: S 48-30-52 E Length: 107.41
North: 28473510.7447 East : 612597.4844
Line Course: S 41-44-51 W Length: 63.08
North: 28473463.6816 East : 612555.4826
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 86-44-51 W
Course In: N 48-15-09 W Course Out: S 41-44-51 W
RP North: 28473473.6693 East : 612544.2913
End North: 28473462.4780 East : 612534.3036
Line Course: N 48-15-09 W Length: 92.41
North: 28473524.0091 East : 612465.3577
Line Course: N 41-44-51 E Length: 77.59
North: 28473581.8980 East : 612517.0210

Perimeter: 364.05 Area: 8,312 S.F. 0.191 ACRES

Phase 3.txt

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0015

Course: N 05-02-22 W

Error North: 0.00153

East : -0.00014

Precision 1: 242,700.00

Parcel name: Lot 73

North: 28473588.1956 East : 612393.4351
Line Course: S 48-15-09 E Length: 96.40
North: 28473524.0077 East : 612465.3579
Line Course: N 41-44-51 E Length: 77.59
North: 28473581.8966 East : 612517.0211
Line Course: N 48-15-09 W Length: 111.40
North: 28473656.0722 East : 612433.9071
Line Course: S 41-44-51 W Length: 62.59
North: 28473609.3746 East : 612392.2316
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 03-15-09 E
Course In: S 48-15-09 E Course Out: S 41-44-51 W
RP North: 28473599.3869 East : 612403.4229
End North: 28473588.1956 East : 612393.4351

Perimeter: 371.54 Area: 8,595 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000

Course: N 00-00-00 E

Error North: 0.00000

East : 0.00000

Precision 1: 371,540,000.00

Parcel name: Lot 74

North: 28473656.0721 East : 612433.9072
Line Course: N 41-44-51 E Length: 78.89
North: 28473714.9309 East : 612486.4360
Line Course: S 48-15-09 E Length: 111.40
North: 28473640.7553 East : 612569.5500
Line Course: S 41-44-51 W Length: 78.89
North: 28473581.8965 East : 612517.0212
Line Course: N 48-15-09 W Length: 111.40
North: 28473656.0721 East : 612433.9072
Line Course: N 42-11-04 W Length: 0.00
North: 28473656.0721 East : 612433.9072

Perimeter: 380.58 Area: 8,788 S.F. 0.202 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Phase 3.txt

Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 380,580,000.00

Parcel name: Lot 75

North: 28473714.9308 East : 612486.4361
Line Course: S 48-15-09 E Length: 111.40
North: 28473640.7552 East : 612569.5501
Line Course: N 46-08-47 E Length: 96.52
North: 28473707.6260 East : 612639.1519
Line Course: N 54-33-09 W Length: 105.44
North: 28473768.7767 East : 612553.2554
Line Course: N 48-15-09 W Length: 14.00
North: 28473778.0986 East : 612542.8102
Line Course: S 41-44-51 W Length: 84.67
North: 28473714.9274 East : 612486.4328
Line Course: S 43-28-06 E Length: 0.00
North: 28473714.9274 East : 612486.4328

Perimeter: 412.03 Area: 10,309 S.F. 0.237 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0047 Course: S 44-02-34 W
Error North: -0.00339 East : -0.00328
Precision 1: 87,665.96

Parcel name: Lot 76

North: 28473875.3134 East : 612433.8827
Line Course: N 48-15-09 W Length: 25.00
North: 28473891.9596 East : 612415.2306
Line Course: S 41-44-51 W Length: 63.60
North: 28473844.5085 East : 612372.8826
Line Course: S 48-15-09 E Length: 111.00
North: 28473770.5992 East : 612455.6982
Line Course: N 41-44-51 E Length: 63.60
North: 28473818.0503 East : 612498.0462
Line Course: N 48-15-09 W Length: 86.00
North: 28473875.3134 East : 612433.8827

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 77

North: 28473844.5086 East : 612372.8825
Line Course: S 48-15-09 E Length: 111.00
North: 28473770.5993 East : 612455.6981
Line Course: S 41-44-51 W Length: 63.60
North: 28473723.1482 East : 612413.3501
Line Course: N 48-15-09 W Length: 111.00
North: 28473797.0575 East : 612330.5345
Line Course: N 41-44-51 E Length: 63.60
North: 28473844.5086 East : 612372.8825
Line Course: N 32-00-19 W Length: 0.00
North: 28473844.5086 East : 612372.8825

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 78

North: 28473797.0575 East : 612330.5345
Line Course: S 48-15-09 E Length: 111.00
North: 28473723.1483 East : 612413.3501
Line Course: S 41-44-51 W Length: 63.60
North: 28473675.6972 East : 612371.0021
Line Course: N 48-15-09 W Length: 111.00
North: 28473749.6064 East : 612288.1865
Line Course: N 41-44-51 E Length: 63.60
North: 28473797.0575 East : 612330.5345
Line Course: N 01-47-24 W Length: 0.00
North: 28473797.0575 East : 612330.5345

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 79

Phase 3.txt

North: 28473749.6065 East : 612288.1864
Line Course: S 48-15-09 E Length: 111.00
North: 28473675.6972 East : 612371.0020
Line Course: S 41-44-51 W Length: 63.60
North: 28473628.2461 East : 612328.6540
Line Course: N 48-15-09 W Length: 111.00
North: 28473702.1554 East : 612245.8384
Line Course: N 41-44-51 E Length: 63.60
North: 28473749.6065 East : 612288.1864
Line Course: N 90-00-00 W Length: 0.00
North: 28473749.6065 East : 612288.1864

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 80

North: 28473702.1554 East : 612245.8384
Line Course: S 48-15-09 E Length: 111.00
North: 28473628.2462 East : 612328.6539
Line Course: S 41-44-51 W Length: 63.60
North: 28473580.7951 East : 612286.3059
Line Course: N 48-15-09 W Length: 111.00
North: 28473654.7043 East : 612203.4903
Line Course: N 41-44-51 E Length: 63.60
North: 28473702.1554 East : 612245.8384
Line Course: N 29-21-28 E Length: 0.00
North: 28473702.1554 East : 612245.8384

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 81

North: 28473654.7044 East : 612203.4903
Line Course: S 41-44-51 W Length: 63.60
North: 28473607.2533 East : 612161.1423
Line Course: S 48-15-09 E Length: 111.00

Phase 3.txt

North: 28473533.3440 East : 612243.9579
 Line Course: N 41-44-51 E Length: 63.60
 North: 28473580.7951 East : 612286.3059
 Line Course: N 48-15-09 W Length: 111.00
 North: 28473654.7044 East : 612203.4903
 Line Course: N 48-21-59 W Length: 0.00
 North: 28473654.7044 East : 612203.4903

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
 Error North: 0.00000 East: 0.00000
 Precision 1: 349,200,000.00

 Parcel name: Street Dedication

North: 28472369.4166 East : 613949.2330
 Line Course: S 48-15-09 E Length: 60.00
 North: 28472329.4656 East : 613993.9982
 Line Course: S 41-44-51 W Length: 226.15
 North: 28472160.7382 East : 613843.4164
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: S 03-15-09 E
 Course In: S 48-15-09 E Course Out: S 41-44-51 W
 RP North: 28472150.7504 East : 613854.6077
 End North: 28472139.5592 East : 613844.6200
 Line Course: S 48-15-09 E Length: 188.81
 North: 28472013.8402 East : 613985.4886
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: N 86-44-51 E
 Course In: N 41-44-51 E Course Out: S 48-15-09 E
 RP North: 28472025.0315 East : 613995.4763
 End North: 28472015.0437 East : 614006.6676
 Line Course: N 41-44-51 E Length: 63.08
 North: 28472062.1069 East : 614048.6694
 Curve Length: 17.45 Radius: 20.00
 Delta: 49-59-41 Tangent: 9.33
 Chord: 16.90 Course: N 16-45-01 E
 Course In: N 48-15-09 W Course Out: N 81-45-10 E
 RP North: 28472075.4239 East : 614033.7476
 End North: 28472078.2927 East : 614053.5408
 Curve Length: 244.34 Radius: 50.00
 Delta: 279-59-23 Tangent: 41.96
 Chord: 64.29 Course: S 48-15-09 E
 Course In: N 81-45-10 E Course Out: S 01-44-33 W
 RP North: 28472085.4650 East : 614103.0237
 End North: 28472035.4881 East : 614101.5033

Phase 3.txt

Curve Length: 17.45 Radius: 20.00
Delta: 49-59-42 Tangent: 9.33
Chord: 16.90 Course: S 66-44-42 W
Course In: S 01-44-33 W Course Out: N 48-15-09 W
RP North: 28472015.4973 East : 614100.8952
End North: 28472028.8143 East : 614085.9734
Line Course: S 41-44-51 W Length: 63.08
North: 28471981.7512 East : 614043.9717
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 03-15-09 E
Course In: S 48-15-09 E Course Out: S 41-44-51 W
RP North: 28471971.7635 East : 614055.1630
End North: 28471960.5722 East : 614045.1752
Line Course: S 48-15-09 E Length: 96.61
North: 28471896.2445 East : 614117.2547
Curve Length: 73.73 Radius: 825.00
Delta: 5-07-13 Tangent: 36.89
Chord: 73.70 Course: S 45-41-33 E
Course In: S 41-44-51 W Course Out: N 46-52-04 E
RP North: 28471280.7232 East : 613567.9291
End North: 28471844.7627 East : 614169.9959
Curve Length: 23.29 Radius: 15.00
Delta: 88-58-41 Tangent: 14.73
Chord: 21.02 Course: S 87-37-17 E
Course In: N 46-52-04 E Course Out: S 42-06-37 E
RP North: 28471855.0180 East : 614180.9426
End North: 28471843.8902 East : 614191.0010
Line Course: N 47-53-23 E Length: 118.73
North: 28471923.5057 East : 614279.0815
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-02 Tangent: 5.60
Chord: 10.79 Course: N 32-14-22 E
Course In: N 42-06-37 W Course Out: S 73-24-39 E
RP North: 28471938.3428 East : 614265.6703
End North: 28471932.6327 East : 614284.8378
Curve Length: 126.19 Radius: 50.00
Delta: 144-36-07 Tangent: 156.68
Chord: 95.27 Course: N 88-53-25 E
Course In: S 73-24-39 E Course Out: N 71-11-28 E
RP North: 28471918.3573 East : 614332.7566
End North: 28471934.4779 East : 614380.0866
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-01 Tangent: 5.60
Chord: 10.79 Course: S 34-27-33 E
Course In: N 71-11-28 E Course Out: S 39-53-27 W
RP North: 28471940.9262 East : 614399.0186
End North: 28471925.5808 East : 614386.1921
Line Course: S 50-06-33 E Length: 70.10
North: 28471880.6238 East : 614439.9775
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: S 75-06-24 E

Phase 3.txt

| | |
|--|--------------------------|
| Course In: N 39-53-27 E | Course Out: S 10-06-14 E |
| RP North: 28471895.9692 | East : 614452.8041 |
| End North: 28471876.2794 | East : 614456.3127 |
| Curve Length: 244.34 | Radius: 50.00 |
| Delta: 279-59-22 | Tangent: 41.96 |
| Chord: 64.29 | Course: S 39-53-27 W |
| Course In: S 10-06-14 E | Course Out: S 89-53-08 W |
| RP North: 28471827.0548 | East : 614465.0844 |
| End North: 28471826.9549 | East : 614415.0845 |
| Curve Length: 17.45 | Radius: 20.00 |
| Delta: 49-59-41 | Tangent: 9.33 |
| Chord: 16.90 | Course: N 25-06-43 W |
| Course In: S 89-53-08 W | Course Out: N 39-53-27 E |
| RP North: 28471826.9150 | East : 614395.0845 |
| End North: 28471842.2603 | East : 614407.9111 |
| Line Course: N 50-06-33 W Length: 84.57 | |
| North: 28471896.4973 | East : 614343.0233 |
| Curve Length: 21.47 | Radius: 15.00 |
| Delta: 82-00-04 | Tangent: 13.04 |
| Chord: 19.68 | Course: S 88-53-25 W |
| Course In: S 39-53-27 W | Course Out: N 42-06-37 W |
| RP North: 28471884.9883 | East : 614333.4033 |
| End North: 28471896.1162 | East : 614323.3450 |
| Line Course: S 47-53-23 W Length: 135.59 | |
| North: 28471805.1950 | East : 614222.7568 |
| Curve Length: 22.40 | Radius: 15.00 |
| Delta: 85-33-39 | Tangent: 13.88 |
| Chord: 20.38 | Course: S 05-06-33 W |
| Course In: S 42-06-37 E | Course Out: S 52-19-44 W |
| RP North: 28471794.0671 | East : 614232.8152 |
| End North: 28471784.9002 | East : 614220.9422 |
| Curve Length: 192.01 | Radius: 825.00 |
| Delta: 13-20-07 | Tangent: 96.44 |
| Chord: 191.58 | Course: S 31-00-12 E |
| Course In: S 52-19-44 W | Course Out: N 65-39-51 E |
| RP North: 28471280.7196 | East : 613567.9285 |
| End North: 28471620.6891 | East : 614319.6237 |
| Line Course: S 24-20-09 E Length: 2.61 | |
| North: 28471618.3110 | East : 614320.6992 |
| Line Course: S 65-39-51 W Length: 50.00 | |
| North: 28471597.7068 | East : 614275.1420 |
| Line Course: N 24-20-09 W Length: 2.61 | |
| North: 28471600.0849 | East : 614274.0664 |
| Curve Length: 323.50 | Radius: 775.00 |
| Delta: 23-55-00 | Tangent: 164.14 |
| Chord: 321.16 | Course: N 36-17-39 W |
| Course In: S 65-39-51 W | Course Out: N 41-44-51 E |
| RP North: 28471280.7196 | East : 613567.9285 |
| End North: 28471858.9366 | East : 614083.9615 |
| Line Course: N 48-15-09 W Length: 365.42 | |
| North: 28472102.2512 | East : 613811.3266 |
| Curve Length: 23.56 | Radius: 15.00 |
| Delta: 90-00-00 | Tangent: 15.00 |

Phase 3.txt

Chord: 21.21 Course: S 86-44-51 W
 Course In: S 41-44-51 W Course Out: N 48-15-09 W
 RP North: 28472091.0599 East : 613801.3389
 End North: 28472101.0476 East : 613790.1476
 Line Course: S 41-44-51 W Length: 75.45
 North: 28472044.7554 East : 613739.9093
 Line Course: N 48-15-09 W Length: 60.00
 North: 28472084.7063 East : 613695.1441
 Line Course: N 41-44-51 E Length: 381.60
 North: 28472369.4129 East : 613949.2321
 Line Course: S 32-00-19 E Length: 0.00
 North: 28472369.4129 East : 613949.2321

Perimeter: 3501.57 Area: 95,280 S.F. 2.187 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0038 Course: S 13-46-59 W
 Error North: -0.00367 East : -0.00090
 Precision 1: 921,468.42

Parcel name: Total Area

North: 28472443.3259 East : 613866.4175
 Line Course: S 48-15-09 E Length: 185.00
 North: 28472320.1438 East : 614004.4435
 Line Course: S 54-33-09 E Length: 751.56
 North: 28471884.2716 East : 614616.6998
 Line Course: S 46-55-41 E Length: 204.73
 North: 28471744.4581 East : 614766.2544
 Line Course: S 80-27-31 W Length: 217.18
 North: 28471708.4584 East : 614552.0789
 Line Course: S 68-46-47 W Length: 243.33
 North: 28471620.3840 East : 614325.2477
 Line Course: S 65-39-51 W Length: 55.00
 North: 28471597.7193 East : 614275.1346
 Line Course: N 24-20-09 W Length: 2.61
 North: 28471600.0974 East : 614274.0591
 Curve Length: 37.39 Radius: 775.00
 Delta: 2-45-52 Tangent: 18.70
 Chord: 37.39 Course: N 25-43-05 W
 Course In: S 65-39-51 W Course Out: N 62-53-59 E
 RP North: 28471280.7321 East : 613567.9212
 End North: 28471633.7828 East: 614257.8344
 Line Course: S 53-39-25 W Length: 107.04
 North: 28471570.3489 East : 614171.6155
 Line Course: N 32-39-03 W Length: 138.79
 North: 28471687.2064 East : 614096.7357
 Line Course: N 37-41-16 W Length: 107.06
 North: 28471771.9288 East : 614031.2837
 Line Course: N 48-15-09 W Length: 399.06

Phase 3.txt

North: 28472037.6426 East : 613733.5505
Line Course: N 41-44-51 E Length: 9.55
North: 28472044.7677 East : 613739.9093
Line Course: N 48-15-09 W Length: 171.00
North: 28472158.6279 East : 613612.3286
Line Course: N 41-44-51 E Length: 381.60
North: 28472443.3345 East : 613866.4166

Perimeter: 3010.90 Area: 420,362 S.F. 9.650 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086 Course: N 06-12-57 W

Error North: 0.00852 East : -0.00093

Precision 1: 350,104.65

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible initiation to amend Title 2, Chapter 13 of the Elko City Code entitled “Sidewalks, Curbs, Gutters” and to recodify it as Title 8, Chapter 21, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **The section of the City Municipal Code regulating the installation of curb, gutter, and sidewalk is currently located within the City’s Building Code. With the replacement of the current code with the adoption of the 2018 IBC, this curb, gutter, and sidewalk section needs to be placed elsewhere in the City Code to continue to be enforced.**

Concurrently with this change in location, some updates to the language are proposed. The most significant change is the addition of standard enforcement language located in other sections of the City Code. Smaller changes include rewording existing language and correcting typos. MR
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Title 8, Chapter 21 proposed revisions shown with track changes**
9. Recommended Motion: **Move to initiate to amend Title 2, Chapter 13 of the Elko City Code entitled “Sidewalks, Curbs, Gutters” and to recodify it as Title 8, Chapter 21, as presented by staff and approved by the City Attorney.**
10. Prepared By: **Michele Rambo, AICP, Development Manager**
11. Committee/Other Agency Review: **Planning Department, Public Works Department, Engineering Department, City Attorney**
12. Council Action:
13. Agenda Distribution:

CITY OF ELKO
ORDINANCE NO. 841

AN ORDINANCE AMENDING TITLE 2, CHAPTER 13 OF THE ELKO CITY CODE ENTITLED "SIDEWALKS,
CURBS, GUTTERS" AND TO RECODIFYING THE SECTION AS TITLE 8, CHAPTER 21

WHEREAS, the City of Elko intends to amend Title 2, Chapter 1 of the Elko City Code, entitled "Building Regulations", to conform with the 2018 Unified Building Code; and

WHEREAS, in conjunction with the amendments to Title 2, Chapter 1, the City of Elko intends to amend Title 2, Chapter 13, entitled "Sidewalk, Curbs, Gutters", to include adding clarifying language, correcting grammatical errors, and recodifying the chapter in Title 8, Chapter 21; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKO, NEVADA

For amendment purposes, words which are bold and underlined are additions to the Code and words which are bold and lined through are deletions from the Code.

SECTION 1. Title 8, Chapter 21 of the Elko City Code is hereby amended to read as follows:

Chapter ~~13~~ 21
SIDEWALKS, CURBS, GUTTERS

~~2-13-1~~ **8-21-1: PERMIT REQUIRED:**

~~2-13-2~~ **8-21-2: PLANS TO BE APPROVED:**

~~2-13-3~~ **8-21-3: SIDEWALK, CURB AND GUTTER CONSTRUCTION:**

~~2-13-4~~ **8-21-4: SIDEWALK MAINTENANCE, RECONSTRUCTION AND REPAIR:**

~~2-13-5~~ **8-21-5: PENALTIES ENFORCEMENT:**

8-21-6: APPEAL OF NOTICE OF VIOLATION:

8-21-7: INJUNCTIVE RELIEF:

8-21-8: PENALTIES:

8-21-9: REMEDIES NOT EXCLUSIVE:

~~2-13-1~~ **8-21-1: PERMIT REQUIRED:**

It shall be unlawful for any person to ~~hereafter~~ install, construct, or lay, or cause to be installed, constructed or laid, any sidewalk ~~or sidewalks~~, curb or gutter within the street lines ~~established by of~~ the ~~e~~City without first obtaining a permit from the City for that purpose. The issuance of a permit pursuant to this Section shall be in addition to and not in lieu of any other permits required under the City Code. authorizing the same from the city council, to be issued by its authorized agent; and it shall also be unlawful for any person to construct, install or lay any sidewalk, curb or gutter for any other person until such person shall have first obtained a permit permitting the same from the city council, as provided in this chapter. (Ord. 787, 8-26-2014)

~~2-13-2~~ **8-21-2: PLANS TO BE APPROVED:**

Any sidewalk, curb or gutter ~~hereafter~~ constructed within the street lines ~~of~~ established by the eCity ~~by any person~~ shall be constructed in strict compliance in conformance with specifications and plans, and

upon grades and lines to be approved by the ~~eCity council or its duly authorized engineer. (Ord. 787, 8-26-2014)~~

~~2-13-3~~ 8-21-3: SIDEWALK, CURB AND GUTTER CONSTRUCTION:

A. Required; Exception: Except as otherwise provided in this ~~s~~Section, sidewalks, curbs and gutters shall be required on all vacant lots or parcels of land which are hereafter developed; or upon lots or parcels of land which are merged or divided; or upon developed lots or parcels of land involving a change in building occupancy and use of land; or upon any lot or parcel of land with which any building expansion or new construction ~~shall take place~~ involving the addition of gross floor area greater than four hundred (400) square feet; or upon a lot or parcel of land when a change of use results in a measurable increase in pedestrian or vehicular traffic; provided, however, that upon the request of the ~~eCity d~~Development ~~d~~Department or application by ~~a the~~ property owner, or a tenant, lessee or ~~a~~ contractor duly authorized to represent said property owner, and for cause shown, the ~~eCity e~~Council may waive all or part of, the requirement for the installation of the above described improvements, subject to Subsections B and C of this Section.

B. Request ~~T~~to Waive Requirements ~~B~~by Development Department: Any request by the ~~eCity d~~Development ~~d~~Department to waive all or part of the requirement to install curb, gutter and sidewalk shall be based on the following criteria:

- 1) ~~t~~The presence or proposed installation of other substantially equivalent or superior improvements in the vicinity of the lot or parcel of land;
- 2) ~~e~~Conditions on the lot or parcel of land affecting the practicability of installing the curb, gutter and sidewalk; and
- 3) ~~a~~Any other ~~factors~~ unique circumstances deemed by the ~~eCity d~~Development Department to be appropriate grounds for waiving any or all of the foregoing requirements relative to the installation of curb, gutter and sidewalk.

C. Request ~~T~~to Waive Requirements ~~B~~by Property Owner or Authorized Representative: Any application to waive all or part of the requirement to install curb, gutter and /or sidewalk by ~~a the~~ property owner, or a tenant, lessee or contractor duly authorized to represent said property owner:

- 1) ~~s~~Shall be based on evidence that it is impractical to install curb, gutter and sidewalk because of circumstances beyond the reasonable control of the ~~applicant~~ property owner; and
- 2) ~~s~~Shall include a filing fee paid to the ~~eCity~~ in an amount established by resolution of the ~~eCity e~~Council. (Ord. 787, 8-26-2014)

~~2-13-4~~ 8-21-4: SIDEWALK MAINTENANCE, RECONSTRUCTION AND REPAIR:

A. Responsibility ~~O~~f Property Owners: It is the responsibility of all property owners in the ~~eCity~~ to reasonably maintain ~~a any~~ sidewalk constructed of in a public right of way that abuts the owner's property within the street lines of the city established by the City. ~~The responsibility imposed is that of a reasonable person and is not a duty greater than imposed by common law duty. Furthermore, this This Subsection A is not intended and cannot shall not be relied upon to define determine the standard of care in any civil action for negligence to include an action asserting or for the establishment of negligence per se for its violation.~~

B. Standards:

1. Except as otherwise provided in ~~this code~~ the City Code or pursuant to authority granted by the City Code, all ~~sections of the city~~ sidewalks shall be constructed of concrete ~~cement~~ with a minimum of four inches (4") in depth and ~~a minimum of four feet (4') in width~~ with a width determined as follows:
 - a. Four feet (4') for sidewalks along all unclassified roadways or roadways classified as local residential in the City's Master Plan and along roadways determined by the City Development Department to be functionally equivalent to "local residential" as that term is used in the City's Master Plan; or
 - b. Five feet (5') in width for all other sidewalks, to include sidewalks along roadways classified as residential collector or higher in the City's Master Plan or along roadways determined by the City Development Department to be functionally equivalent to or higher than "residential collector" as that term is used in the City's Master Plan.
2. ~~Wherever any sidewalk has been~~ If an existing sidewalk on a City block was constructed under the authority of any former ordinance in any manner other than in accordance with the in a manner consistent with the City Code then in effect, but the sidewalk is inconsistent with existing requirements pertaining to lines and grades, all subsequently constructed sidewalks for the remaining properties in the same block shall be ~~so~~ constructed such that uniformity of line and grade ~~may be~~ is maintained.

C. Reconstruction ~~And~~ Repair:

1. The ~~e~~City Council may require the reconstruction ~~and or~~ repair of sidewalks ~~in~~ under the following circumstances:
 - a. ~~Imposing an assessment or other charge authorized by law for any reconstruction or repair of a sidewalk that the governing body causes to be performed within a public right-of-way;~~
 - ba. Requiring any ~~The~~ reconstruction or repair of a sidewalk is required as a condition of approval for a division, merger, or change in the use of the ~~land~~ abutting property, or;
 - cb. The abutting property owner's actions resulted in damage to the sidewalk necessitating repair or reconstruction; provided the City Development Department may impose an assessment or other charge authorized by law on the abutting property owner for any reconstruction or repair of a sidewalk if the reconstruction or repair is performed by the City or its contractor in a public right-of-way at the direction of the City Council; or The repair and reconstruction of a sidewalk in the public right-of-way that abuts the property of the owner if the owner caused the need for such repair or reconstruction.
 - c. The abutting property owner abandons any existing curb cuts or driveway approaches.
2. Any sidewalk ordered repaired or reconstructed by the ~~e~~City ~~e~~Council shall be repaired or reconstructed by the owners of the property which abuts upon the sidewalk. The property owner shall complete ~~said the~~ reconstruction ~~and or~~ repair, within a time period set by the City Council, not to exceed ninety (90) days. Notwithstanding any other provision in this Section, the City Council shall not require the reconstruction or repair of a sidewalk outside of the during the city construction season generally recognized by the City for projects of a similar type and nature.

~~D. Failure: Failure of the owner to complete the sidewalk improvements as required within the time limits designated shall be considered an infraction of this code and, upon conviction of such infraction, the municipal court may impose any injunctive relief or fine of a civil nature as may be allowed by this code or laws of the state. (Ord. 787, 8-26-2014)~~

2-13-5 8-21-5: PENALTIES ENFORCEMENT:

~~Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided in title 1, chapter 3 of this code. Each day's violation of the provisions of this chapter may be deemed a separate offense. (Ord. 787, 8-26-2014)~~

- A. Notice of Violation: If a person violates a prohibition contained in this Chapter or fails to meet a requirement of this Chapter, or fails to comply with an order issued by the City Council pursuant to this Chapter to repair or reconstruct a sidewalk, the City Development Department may order compliance by written notice of violation to the responsible person.**
- B. Deadline: If abatement of a violation or repair or reconstruction of a sidewalk is required, the notice shall set forth a deadline within which such abatement, repair, or reconstruction must be completed. In the event of an order to repair or reconstruct a sidewalk, the foregoing notice shall further advise that, should the violator fail to comply with the established deadline, the work will be done by the City or its contractor and the expense thereof shall be charged to the property owner.**

8-21-6: APPEAL OF NOTICE OF VIOLATION:

Any person receiving a notice of violation may appeal the determination to the City Council. The notice of appeal must be received by the City Clerk within thirty (30) days from the date of issuance of the notice of violation. A hearing on the appeal before the Elko City Council shall take place within forty-five (45) days from the date of receipt of the notice of appeal. The decision of the City Council shall be final and subject to judicial review; provided, any petition for judicial review of a final decision by the City Council shall be commenced within thirty (30) days of the date of the City Council decision.

8-21-7: INJUNCTIVE RELIEF:

If a person has violated or continues to violate the provisions of this Chapter, the City may petition for a preliminary or permanent injunction restraining the person from activities which could create further violations or compelling the person to perform work required by order of the City Council.

8-21-8: PENALTIES:

Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided in Title 1, Chapter 3 of this Code. Each day's violation of the provisions of this Chapter shall be deemed a separate offense.

8-21-9: REMEDIES NOT EXCLUSIVE:

The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the City to seek cumulative remedies.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability of such section, paragraph, clause or provision shall not affect any remaining provision of this Ordinance.

SECTION 4. Upon adoption, the City Clerk of the City of Elko is hereby directed to have this ordinance published by title only, together with the Councilpersons voting for or against its passage in a newspaper of general circulation within the time established by law, for at least one publication.

SECTION 5. This ordinance shall be effective upon the publication mentioned, unless otherwise stated.

PASSED AND ADOPTED this --th day of ---, 2019 by the following vote of the Elko City Council.

VOTE:

AYES:

NAYES:

ABSENT:

ABSTAIN: None

CITY OF ELKO

By: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

Ordinance 841 Initiation

Sidewalks, Curbs, Gutters

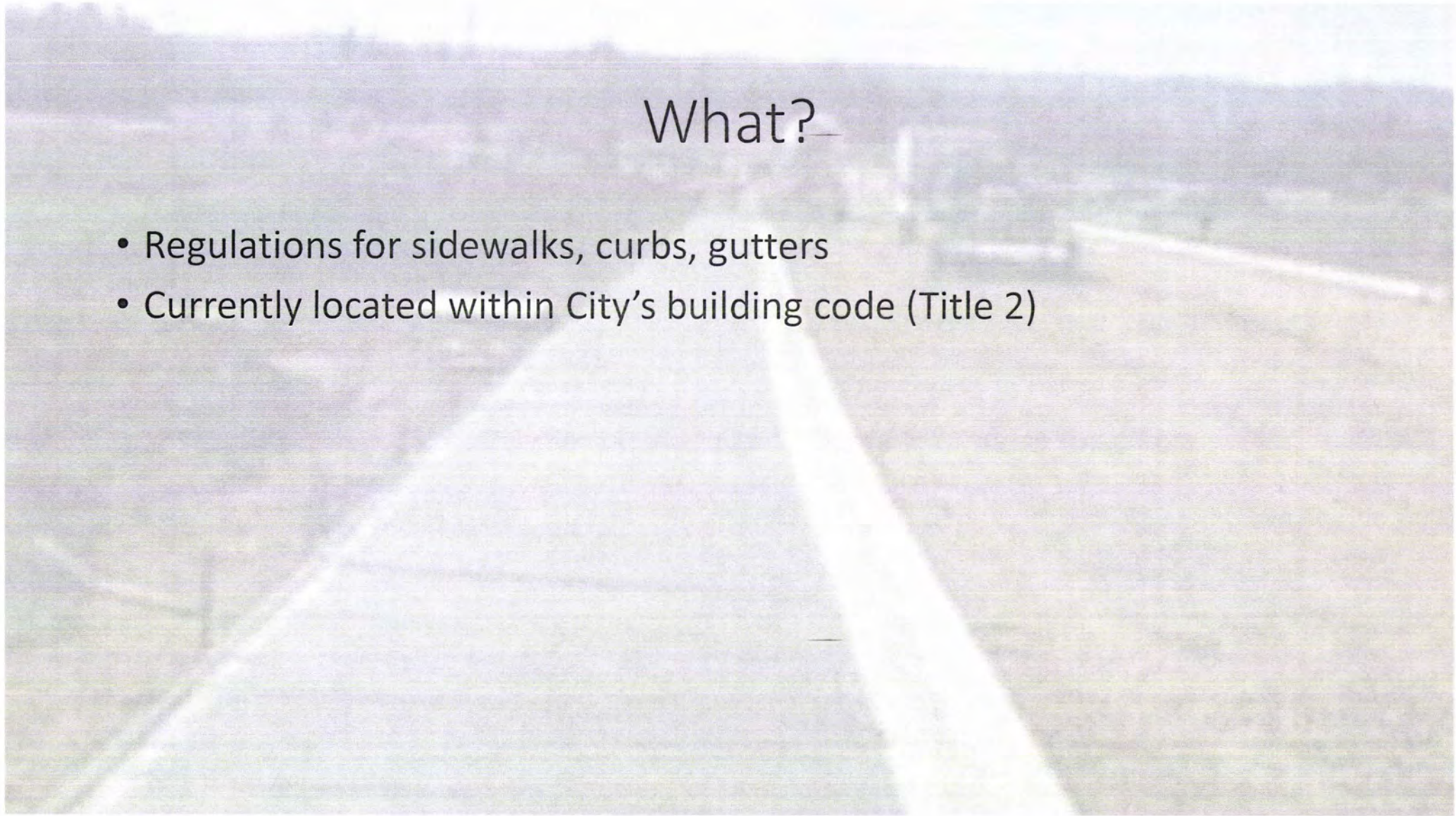
City Council

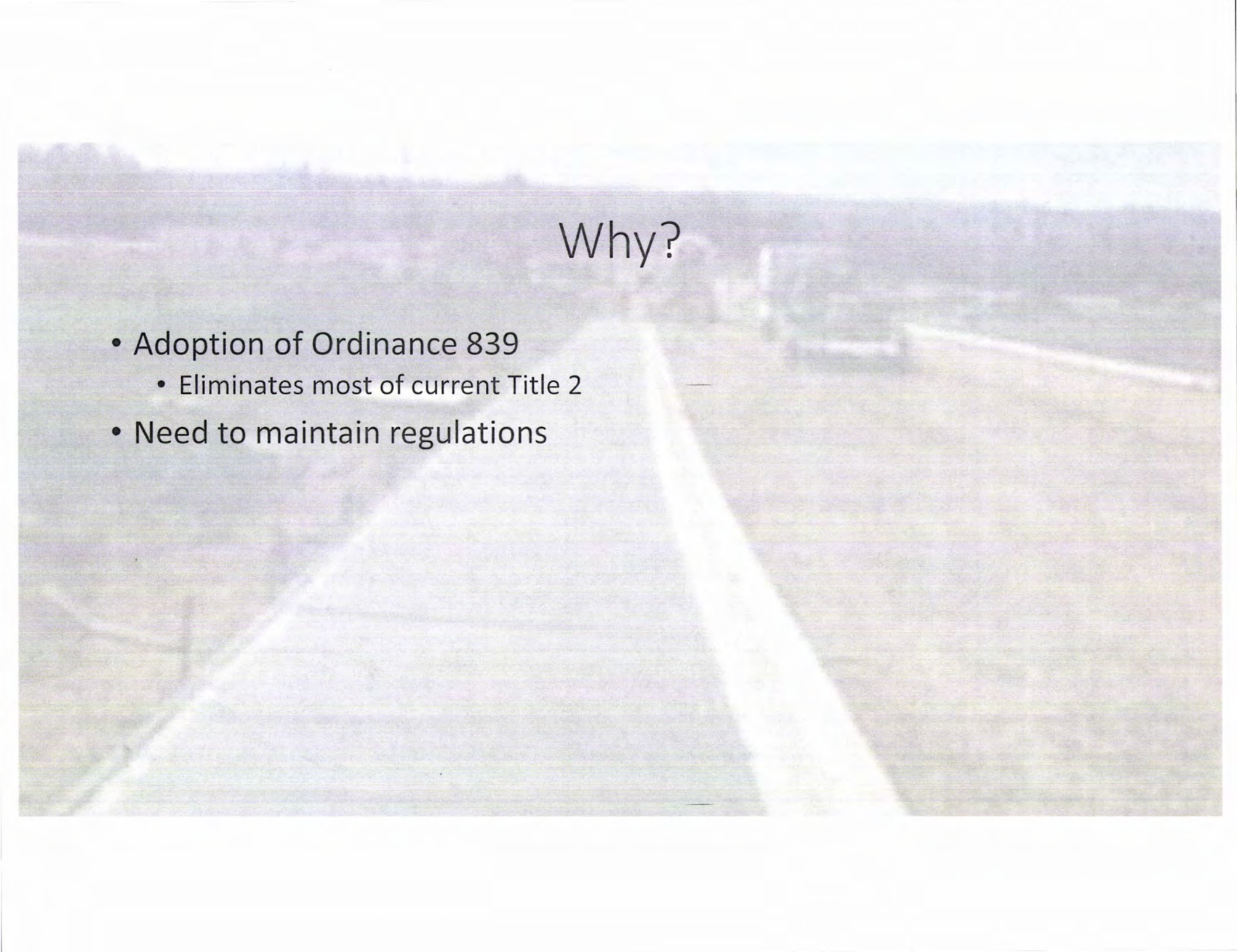
June 11, 2019



What?

- Regulations for sidewalks, curbs, gutters
- Currently located within City's building code (Title 2)





Why?

- Adoption of Ordinance 839
 - Eliminates most of current Title 2
- Need to maintain regulations

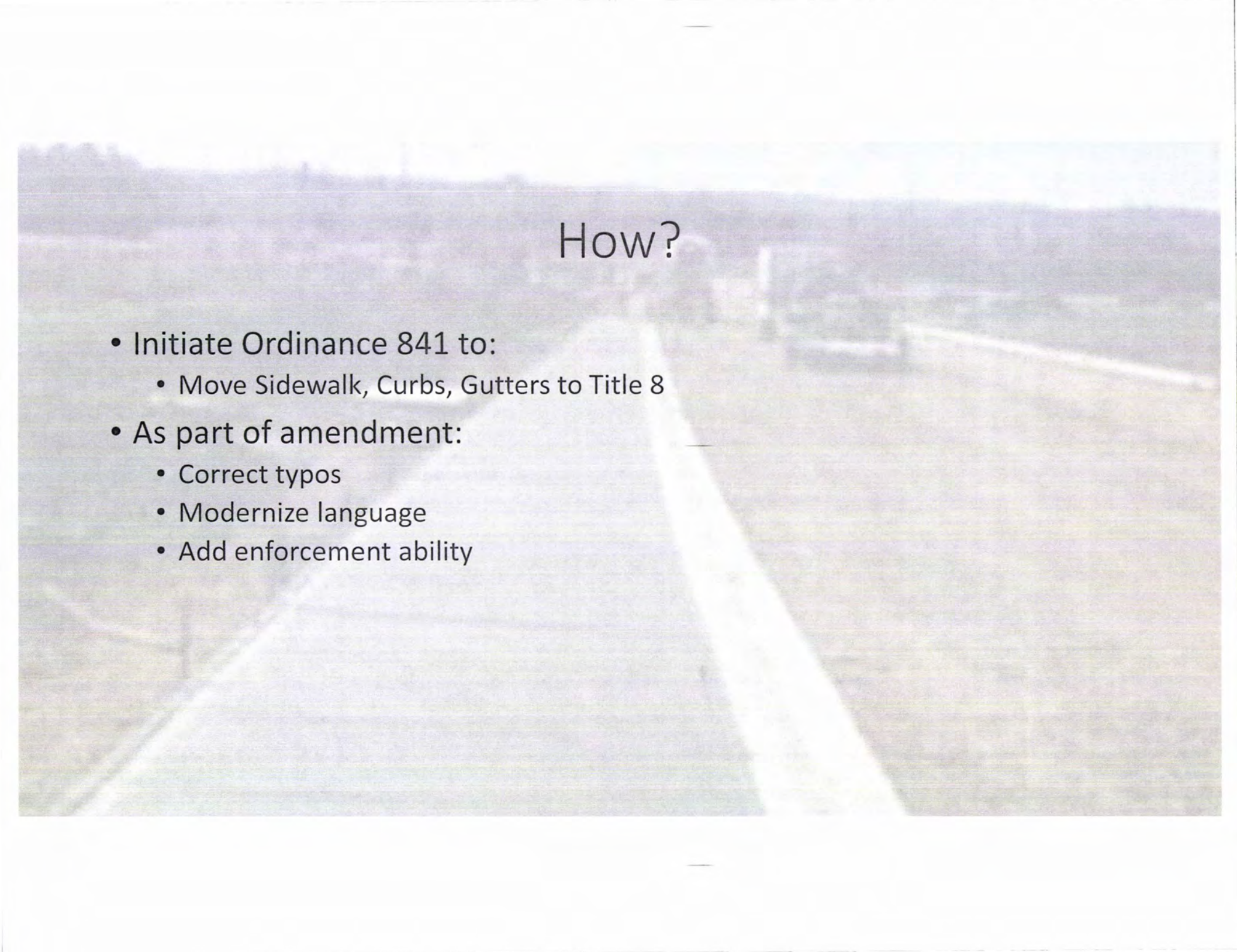
Where?

From Title 2

- ★ Title 2 - BUILDING REGULATIONS
 - ★ Chapter 1: BUILDING REGULATIONS ADMINISTRATIVE CODE
 - ★ Chapter 2: BUILDING CODE
 - ★ Chapter 3: RESIDENTIAL CODE
 - ★ Chapter 4: MECHANICAL CODE
 - ★ Chapter 5: PLUMBING CODE
 - ★ Chapter 6: ELECTRICAL CODE
 - ★ Chapter 7: ENERGY CONSERVATION CODE
 - Chapter 8: RESERVED
 - Chapter 9: RESERVED
 - Chapter 10: RESERVED
 - ★ Chapter 11: SWIMMING POOL AND SPA CODE
 - ★ Chapter 12: STREET NUMBERING OF BUILDINGS
 - ★ Chapter 13: SIDEWALKS, CURBS, GUTTERS

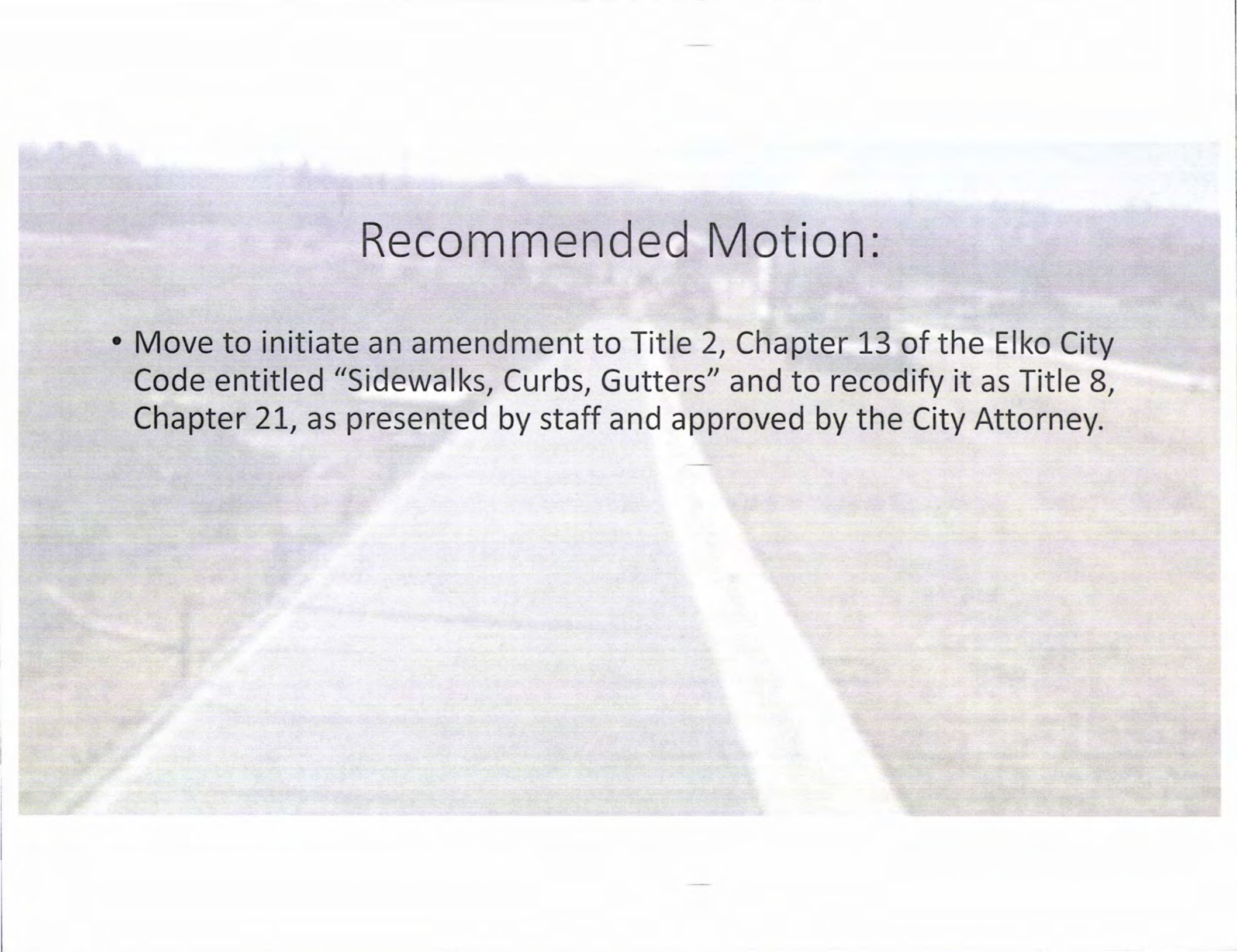
To Title 8

- ★ Title 8 - PUBLIC WAYS AND PROPERTY
 - ★ Chapter 1: SALE, EXCHANGE OR LEASE OF CITY REAL PROPERTY
 - ★ Chapter 2: UTILITY OCCUPANCY OF PUBLIC RIGHTS-OF-WAY OR P
 - ★ Chapter 3: PARK COMMISSION
 - ★ Chapter 4: FRANCHISE
 - Chapter 5: SOUTHWEST GAS CORPORATION FRANCHISE
 - ★ Chapter 6: BULLION ROAD SEWER
 - ★ Chapter 7: STREET VACATION PROCEDURES
 - ★ Chapter 8: ELECTRICAL SYSTEM FRANCHISE FEES
 - Chapter 9: ELKO HEAT COMPANY FRANCHISE
 - Chapter 10: ALLTEL NEVADA, INC. FRANCHISE
 - ★ Chapter 11: PARK LANDS AND FACILITIES
 - ★ Chapter 12: TELECOMMUNICATIONS
 - ★ Chapter 13: RUBY VIEW GOLF COURSE
 - ★ Chapter 14: ELKO MUNICIPAL SWIMMING POOL
 - ★ Chapter 15: ELKO REGIONAL AIRPORT ADVISORY BOARD
 - ★ Chapter 16: EVENTS ON CITY PROPERTY
 - ★ Chapter 17: PUBLIC TREE MANAGEMENT
 - ★ Chapter 18: PUBLIC IMPROVEMENT STANDARDS
 - ★ Chapter 19: SIDEWALK CAFES
 - ★ Chapter 20: SIDEWALK DISPLAYS



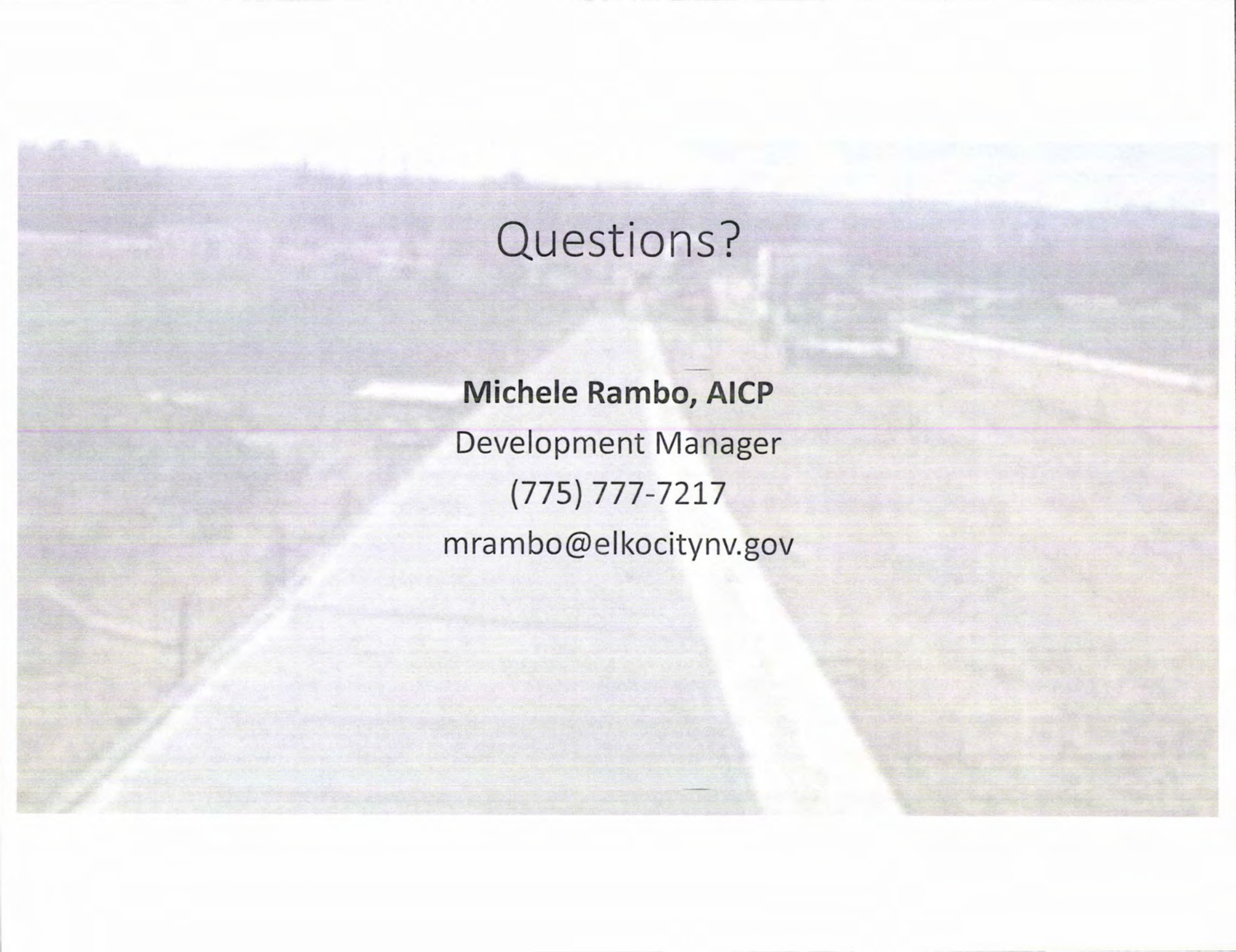
How?

- Initiate Ordinance 841 to:
 - Move Sidewalk, Curbs, Gutters to Title 8
- As part of amendment:
 - Correct typos
 - Modernize language
 - Add enforcement ability



Recommended Motion:

- Move to initiate an amendment to Title 2, Chapter 13 of the Elko City Code entitled “Sidewalks, Curbs, Gutters” and to recodify it as Title 8, Chapter 21, as presented by staff and approved by the City Attorney.



Questions?

Michele Rambo, AICP

Development Manager

(775) 777-7217

mrambo@elkocitynv.gov

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to initiate the deletion of Title 2, Chapter 1, Section 15 of the Elko City Code entitled “Exemptions for Existing Buildings, Structures and Building Service Equipment Systems”, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 12, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **This chapter needs to be deleted as the City will be adopting the 2018 International Building Codes that includes the exemptions for existing buildings in ordinance 839. JF**
6. Budget Information: **N/A**
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **None**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Jeff Ford, Building Official**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Shilo Inn, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **The Shilo Inn is routinely delinquent in its payment of transient lodging taxes. On March 28, 2019, the City Attorney recorded a Notice of Tax Lien for August, October and November 2018 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled \$30,983.65. Shilo Inn subsequently paid \$12,282.28 for the August 2018 delinquent taxes and that portion of the lien was released. However, \$18,701.37, together with penalties and interest, remains unpaid for October 2018 and November 2018 taxes. On May 9, 2019, the City Attorney recorded another Notice of Tax Lien in the amount of \$5,548.07 for unpaid transient lodging taxes for January 2019, including penalty and interest. That amount has not been paid. Transient lodging taxes for April 2019 are also delinquent, but a lien has not yet been recorded for that month. The City has several options, to include commencing a civil action to foreclose on the property pursuant to NRS 268.095(7)(b) for the amounts stated in the recorded liens; commencing a proceeding before the City Council to terminate, suspend or revoke the Shilo Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commencing a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW**
6. Budget Information: **N/A**

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **None**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Discussion and direction from Council on legal options regarding delinquent transient lodging tax payments for the Thunderbird Inn, owned by Elko 345, LLC., and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **Elko 345, LLC, the owner of the Thunderbird Inn, owes for delinquent transient lodging taxes for February, March and April 2019. On May 13, 2019, the City Attorney recorded a Notice of Tax Lien for December 2018 and January 2019 unpaid transient lodging taxes. At the time of recordation, these unpaid taxes, including penalties and interest, totaled \$6,289.10. Elko 345, LLC has also failed to provide a number of Transient Lodging Tax Returns, which are required under Elko City Code Section 4-6-9 and 4-6-15(B). Elko 345, LLC does not own the property on which the Thunderbird Inn is located, but instead has only a leasehold interest. Therefore, a foreclosure action may not be cost-effective, since the leasehold interest is unlikely to have value. The City may also commence a proceeding before the City Council to terminate, suspend or revoke the Thunderbird Inn's business license pursuant to Elko City Code Section 4-6-12; and/or commence a criminal prosecution in municipal court pursuant to Elko City Code 4-6-16. Staff seeks direction from the Council as to which option or options to pursue. KW**
6. Budget Information: **N/A**

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **None**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution:

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of Resolution No. 9-19, a Resolution providing for the transfer of the City's 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **RESOLUTION**
4. Time Required: **5 Minutes**
5. Background Information: **The City of Elko has previously transferred its portion of the tax-exempt private activity bond cap to the Nevada Rural Housing Authority. This year the Nevada Rural Housing Authority is requesting the City's allocation of the bonds for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income. A request letter from Nevada Rural Housing Authority and Resolution No. 9-19 have been enclosed in the agenda packet for review. CC**
6. Budget Impact Statement:

Appropriation Required: N/A
Budget amount available: N/A
Fund name: N/A
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No. 9-19**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Curtis Calder, City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **NV Rural Housing Authority**
Attention: Lourdes Zuniga Perez
lourdes@nvrural.org

RESOLUTION NO. 9-19

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELKO, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY'S 2019 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes ("NRS") and Chapter 348A of the Nevada Administrative Code ("NAC"), there has been allocated to the City of Elko, Elko County, Nevada (the "City," "County" and "State," respectively), the amount of \$1,102,370.26 in tax-exempt private activity bond volume cap for year 2019 (the "2019 Bond Cap"); and

WHEREAS, the Nevada Rural Housing Authority (the "NRHA"), has requested that the City transfer its 2019 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income ("*Single Family Programs*"); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2019 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA's area of operation as "any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more."

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers 2019 Bond Cap in the amount of \$1,102,370.26 to the NRHA for its Single Family Programs.

Section 3. Use of 2019 Bond Cap. The NRHA will use the 2019 Bond Cap for single family purposes in calendar year 2019 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the "Director") may contact Kelly Wooldridge, regarding this Resolution at (775) 777-7100 or in writing 1751 College Avenue, Elko, NV 89801.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2019 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2019 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2019.

CITY OF ELKO, NEVADA

By _____
Curtis Calder, City Manager

ATTEST:

By _____
Kelly Wooldridge, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Kelly Wooldridge, am the duly chosen and qualified City Clerk of the City of Elko, Nevada (the "*City*") and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code ("*NAC*"), that the private activity bond volume cap allocated to the City in the amount of \$1,102,370.26 has been transferred as follows:

\$1,102,370.26 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Elko County to the Nevada Rural Housing Authority, a local government, located within Elko County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

CITY OF ELKO, NEVADA

By _____
Kelly Wooldridge, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to accept a petition for the vacation of approximately 900 square feet of the northeasterly portion of 3rd Street, filed by David and Julianne Ernst and processed as Vacation No. 3-19, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PETITION**
4. Time Required: **10 Minutes**
5. Background Information: **Third Street, as it exists today, is an 80' wide right-of-way. The applicant is asking for a vacation of the excess right-of-way. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Application, map, and Staff memo**
9. Recommended Motion: **Accept the petition for vacation and direct Staff to commence the vacation process by referring the matter to the Planning Commission.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Jacques Errecart
518 Commercial Street
Elko, NV 89801
jacquesg518@gmail.com

Juliane & David Ernst
15530 Donnybrook Ct
Reno, NV 89511**



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

| | |
|------------------------------------|--------------------------------|
| CITY COUNCIL PETITION DATE: | June 11, 2019 |
| PLANNING COMMISSION DATE: | July 2, 2019 |
| APPLICATION NUMBER: | Vacation 3-19 |
| APPLICANT: | David and Juliane Ernst |
| PROJECT DESCRIPTION: | APN 001-224-009 |

Vacation of the northeasterly 9'x 100' of 3rd Street.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions stated in this report.

PROJECT INFORMATION

PARCEL NUMBER: 001-224-009

EXISTING ZONING: R- Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: Medium Density Residential

EXISTING LAND USE: Developed, Residential

BACKGROUND:

1. The property has been developed as residential land use.
2. The property owner is proposing to renovate the home with some demolition and new additions.
3. The area proposed to be vacated is approximately 900 sq. ft.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:
North: R-Residential / Developed
East: R-Residential / Developed
South: Commercial / Undeveloped
West: R-Residential / Developed

PROPERTY CHARACTERISTICS:

The property is currently developed and has been vacant for many years.
The property has moderate slope to 3rd Street as well as to the southeast.
There is no sidewalk along 3rd Street and the dedicated alley to the southeast is not developed.

MASTER PLAN AND CITY CODES:

Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive
City of Elko Master Plan – Land Use Component
City of Elko Master Plan – Transportation Component
City of Elko Redevelopment Plan
City of Elko Code – Section 8-7 Street Vacation Procedures

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Medium Density Residential.
2. R- Single Family and Multiple Family Residential is a corresponding zoning district for Medium Density Residential.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from Third Street.
2. Third Street is classified as a Residential Collectors

The proposed vacation is in conformance with the Master Plan Transportation Component.

REDEVELOPMENT PLAN

- The area is located outside the Redevelopment Area.

FINDINGS

- The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component
- The proposed vacation is in conformance with the City of Elko Master Plan Transportation component
- The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
- The proposed vacation is in conformance with City Code 3-2-5(E) and 8-7

STAFF RECOMMENDATION:

Staff recommends the City Council accept this petition and forward this item to the Planning Commission for further consideration.



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): David & Juliane Ernst

MAILING ADDRESS: 15530 Donnybrook Ct, Reno, NV 89511

PHONE NO (Home): 775-376-3347

(Business):

NAME OF PROPERTY OWNER (If different): Same

(Property owner's consent in writing must be provided.)

MAILING ADDRESS: Same

LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):

ASSESSOR'S PARCEL NO.: 001-224-009 **Address:** 604 Third Street, Elko, NV

Lot(s), Block(s), & Subdivision: Lots 12, 11, & 4'-0" of Lot 10, Elko City

Or Parcel(s) & File No.:

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A \$600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 1/2" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Lynne Owens, 309 New Pine Street, Elko, Nevada

(Name)

(Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Lisa Marie Higgins, 606 Third Street, Elko, Nevada

(Name)

(Address)

1. Describe the nature of the request: Vacation of 9.00' x 100' of Third Street .

2. Describe any utilities currently located in the area proposed for vacation, and if any are present how they will be addressed: N/A

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property only for the sole purpose of inspection said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not effect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☐ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

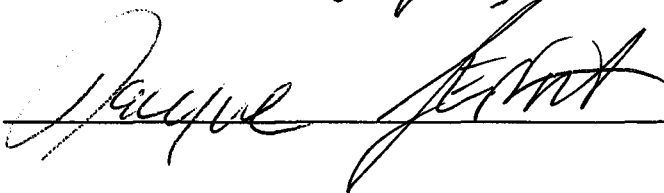
Applicant / Agent JACQUES ERRECAET, NCARB
(Please print or type)

Mailing Address 518 COMMERCIAL ST
Street Address or P.O. Box
ELKO, NV 89801
City, State, Zip Code

Phone Number: 775-738-9456

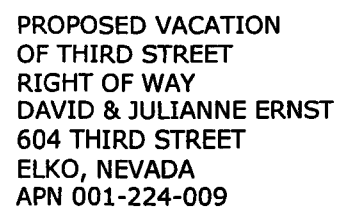
Email address: jacquesg518@gmail.com

SIGNATURE:



FOR OFFICE USE ONLY

File No.: 3-19 **Date Filed:** 6/3/19 **Fee Paid:** \$600 CK# 2009



1:240

EXHIBIT "A"

David & Juliane Ernst

Application for Vacation

June 4, 2019

A parcel of land located in Section 15, Township 34 North, Range 55 East, M.D.B. & M., City of Elko, Nevada, more particularly described as follows:

Commencing at the most southerly corner of Lot 12 of Block 19 as shown on the Map of the Town of Elko filed in the office of the Elko County Recorder, Elko, Nevada, as document number 1, being Corner No. 1, the True Point of Beginning;

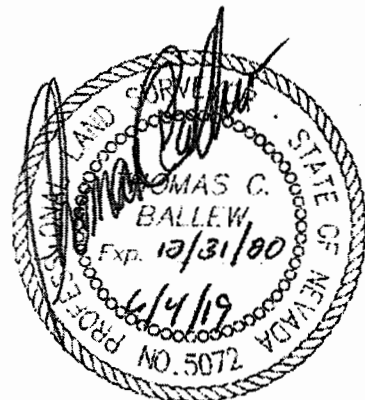
thence North $48^{\circ}01'53''$ West, along the southwesterly boundary of said Lot 12, a distance of 100.00 feet to Corner No. 2, being the most westerly corner of said Lot 12;

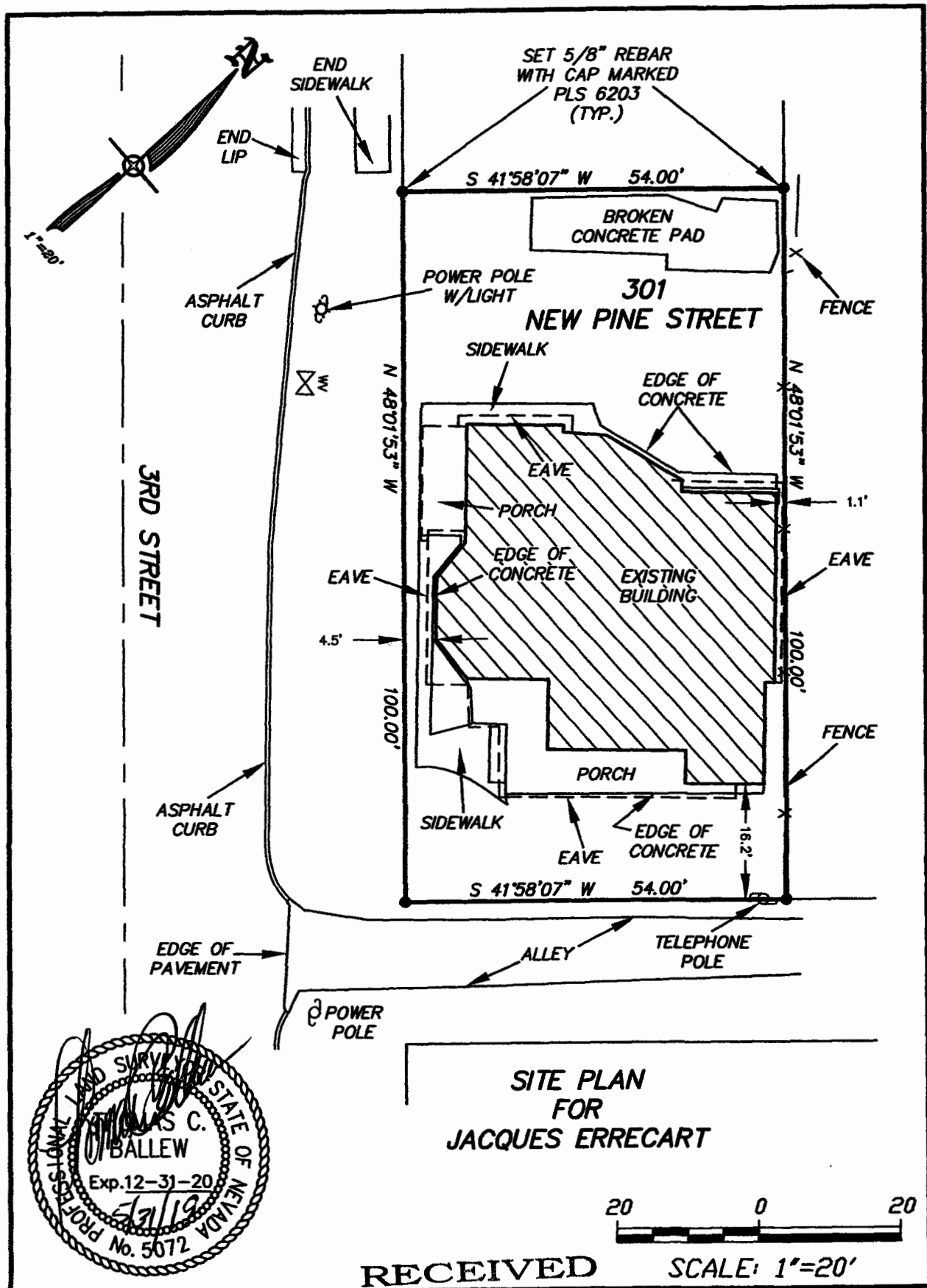
thence South $41^{\circ}58'07''$ West, a distance of 9.00 feet to Corner No. 3;

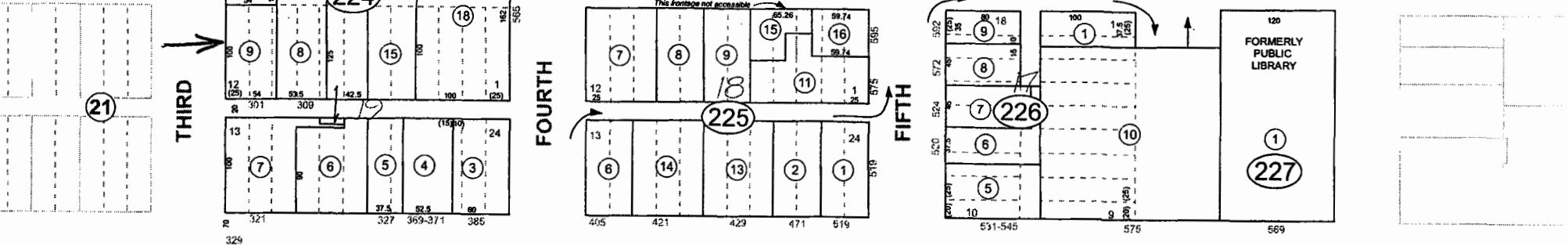
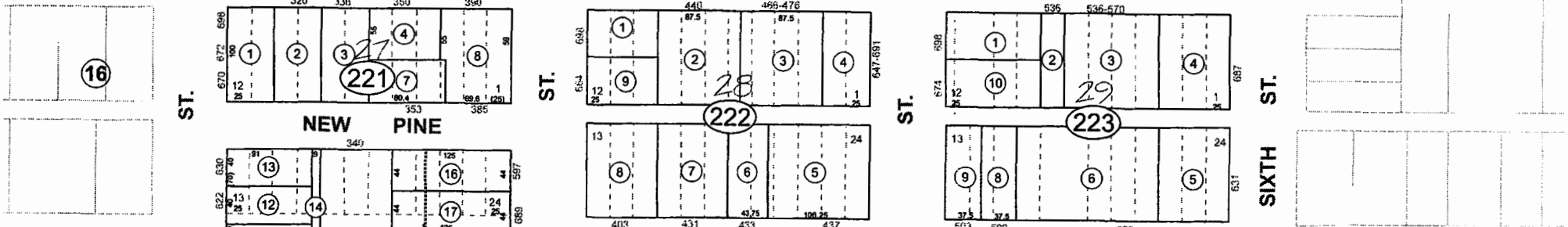
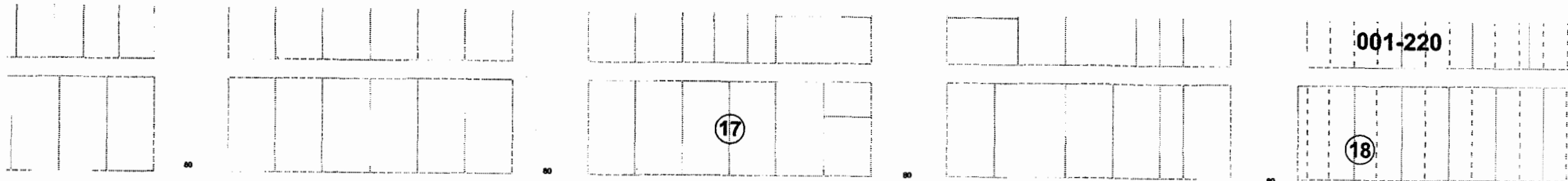
thence South $48^{\circ}01'53''$ East, a distance of 100.00 feet to Corner No. 4;

thence North $41^{\circ}58'07''$ East, a distance of 9.00 feet to Corner No. 1, the Point of Beginning.

Said parcel contains an area of 900 square feet, more or less.







For assessment use only, does not represent a survey, no liability for accuracy is assured. Other uses forbidden unless approved by Elko County Assessor.

RECEIVED

JUN 03 2019

CITY OF ELKO

0 20 40 80 120 160
Feet
Revision Docs.
Parcel Map #186178, 553178, 707716
Doc #594155

Last Revised: 06/04/2018 JLS

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action concerning an appeal from AM Engineering to not require a full forensic and structural analysis as a condition for the tenant improvement to the old terminal building and the City allow the appellant to mitigate any remaining issues concerning the additional roof structure under 2009 IBC, Chapter 34, Section 3412, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PETITIONS, APPEALS, AND COMMUNICATIONS**
4. Time Required: **20 Minutes**
5. Background Information: **The City entered into a lease agreement with Elko Leasing Company. AM Engineering is managing the tenant improvement for Elko Leasing Company. Recent activities associated with the tenant improvements have resulted in the discovery that an additional roof structure was constructed over the original roof by the City. The additional roof structure was not considered in the tenant improvement design and submittals to the City. The appellant is in the process of finalizing permitting to address revisions to the initial tenant improvement and is requesting relief from a possible requirement to complete a forensic and structural analysis on this portion of the structure. SAW**
6. Budget Information:
 Appropriation Required: **NA**
 Budget amount available: **NA**
 Fund name: **NA**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Appeal and exhibit dated June 5, 2019**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Scott A. Wilkinson, City of Elko Assistant City Manager**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Aaron Martinez; P.E./Owner
AM Engineering aaron@amengineering.pro**

Scott A. Wilkinson

From: aaron@amengineering.pro
Sent: Wednesday, June 5, 2019 11:07 AM
To: Scott A. Wilkinson
Cc: Curtis Calder
Subject: Request for City Council Action
Attachments: C123.pdf

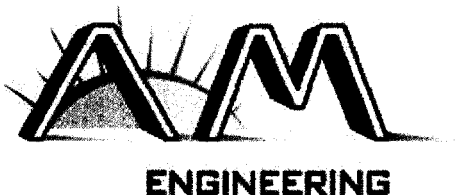
Good Afternoon Mr. Wilkinson,

As we discussed in your office, there has been an issue that has arisen at the Old Terminal Building at the Airport.

1. Based on a recent discovery there seems to be a secondary roof structure built upon the original roof structure at the facility.
 - a. Per that development, WC3 has requested documentation on that item
 - b. Based on today's discussion, a permit has not been found.
 - i. Design and Construction by City of Elko, or sub consultants
 - c. If no Permit is found, we were told by Mike Molyneux, P.E. (WC3 Company) that a full Forensic and Structural analysis will be required to then prove the competency of the additional roof structure and its construction
 - i. I believe this to be unjustified, as that design and construction was previously paid for, presumably permitted and accepted by the City of Elko, for the Elko Airport
 - d. We propose to Operate under the Compliance Alternatives (2009 IBC, CHAPTER 34, SECTION 3412) of the building code to mitigate any remaining concerns about the additional roof structure.
 - i. With the facility being upgraded with a full fire alarm and full fire sprinkler system, we propose to perform a 1 hour rating envelope
 - ii. See attached
 - e. Additional comments may come from WC3 in the short term and we request the opportunity to address any remaining items in the City Council meeting.

Thank you for your time.

Regards,



Aaron K. Martinez, P.E.
Principal Engineer / Owner
742 D Street

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ALL PENETRATIONS TO BE FILLED
WITH FIRE RATED $\frac{5}{8}$ " GYPS BOARD



**Elko City Council
Agenda Action Sheet**

1. Title: **Second reading of Ordinance No. 839, an ordinance amending Title 2, Chapters 2, 3, 4, 5, 6, 7, 8 & 13 of the Elko City Code entitled “Building Regulations” by adding 2018 International code, and corresponding amendments, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **10 Minutes**
5. Background Information: **On January 9, 2018, Council directed Staff to initiate the adoptions of the 2018 International Building Codes and initiate a Business Impact Statement. On May 14, 2019 Council found that Ordinance No. 839 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019 Council approved first reading of ordinance 839. KW**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Completed**
8. Supplemental Agenda Information: **Copy of Ordinance No. 839**
9. Recommended Motion: **Approve Second Reading of Ordinance No. 839.**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Council Agenda Distribution:

Ordinance 839

AN ORDINANCE AMENDING TITLE 2 CHAPTERS 2, 3, 4, 5, 6, 7, 8, & 13 OF THE ELKO CITY CODE ENTITLED "BUILDING REGULATIONS" BY ADDING 2018 INTERNATIONAL CODE, AND CORRESPONDING AMENDMENTS, AS WELL AS MATTERS RELATED THERETO.

Whereas, the City has reviewed and determined that it is necessary to adopt the 2018 Administrative Code as the source pertaining to the administration of building regulations and requirements for the City of Elko.

Whereas, the City has determined that updating the building codes is the most effective and efficient method of creating safe environments, and the majority of cities in Nevada are using the 2018 International Building Codes.

Whereas, the City has determined that it is necessary to make changes to the Building Code Amendments
NOW THEREFORE, IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELKO, NEVADA.

For amendment purposes, words which are in blue, bold and underlined are additions to the Ordinance, and words which ~~are red-lined through~~ are deleted from the Ordinance.

Section 1: Title 2 Chapter 2, 3, 4, 5, 6, 7, 8 & 13 are hereby amended to read as follows:

Chapter 2

BUILDING CODE

2-2-1: BUILDING CODE PROVISIONS:

2-2-2: BUILDING CODE AMENDMENTS:

2-2-1: BUILDING CODE PROVISIONS:

Title: This chapter will be known as the *INTERNATIONAL BUILDING CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2009 international building code with appendices C, E, F, G, H, I and J~~, 2018 International Building Code- with Appendices C, E, H, I, J and O.

- A. Certain sections of the international building code and appendices may be added or deleted.
- B. Applicability: All construction of, or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element, or portion of a building or structure within the city must be in compliance with, in addition to, the other applicable codes or amendments set forth by the city council and the latest edition of the international building code. (Ord. 723, 2-8-2011)

2-2-2: BUILDING CODE AMENDMENTS:

All building construction work and the inspections thereof must be in conformity with the provisions of this code and with the latest edition of the International Building code, which is hereby adopted by the city, with the following specific deletions and additions:

Chapter 1 - Scope and Administration

Chapter 1 Scope and Administration is deleted in its entirety and replaced by city of Elko ordinance no. 722, title 2, chapter 1, "Building Regulations Administrative Code", of the city code.

Chapter 2 – Definitions

Section 202 - Definitions.

Amend section 202 to include the following new definitions:

Surcharge: A vertical load imposed on the retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soil. Examples include:

- Sloped retained soil.
- Structure footings supported by the retained soil.
- Adjacent vehicle loads supported by the retained soil.

Chapter 3 - Occupancy Classification and Use

~~Section 303—Assembly Group A-~~

~~303.1 Assembly Group A-~~

~~Revise section 303.1 subsection A-2 as follows:~~

~~A-2 Assembly uses intended for food and/or drink consumption including, but not limited to:~~

~~Banquet halls~~

~~Night clubs~~

~~Restaurants~~

~~Taverns and bars~~

~~Casinos~~

~~The remainder of this section remains unchanged.~~

SECTION 305.2 GROUP E, DAY CARE FACILITIES

Amend Section 305.2 to read as follows:

305.2 Group E, day care facilities. This group includes buildings and structures, or portions thereof occupied by more than six children older than 2 ½ years of age who receive educational, supervision or *personal care services* for fewer than 24 hours per day.

305.2.1 Within places of religious worship. Rooms and spaces within *places of religious worship* providing such day care during religious functions shall be classified as part of the primary occupancy.

305.2.2 Six or fewer children. A facility having six or fewer children receiving such day care shall be classified as part of the primary occupancy.

305.2.3 Six or fewer children in a dwelling unit. A facility such as the above within a *dwelling unit* and having six or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.

Section 308 - Institutional Group I.

Amend Section 308.2 to read as follows:

SECTION 308.2 INSTITUTIONAL GROUP I-1

Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.2.1 or 308.2.2. This group shall include, but not be limited to, the following:

Alcohol and drug centers
Assisted living facilities
Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

308.2.1 Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

308.2.2 Condition 2. This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

308.2.3 Six to 16 persons receiving custodial care. A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as Group R-4.

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial 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 Section P2904 of the *International Residential Code*.

308.2.5 Board of Health. 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.

~~Revise sections 308.3.1, 308.5, 308.5.2 to read as follows:~~

~~308.3.1 Definitions:~~

~~The following words and terms will, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.~~

~~Child Care Facilities. Facilities that provide care on a 24-hour basis to more than six children, 2¹/₂-years of age or less.~~

~~Other definitions remain unchanged.~~

~~308.5 Group I-4, Day Care Facilities.~~

~~This group includes buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for. A facility such as the above with six or fewer persons must be classified as a group R-3 or must comply with the international residential code in accordance with section 101.2. Places of worship during religious functions are not included.~~

~~Section 308.5.1~~

~~308.5.2 Child Care Facility.~~

~~A facility that provides supervision and personal care on less than a 24-hour basis for more than six children 2½ years of age or less must be classified as a group I-4.~~

Section 308.5 Institutional Group I-4, day care facilities

Amend Section 308.5 to read as follows:

308.5 Institutional Group I-4, day care facilities. Institutional Group I-4 occupancy shall include buildings and structures occupied by more than six persons of any age who receive *custodial care* for fewer than 24 hours per day 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

308.5.1 Classification as Group E. A child day care facility that provides care for more than six but not more than 100 children 2 ½ 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.

308.5.2 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.

308.5.3 Six or fewer persons receiving care. A facility having six or fewer persons receiving *custodial care* shall be classified as part of the primary occupancy.

308.5.4 Six or fewer persons receiving care in a dwelling unit. A facility such as the above within a *dwelling unit* and having six or fewer persons receiving *custodial care* shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.

~~Section 310—Residential Group R.~~

~~Revise section 310 as follows:~~

~~310.1 Residential Group R.~~

~~Revise as follows:~~

~~Residential group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an institutional group I or when not regulated by the international residential code in accordance with section 101.2. Residential occupancies must include the following:~~

~~R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:~~

~~Boarding houses (transient)~~

~~Hotels (transient)~~

~~Motels (transient)~~

~~Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for group R-3.~~

~~Brothels~~

Section 310.2 Residential Group R-1

Amend Section 310.2 to read as follows:

310.2 Residential Group R-1. Residential Group R-1 occupancies containing *sleeping units* where the occupants are primarily *transient* in nature, including:

Boarding houses (transient) with more than 10 occupants

Brothels

Congregate living facilities (transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

~~R-2~~

~~Revise as follows:~~

~~Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:~~

~~Apartment houses~~

~~Boarding houses (non-transient)~~

~~Condominiums (non-transient) Convents~~

~~Dormitories~~

~~Fraternities and sororities~~

~~Hotels (non-transient)~~

~~Live/work units~~

~~Monasteries~~

~~Motels (non-transient)
Vacation timeshare properties~~

~~R-3~~

~~Revise as follows:~~

~~R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as group R-1, R-2, R-4 or I, including:~~

~~1) Buildings that do not contain more than two dwelling units.~~

~~2) Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.~~

~~3) Child care facilities that provide accommodations for six or fewer persons of any age for less than 24 hours.~~

~~4) Congregate living facilities with 16 or fewer persons.~~

~~5) Adult care and child care facilities that are within a single-family home are permitted to comply with the international residential code.~~

~~Remainder of section 310.1 to remain unchanged.~~

~~Section 311—Storage Group S:~~

~~Revise section 311.2 to add one item to read as follows:~~

Group 311.2 Moderate-hazard storage, Group S-1

311.2 Moderate-Hazard Storage, Group S-1.

Buildings occupied for storage uses that are not classified as group S-2, including, but not limited to, storage of the following:

Amend Section 311.2 to read as follows:

~~Add self-service storage facility~~

Aerosol products, Levels 2 and 3

Aircraft hangar (storage and repair)

Bags: cloth, burlap and paper

Bamboos and rattan

Baskets

Belting: canvas and leather

Books and paper in rolls or packs

Boots and shoes

Buttons, including cloth covered, pearl or bone

Cardboard and cardboard boxes

Clothing, woolen wearing apparel

Cordage

Furniture

Furs

Glues, mucilage, pastes and size

Grains

Horns and combs, other than celluloid

Leather

Linoleum

Lumber

Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials listed in Table 307.1(1) (see Section 406.8)

Photo engravings

Resilient flooring

Self-service storage facility (mini-storage)

Silks

Soaps

Sugar

Tires, bulk storage of

Tobacco, cigars, cigarettes and snuff

Upholstery and mattresses

Wax candles

~~Chapter 4—Special Detailed Requirements Based On Use And Occupancy~~

~~Section 403—High Rise Buildings:~~

~~Revise section 403 as follows:~~

~~403.1 Applicability:~~

~~High-rise buildings having occupied floors located more than fifty-five feet (55') above the lowest level of fire department vehicle access must comply with sections 403.2 through 403.6.~~

~~Exception:~~

~~The provisions of sections 403.2 through 403.6 must not apply to the following buildings and structures:~~

- ~~1. Airport traffic control towers in accordance with section 412.3.~~
- ~~2. Open parking garages in accordance with section 406.3.~~
- ~~3. Special industrial occupancies in accordance with section 503.1.1~~

Section 403.5.4 Smoke proof enclosures

Amend Section 403.5.4 to read as follows:

403.5.4 Smoke proof enclosures. Every required interior exit stairway serving floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be a smoke proof enclosure in accordance with Sections 909.20 and 1023.11

Revise section 404.3 to read as follows, deleting exception nos. 1 and 2:

[F] 404.3 Automatic Sprinkler Protection.

An approved automatic sprinkler system must be installed throughout the entire building.

Section 406 - Motor-Vehicle-Related Occupancies.

Revise as follows:

406.1 Area Increase (Private Garages and Carports).

Add a new exception after last paragraph of section 406.1.2 to read as follows:

406.1.2 Area Increase.

Group U occupancies used for the storage of private or pleasure-type motor vehicles where no repair work is completed or fuel is dispensed are permitted to be 3,000 square feet (279 m²) when the following provisions are met:

1. For a mixed occupancy building, the exterior wall and opening protection for the group U portion of the building must be as required for the major occupancy of the building. For such a mixed occupancy building, the allowable floor area of the building must be as permitted for the major occupancy contained therein.
2. For a building containing only a group U occupancy, the exterior wall must not be required to have a fire-resistance rating and the area of openings must not be limited when the fire separation distance is 5 feet (1524 mm) or more.

More than one 3,000-square-foot (279 m²) group U occupancy must be permitted to be in the same building, provided each 3,000-square-foot (279 m²) area is separated by fire walls complying with section 705.

Exception: Noncombustible carports may be of unlimited area when they are open on all sides, not over twelve feet (3658 mm) in height and located a minimum of 5 feet (1524 mm) from any property line or assumed property line, measured from the roof edge.

406.1.4 Separation (Private Garages and Carports).

Revise section 406.1.4 by adding item nos. 4 and 5 as follows:

406.1.4 Separation.

Separations must comply with the following:

1. Unchanged.
2. Unchanged.
3. Unchanged.
4. Noncombustible carports do not require exterior wall and opening protection when they are open on all sides, not over twelve feet (3658 mm) in height and located a minimum of 5 feet (1524 mm) from any property line or assumed property line, as measured from the roof edge.
5. When a group B, F, M, R, or S occupancy structure and a noncombustible carport are located on the same property with a minimum separation of ten feet (3048 mm) between the structure and the carport, as measured from the roof edges, exterior wall and opening protection is not required for either structure.

406.4.2 Ventilation (Enclosed Parking Garages).

Revise section 406.4.2 as follows:

406.4.2 Ventilation.

A mechanical ventilation system must be provided in accordance with the uniform mechanical code.

Exceptions:

(1) A mechanical ventilation system must not be required in an enclosed parking garage when openings complying with section 406.3.3.1 are provided.

(2) A mechanical ventilation system must not be required in an enclosed parking garage having a floor area of 1,000 ft² or less and used for the storage of five (5) or less private motor vehicles.

406.4.2.1 Minimum Ventilation.

The mechanical ventilation system must be capable of producing a ventilation rate of 0.75 cfm per square foot (0.0038 m³/s.m²) of floor area.

Exception:

When approved by the city of Elko, the mechanical ventilation system may be designed to exhaust a minimum of 14,000 cfm (6.61 m³/s) for each operating vehicle. Such system must be based on the anticipated instantaneous movement rate of vehicles, but not less than 2.5 percent of the garage capacity, or one vehicle, whichever is greater.

406.4.2.2 Intermittent Operation.

The mechanical ventilation system is not required to operate continuously where approved automatic carbon monoxide sensing devices are provided to operate the system automatically to maintain a maximum average concentration of carbon monoxide of 50 parts per million during any eight-hour period, with a maximum concentration not greater than 200 parts per million for a period not exceeding one hour.

406.4.2.3 Occupied Spaces Accessory To Public Garages.

Connecting offices, waiting rooms, ticket booths and similar uses that are accessory to a public garage must be supplied with conditioned air and maintained at a positive pressure.

406.6.3 Ventilation (Repair Garages).

Revise section 406.6.3 as follows:

406.6.3 Ventilation.

Repair garages must be mechanically ventilated in accordance with the uniform mechanical code. The ventilation system must be controlled at the entrance to the garage.

406.6.3.1 Minimum Ventilation.

The mechanical ventilation system must be capable of producing a ventilation rate of 1.5 cfm per square foot (0.0076 m³/s.m²) of floor area. Each engine repair stall must be equipped with an exhaust pipe extension duct, extending to the outside of the building, which, if over 10 feet (3048 mm) in length, must mechanically exhaust 300 cfm (0.142 m³/s).

406.6.3.2 Occupied Spaces Accessory To Repair Garages.

Connecting offices, waiting rooms and similar uses that are accessory to a repair garage must be supplied with conditioned air and maintained at a positive pressure.

Section 419 - Live/Work Units.

Revise section 419.5 as follows:

419.5 Fire Protection.

The live/work unit must be provided with a monitored fire alarm system where required by section 907.2.9 and an automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2.

Chapter 5 - General Building Heights and Areas

Section [F] 501.2 Address Identification.

Revise section [F] 501.2 as follows:

[F] 501.2 Address Identification.

New and existing buildings must be provided with approved address numbers or letters. Each character must be a minimum 6 inches (152 mm) high and a minimum of 0.5 inch (12.7 mm) wide. They must be installed on a contrasting background and be plainly visible from the street or road fronting the property. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means must be used to identify the structure.

Section 507 - Unlimited Area Buildings.

507.2 Non-Sprinklered, One Story (Unlimited Area Buildings).

Revise section 507.2 as follows:

507.2 Nonsprinklered, Group F-2 Or S-2, One Story.

The area of a group F-2 or S-2 building no more than one story in height must not be limited when the building is surrounded and adjoined by public ways or yards not less than 60 feet (18 288 mm) in width and the building is provided with an automatic sprinkler system throughout when required by section 903.2 or the international fire code.

Chapter 6 - Types of Construction

Section 603 - Combustible Material In Type I And II Construction.

603.1.2 Piping (Buildings Of Type I/II Construction).

Revise section 603.1.2 as follows:

603.1.2 Piping.

The use of combustible piping materials must be permitted when installed in accordance with the following:

603.1.2.1 Equipment Rooms.

Combustible piping must be permitted to be installed in an equipment room that is enclosed by 2-hour fire-resistance rated construction and protected throughout by automatic sprinklers. The combustible piping must be permitted to be extended from the equipment room to other rooms provided the piping is encased in an approved, dedicated 2-hour fire-resistance rated assembly. Where such combustible piping penetrates a fire-resistance rated wall and/or floor/ceiling assembly, the penetration must be protected by a through-penetration firestop system that is listed for the specific piping material and that has F and T ratings not less than the required fire-resistance rating of the penetrated assembly. The combustible piping must not penetrate more than a single floor.

603.1.2.2 Chemical Waste Systems.

Combustible piping must be permitted to be installed for chemical waste and vent systems when the chemical

waste would otherwise react with noncombustible piping. Combustible piping serving such systems must be protected as required in section 603.1.2.1.

603.1.2.3 Medical Water Systems.

Combustible piping is permitted to be installed for purified water systems that are used in conjunction with medical treatment systems, such as dialysis. Combustible piping serving such systems must be protected as required in section 603.1.2.1.

603.1.2.4 Bars and Soda Fountains.

Combustible piping is permitted to be installed for distribution/process systems that serve bars and soda fountains. Combustible piping serving such systems must either be installed below a fire-resistance rated slab-on-grade, protected as required in section 603.1.2.1, or sleeved within noncombustible EMT conduit or metal piping from the room of origin to the area of end use. Where combustible piping serving bars and soda fountains is sleeved within noncombustible EMT conduit or metal piping, the end points of the conduit or pipe must be sealed in accordance with Nevada state health division requirements.

603.1.2.5 Fire Sprinkler Systems.

CPVC piping that is specifically listed and labeled for fire protection use is permitted to be installed for fire sprinkler system piping provided that it is installed in accordance with its listing, the manufacturer's installation requirements, and the international building code.

603.1.2.6 Under Slab-On-Grade.

Combustible piping is permitted to be installed under a fire-resistance rated slab-on-grade provided the transition from combustible to noncombustible piping occurs entirely below the slab-on-grade. The transition from combustible to noncombustible piping is permitted to occur within an equipment room directly above the slab-on-grade when the room is protected as required in section 603.1.2.1.

Chapter 9 - Fire Protection Systems

SECTION 902.1 HIGH-RISE BUILDINGS

Amend Section 902.1 to read as follows:

902.1 High-rise buildings. Any building having occupied floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall comply with the requirements of Sections 902.1.1 and 902.1.2.

~~Section 903.2.7 Group M.~~

~~Revise section 903.2.7 as follows:~~

~~[F] 903.2.7 Group M.~~

~~An automatic sprinkler system must be provided throughout buildings containing a group M occupancy where one of the following conditions exists:~~

~~1. A group M fire area exceeds 12,000 square feet (1115 m²).~~

~~2. A group M fire area is located more than three stories above grade plane.~~

~~3. The combined area of all group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).~~

~~4. A group M occupancy which primary purpose is used for the display and sale of upholstered furniture, mattresses or box springs.~~

Section 906 Portable Fire Extinguishers

Amend to Section 906 to read as follows:

Refer to the 2018 Editions of the International Fire Code and the 2018 Northern Nevada Fire Amendments.

Section 910.2 Where required

Amend Section 910.2 to read as follows:

910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 and 910.2.2.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

2. Automatic smoke and heat vents are not required within areas of buildings equipped with early suppression fast-response (ESFR) sprinklers unless the area of Group F-1 or S-1 occupancy protected with the ESFR sprinklers has an exit access travel distance of more than 250 feet (76 200mm).

3. Smoke and heat removal shall not be required in areas of buildings equipped with control mode special application sprinklers with a response time index of 50 (m x S)1/2 or less that are listed to control a fire in stored commodities with 12 or fewer sprinkle.

Chapter 10 - Means of Egress

~~Section 1006 – Means Of Egress Illumination.~~

~~1006.3 Illumination Emergency Power.~~

~~Revise section 1006.3 as follows:~~

~~1006.3 Illumination Emergency Power.~~

~~The power supply for means of egress illumination must normally be provided by the premises' electrical supply. In the event of power failure, an emergency electrical system must automatically illuminate all of the following areas:~~

~~1. Aisles and unenclosed egress stairways in rooms and spaces that require two or more means of egress.~~

~~2. Corridors, exit enclosures and exit passageways in buildings required to have two or more exits.~~

~~3. Exterior egress components at other than their levels of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.~~

~~4. Interior exit discharge elements, as permitted in section 1027.1, in buildings required to have two or more exits.~~

~~5. Exterior landings as required by section 1008.1.6 for exit discharge doorways in buildings required to have two or more exits.~~

~~6. Electrical equipment rooms, fire command centers, fire pump rooms, PBX rooms, and generator rooms.~~

~~7. Public restrooms which are greater than 64 square feet (5.9 square meters) and accessed by means of egress components which are required to have emergency illumination.~~

~~The emergency power system must provide power for a duration of not less than 90 minutes and must consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system must be in accordance with chapter 27.~~

~~Section 1007—Accessible Means Of Egress.~~

~~Revise section 1007.1 as follows:~~

~~1007.1 Accessible Means Of Egress Required.~~

~~Accessible means of egress must comply with this section. Accessible spaces must be provided with not less than one accessible means of egress. Where more than one means of egress are required by section 1015.1 or 1021.1 from any accessible space, each accessible portion of the space must be served by not less than two accessible means of egress.~~

~~Exceptions:~~

~~1. Accessible means of egress are not required in alterations to existing facilities.~~

~~2. One accessible means of egress is required from an accessible mezzanine level in accordance with section 1007.3, 1007.4 or 1007.5.~~

~~3. In assembly areas with sloped or stepped aisles, one accessible means of egress is permitted where the common path of travel from the wheelchair space is accessible and meets the requirements in section 1028.8.~~

~~Section 1008—Doors, Gates And Turnstiles.~~

~~1008.1.5 Floor Elevation (Doors).~~

~~Revise section 1008.1.5 as follows:~~

~~1008.1.5 Floor Elevation.~~

~~There must be a floor or landing on each side of a door. Such floor or landing must be at the same elevation on each side of the door. Landings must be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 units vertical in 12 units horizontal (2-percent slope).~~

~~Exceptions:~~

~~1. Unchanged.~~

~~2. Unchanged.~~

~~3. Unchanged.~~

~~4. Unchanged.~~

~~5. Unchanged.~~

6. A single step with a maximum height of 7 inches (178 mm) is permitted for doors serving building equipment rooms that are not normally occupied and are not required to be accessible by chapter 11.

1008.1.8 Door Arrangement.

Revise section 1008.1.8 by adding exception 4 as follows:

1008.1.8 Door Arrangement.

Space between two doors in a series must be 48 inches (1219 mm) minimum plus the width of a door swinging into the space. Doors in a series must swing either in the same direction or away from the space between the doors.

Exceptions:

1. The minimum distance between horizontal sliding power-operated doors in a series must be 48 inches (1219 mm).
2. Storm and screen doors serving individual dwelling units in groups R-2 and R-3 need not be spaced 48 inches (1219 mm) from the other door.
3. Doors within individual dwelling units in groups R-2 and R-3 other than within type A dwelling units.
4. The space between doors serving access vestibules of smoke proof enclosures must be permitted to be in accordance with section 909.20.1.

1008.1.9.10 Stairway Doors.

Revise section 1008.1.9.10 as follows:

1008.1.9.10 Stairway Doors.

Interior stairway means of egress doors must be operable from both sides without the use of a key or special knowledge or effort.

Exceptions:

1. Stairway discharge doors must be openable from the egress side and must only be locked from the opposite side.
2. This section does not apply to doors arranged in accordance with section 403.5.3.
3. In stairways serving buildings other than high-rise buildings, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side. Except for exit discharge doors, the stairway doors must be automatically unlocked simultaneously without unlatching upon any of the following: a signal from the fire command center, if present, or a signal by emergency personnel from an approved location inside the building; activation of a fire alarm system or a fire sprinkler system in an area served by the stairway; or failure of the power supply.
4. Upon approval of the city of Elko, stairway doors opening directly into privately owned residential units or leased tenant spaces are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side. The doors are permitted to unlock without unlatching only upon signal from the fire command center, if present, or a signal by emergency personnel from an approved location inside the building.

1010.1.10 Panic and fire exit hardware

Amend Section 1010.1.10 to read:

1010.1.10 Panic and fire exit hardware. Swinging doors serving a Group H occupancy and swinging doors serving rooms or spaces with an occupant load of 50 or more in a Group A or E occupancy shall not be provided with a latch or lock other than panic hardware or fire exit hardware.

Exceptions:

1. A main exit of a Group A occupancy shall be permitted to have locking devices in accordance with Section 1010.1.9.4, Item 2.

2. Doors provided with panic hardware or fire exit hardware and serving a Group A or E occupancy shall be permitted to be electrically locked in accordance with Section 1010.1.9.9 or 1010.1.9.10.

Electrical rooms with equipment rated 800 amperes or more and over 6 feet (1829 mm) wide, and that contain overcurrent devices, switching devices or control devices with exit or exit access doors, shall be equipped with panic hardware or fire exit hardware. The doors shall swing in the direction of egress travel.

~~Section 1015—Exit And Exit Access Doorways.~~

~~Revise section 1015.2.2 as follows:~~

~~1015.2.2 Three Or More Exits Or Exit Access Doorways.~~

~~Where access to three or more exits is required, at least two exit doors or exit access doorways must be arranged in accordance with the provisions of section 1015.2.1. Additional exits or exit access doorways must be distributed so that if one becomes blocked, the others will be available.~~

~~Section 1022—Exit Enclosures.~~

~~Revise section 1022.9 as follows:~~

~~1022.9 Smokeproof Enclosures And Pressurized Stairways.~~

~~In buildings required to comply with section 403 or 405, each of the exit enclosures serving a story with a floor surface located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the finished floor of a level of exit discharge serving such stories must be a smokeproof enclosure or pressurized stairway in accordance with section 909.20. Pressurization must occur automatically upon activation of an approved fire alarm system.~~

~~Section 1024—Luminous Egress Path Markings.~~

~~Revise section 1024.1 as follows:~~

~~1024.1 General.~~

~~Approved luminous egress path markings delineating the exit path must be provided in exit enclosures in buildings of groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access in accordance with sections 1024.1 through 1024.5.~~

~~Exceptions:~~

~~1. Luminous egress path markings are not required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with section 1027.1, exception 1.~~

2. Luminous egress path markings are not required in areas of open parking garages that serve as part of the exit path in accordance with section 1027.1, exception 3.

3. Luminous egress path markings are not required in exit enclosures that do not serve a story located more than 55 feet above the lowest level of fire department vehicle access.

Section 1026—Exterior Exit Ramps And Stairways.

Revise section 1026.2 as follows:

1026.2 Use As A Means Of Egress.

Exterior exit stairways must not be used as an element of a required means of egress for group I-2 occupancies. For occupancies in other than group I-2, exterior exit ramps and stairways must be permitted as an element of a required means of egress for buildings not exceeding six stories above grade plane or having occupied floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

Chapter 11—Accessibility

Section 1102—Definitions.

Revise section 1102.1, "Self-Service Storage Facility" definition as follows:

Section 1102.1, Self-Service Storage Facility.

Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing property on a self-service basis.

Section 1107—Dwelling Units And Sleeping Units.

Revise section 1107.6.2.1 as follows:

1107.6.2.1 Apartment Houses, Condominiums, Monasteries And Convents.

Type A units and type B units must be provided in apartment houses, condominiums, monasteries and convents in accordance with sections 1107.6.2.1.1 and 1107.6.2.1.2.

Chapter 12—Interior Environment

Section 1203—Ventilation.

1203.1 General.

Revise section 1203.1 as follows:

1203.1 General.

Buildings must be provided with natural ventilation in accordance with section 1203.4, or mechanical ventilation in accordance with the uniform mechanical code or section 1203.6.

1203.4.1.3 Guest Rooms And Habitable Rooms.

Add new sections 1203.4.1.3, 1203.4.1.4, and 1203.4.1.5 as follows:

1203.4.1.3 Guest Rooms And Habitable Rooms.

Guest rooms and habitable rooms within a dwelling unit or congregate residence in R occupancies, when provided with natural ventilation by means of openable exterior openings, must be provided with a minimum

ventilation area of 5 square feet (0.46 m²).

1203.4.1.4 Bathrooms, Water Closets, Laundry Rooms And Similar Rooms In R Occupancies.

Bathrooms, water closet compartments, laundry rooms and similar rooms in R occupancies, when provided with natural ventilation by means of openable exterior openings, must be provided with a minimum ventilation area of 1.5 square feet (0.14 m²).

1203.4.1.5 Toilet Rooms.

Toilet rooms, when provided with natural ventilation by means of openable exterior openings, must be provided with a minimum ventilation area of 3 square feet (0.28 m²), or a vertical duct not less than 100 square inches (64 516 mm²) in area for the first water closet plus 50 square inches (32 258 mm²) of additional area for each additional water closet.

1203.4.2.1 Bathrooms.

Delete section 1203.4.2.1 in its entirety without replacement.

1203.6 Mechanical Ventilation.

Add new section 1203.6 through 1203.6.5.2 as follows:

1203.6 Mechanical Ventilation.

Mechanically operated ventilation systems must be in accordance with the uniform mechanical code or sections 1203.6.1 through 1203.6.5.

1203.6.1 General.

In all enclosed portions of groups A, B, E, F, H, I, M and S occupancies customarily occupied by human beings, when mechanically operated ventilation systems are provided in lieu of required exterior openings for natural ventilation, such system must be capable of supplying a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at a register exceeds 10 feet per second (3 m/s), the register must be placed more than 8 feet (2438 mm) above the floor directly beneath. Such exterior openings must open directly onto a public way or a yard or court as set forth in section 1206.

In toilet rooms, if mechanically operated systems are to be utilized for required ventilation, such systems must be capable of providing a complete change of air every 15 minutes. Such mechanically operated exhaust systems must be connected directly to the outside, and the point of discharge must be at least 3 feet (914 mm) from any opening that allows air entry into occupied portions of the building.

1203.6.2 Groups B, F, M And S Occupancies.

In all buildings classified as groups B, F, M and S occupancies or portions thereof where class I, II or III-A liquids are used, a mechanically operated exhaust ventilation system must be provided that is sufficient to produce a minimum of six air changes per hour. Such exhaust ventilation must be taken from a point at or near the floor level.

1203.6.3 Group H Occupancies.

All group H occupancies must comply with the international fire code, uniform mechanical code and section 415. In group H, division 5 occupancies, mechanical exhaust ventilation must be provided in accordance with 415.8.2.6, 415.8.4.3, 415.8.5.7, 415.8.10.2 and other appropriate sections of this code. Rooms, areas or spaces of group H occupancies in which explosive, corrosive, combustible, flammable or highly toxic dusts, mists, fumes, vapors or gases are or may be emitted due to the processing, use, handling or storage of materials must

be mechanically ventilated as required by section 414.3, the international fire code, and the uniform mechanical code.

~~1203.6.4 Group R Occupancies.~~

~~In group R occupancies, in lieu of required exterior openings for natural ventilation, a mechanically operated ventilation system may be provided. Such system must be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant during such time as the building is occupied.~~

~~In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub, shower or combination thereof, laundry rooms, and similar rooms, a mechanically operated ventilation system capable of providing a minimum of five air changes per hour must be provided. Such systems must be connected directly to the outside, and the point of discharge must be at least 3 feet (914 mm) from any opening that allows air entry into occupied portions of the building. Bathrooms that contain only a water closet, lavatory or combination thereof and similar rooms may be ventilated with an approved mechanical re-circulating fan or similar device designed to remove odors from the air.~~

~~1203.6.5 Motor Vehicle Related Occupancies.~~

~~1203.6.5.1 Repair Garage.~~

~~Ventilation in repair garages must be in accordance with section 406.6.3.~~

~~1203.6.5.2 Enclosed Parking Garages.~~

~~Ventilation in enclosed parking garages must be in accordance with section 406.4.2.~~

Section 1209.4 Baby Changing Tables

Amend Section 1209 by adding Section 1209.4 as follows:

1209.4 Baby Changing Tables. Diaper changing tables are required to be installed in both male, female and other restrooms, in permanent buildings that contain public restrooms as defined in chapter 29 of the 2018 IBC. Changing tables are required when any of the following occur: new buildings, tenant improvements, new restrooms, alteration of existing restrooms, new additions, change of uses that require updating existing restrooms with additions to those facilities. Changing tables shall meet the guidelines of 603.5, 309 and 902 of ANSI/ICC A117.1-2017.

Exceptions: A building or facility that does not have public restrooms or has been issued a permit or license which restricts the admission of children on the basis of age, shall be exempt from this requirement

Chapter 16 - Structural Design

~~Section 1603—Construction Documents.~~

~~1603.1 General.~~

~~Add exception #7 to section 1603.1 as follows:~~

~~7. Average dead loads for roofing and flooring materials.~~

~~Table 1607—Live Loads.~~

~~Table 1607.1 Minimum Uniformly Distributed Live Loads And Minimum~~

Concentrated Live Loads:

Add footnote "m" for item #27 in table 1607.1 as follows:
(Remainder of table and footnotes remain unchanged.)

| Occupancy Or Use | Uniform (psf) | Concentrated (lbs) |
|---|------------------|-----------------------|
| 27 Residential | - | - |
| One and two family dwellings | - | - |
| - Uninhabitable attics without storage ^{†m} | 10 | - |
| - Uninhabitable attics with limited storage ^{††,†,m} | 20 | - |
| - Habitable attics and sleeping areas | 40 | - |
| - All other areas | 40 | — |
| Hotels and multiple family dwellings | - | - |
| - Private rooms and corridors serving them | 40 | - |
| - Public rooms and corridors serving them | 100 | - |

m. Attics, designed per uniform loads described for uninhabitable attics, are not required to be designed for the additional concentrated load of item 31.

SECTION 1608.2 GROUND SNOW LOADS

Amend Section 1608.2 to read as follows:

Ground and roof snow loads shall be 30 pounds per square foot, minimum. Roof snow loads shall not be reduced for slope, as outlined in Chapter 7 of ASCE 7. For unheated structures, structures kept just above freezing, or for freezer buildings, the roof snow load shall be increased using the appropriate factor in Table 7.3-2 of ASCE 7-16.

Section 1609—Wind Loads:

1609.1.1 Determination Of Wind Loads:

Add a new exception #7 to subsection 1609.1.1 as follows:

Exceptions:

7. Solid and freestanding walls up to and including 10' 0" above the highest adjacent grade and designed using the provisions of ASCE 7 section 6.5.14 need only consider CASE A of figure 6-20 with a C_r factor equal to 1.40 and the resultant applied at the mid-height of the wall.

Section 1612—Flood Loads:

Revise section 1612.3 as follows:

1612.3 Establishment Of Flood Hazard Areas:

To establish flood hazard areas, the city must adopt a flood hazard map and supporting data. The flood hazard

map must include, at a minimum, areas of special flood hazard as identified by the federal emergency management agency in an engineering report entitled "The Flood Insurance Study For Elko County, Nevada And Incorporated Areas," most current edition, as amended or revised with the accompanying flood insurance rate map (FIRM) and flood boundary and floodway map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Chapter 17—Structural Tests And Special Inspections

Section 1704—Special Inspections.

1704.1.2 Report Requirement.

Revise subsection 1704.1.2 as follows:

1704.1.2 Report Requirement.

Special inspectors must keep records of required special inspections. The special inspector must furnish inspection reports to the City of Elko, and to the registered design professional in responsible charge. Reports must indicate that work inspected was or was not completed in conformance to approved construction documents. Discrepancies must be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies must be brought to the attention of the City of Elko and to the registered design professional in responsible charge in writing prior to the completion of that phase of the work. A final report documenting required special inspections and correction of any discrepancies noted in the inspections must be submitted to the city of Elko prior to the final inspection.

SECTION 1704.2 SPECIAL INSPECTIONS AND TESTS

Amend Section 1704.2 to read as follows:

1704.2 Special inspections and tests. Where application is made to the *building official* for construction as specified in Section 105, the owner or the owner's authorized agent, other than the contractor, shall employ one or more *approved agencies* to provide *special inspections* and tests during construction on the types of work specified in Section 1705 and identify the *approved agencies* to the *building official*. These *special inspections* and tests are in addition to the inspections by the *building official* that are identified in Section 110.

Exceptions:

1. *Special inspections* and tests are not required for construction of a minor nature or as warranted by conditions in the jurisdiction as *approved by the building official*.
2. Unless otherwise required by the *building official*, *special inspections* and tests are not required for Group R-3 occupancies as applicable in section 101.2 and Group U occupancies that are accessory to a residential occupancy including, but not limited to, those listed in Section 312.1.
3. *Special inspections* and tests are not required for portions of structures designed and constructed in accordance with the cold-formed steel light-frame construction provisions of Section 2211.1.2 or the conventional light-frame constructions provisions of Section 2308.
4. The contractor is permitted to employ the *approved agencies* where the contractor is also the owner.

1704.5 Masonry Construction.

Revise the exceptions in section 1704.5 as follows:

1704.5 Masonry Construction.

Masonry construction must be inspected and verified in accordance with the requirement of section 1704.5.1 through 1704.5.3, depending on the occupancy category of the building or structure.

Exception: Special inspections will not be required for:

1. Empirically designed masonry, glass-unit masonry or masonry veneer designed by section 2109, 2110, or chapter 14, respectively, or by chapter 5, 6, or 7 of TMS 402/ACI 530/ASCE 5, respectively, when they are part of structures classified as occupancy category I, II, or III in accordance with section 1604.5.

2. Masonry fireplaces, masonry heaters or masonry chimneys installed or constructed in accordance with section 2111, 2112, or 2113, respectively.

3. Masonry fences less than or equal to 8' 0" in height, retaining walls less than or equal to 6' 0" in height or combined masonry fences and retaining walls less than or equal to 14' 0" in overall height with the retaining wall portion less than or equal to 6' 0" in height and the fence portion less than or equal to 8' 0" in height provided that the walls are designed in accordance with chapter 2 of TMS 402/ACI 530/ASCE 5 with allowable stresses for masonry reduced by one half and $f'm$ does not exceed 1500 psi. Wall heights must be measured from the top of footing to top of wall.

1704.7 Soils.

Revise the exception in section 1704.7 as follows:

Exception:

Where section 1803 does not require reporting of materials and procedures for fill placement, the in-place dry density of the compacted fill must not be less than 90% of the maximum dry density at optimum moisture content determined in accordance with ASTM D 1557.

Table 1704.7 Required Verification And Inspection Of Soils.

Revise table 1704.7 as follows:

TABLE 1704.7

REQUIRED VERIFICATION AND INSPECTION OF SOILS

| Verification And Inspection Task | Continuous During Task Listed | Periodically During Task Listed |
|--|-------------------------------------|---------------------------------------|
| 1. Verify materials below shallow foundations are adequate to achieve the design bearing capacity. | — | X |
| 2. Verify excavations are extended to proper depth and have reached proper material. | — | X |
| 3. Perform classification and testing of compacted fill materials. | — | X |
| 4. Verify use of proper materials, densities and lift thicknesses during placement and compaction of compacted fill and other grading activities requiring special inspection. | — | X |
| - a. All soils not meeting the requirements of category b. | — | X |

| | | |
|--|----|----|
| - b. Moderately, highly or critically expansive soils, hydrocollapsible soils, soluble soils, and/or soils requiring chemical or mechanical (geosynthetics) stabilization are encountered. Construction or stabilization of cut or fill slopes exceeding 5 feet in height, or any site requiring that fill be placed on a natural slope, an existing cut slope, or an existing fill slope steeper than 5:1.— | X— | — |
| 5. Prior to placement of compacted fill, observe subgrade and verify that site has been prepared properly.— | — | X— |

Chapter 18 - Soils And Foundations

Section 1803—Geotechnical Investigations:

1803.2 Investigations Required:

Revise section 1803.2 as follows:

1803.2 Investigations Required:

Geotechnical investigations must be conducted in accordance with sections 1803.3 through 1803.5.

Geotechnical investigations must be prepared by a registered design professional. Recommendations included in the report and approved by the city of Elko must be incorporated in the construction documents. Geotechnical investigations must be required for all projects that require new foundations.

Exemptions. At the option of the city of Elko, the following projects may be exempted from having a geotechnical investigation:

1. Single story structures, additions, or remodels with a footprint less than 600 square feet.
2. Fences.
3. Site retaining walls less than 4 feet in retained height.
4. Mobile homes, trailers, modular buildings that do not have concrete or masonry foundations.
5. Pre-engineered carports.
6. Signs, light poles, and communication towers less than 40 feet in height.

1803.3.2 Minimum Exploration Requirements:

Add a new subsection 1803.3.2, Minimum Exploration Requirements, as follows:

Section 1803.2 Investigations required

Amend Section 1803.2 to read as follows:

1803.2 Investigations required. Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5.17

Exception: The *building official* need not require a geotechnical investigation where satisfactory data from adjacent areas is provided by a licensed design professional **available** that demonstrates an investigation is

not necessary for any of the conditions in Sections 1803.5.1 through 1803.5.6 and Sections 1803.5.10 and 1803.5.11.

1803.3.2 Minimum Exploration Requirements.

The minimum exploration requirements are as follows:

1. For areas less than or equal to one acre, a minimum of two explorations.
2. For areas greater than one acre, but less than five acres, a minimum of one exploration for the first acre and one for each additional two acres, or portion thereof.
3. For areas greater than five acres, but less than twenty acres, a minimum of three explorations plus one additional exploration for each three acres or fraction thereof above five.
4. For areas greater than twenty acres, a minimum of eight explorations plus one additional exploration for each five acres or fraction thereof above twenty.
5. Building additions of less than 2,000 square feet require a minimum of one exploration.
6. For signs, light poles, and communication towers whose locations are known and only that area of the site is to be developed, a minimum of one exploration is required.
7. The minimum depth of the exploration must be fifteen feet. Exploration depth must be increased as necessary to evaluate the suitability of the material within the foundation's depth of influence as determined by the registered design professional. The explorations can be terminated should refusal be encountered. However, at least three-fourths of the required explorations must be to the minimum depth. The geotechnical report must clearly state the refusal criteria. When information regarding the proposed structure and the final grades is made available, the registered design professional must determine if the explorations originally documented in the geotechnical report meet the depth requirements.

1803.5.8 Compacted Fill Material.

Add new items #8 and #9 to subsection 1803.5.8 as follows:

8. Flooding or jetting must not be used to compact fill material that will support footings or foundation systems.
9. Placement Procedures for Oversized Fill/Backfill Material.

No rock or similar irreducible material with a maximum dimension greater than 12 inches must be buried or placed in fills/backfills within five feet measured vertically, from the bottom of the footing or lowest finished floor elevation, whichever is lower, nor three feet measured horizontally from any footing, stemwall, basement wall or structural element, within the building pad. Oversized fill material must be placed so as to assure the filling of all voids with well-graded soil. Specific placement and inspection criteria must be stated in the geotechnical investigation. Continuous special inspection will be required during placement of any oversized fill material.

1803.6 Reporting.

Revise Amend section 1803.6 and add new items 5, 7, 13 through 22 as follows:

1803.6 Reporting.

Where geotechnical investigations are required, a written report of the investigation must be submitted to the

city of Elko by the owner or authorized agent at the time of permit application. The geotechnical report must include, but need not be limited to, the following information:

1. A plot showing the location of the test borings, excavations, and/or investigations. The plot must be dimensioned and must show the approximate location of all existing and proposed structures.
2. A complete record of the soil boring and penetration test logs and soil samples.
3. A record of the soil profile.
4. Depth to the water table, if encountered.
5. Anticipated approximate cut and fill depths.
6. Recommendations for foundation type and design criteria, including but not limited to: bearing capacity of natural or compacted soil; provisions to mitigate the effects of expansive soils; mitigation of the effects of liquefaction, differential settlement, and varying soil strength; and the effects of adjacent loads. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils. Provide supporting test data.
7. Caliche and cemented soils considerations, if encountered. Recommendations for the removal of caliche and cemented soils and/or the preparation and grading for foundations on caliche and cemented soils.
8. Expected total and differential settlement.
9. Deep foundation information in accordance with section 1803.5.5.
10. Special design and construction provisions for foundations of structures founded on expansive soils, as necessary.
11. Compacted fill material properties and testing in accordance with section 1803.5.8. Provide provisions to mitigate the effects of collapsible soils, soluble soils, uncontrolled fill, chemical heave, and corrosive soils.
12. Controlled low-strength material properties and testing in accordance with section 1803.5.9.
13. Soil classification by the unified soil classification system (ASTM D 2487). As an alternative, classification may be performed on a visual-manual basis (ASTM D 2488) in the field by an individual with a degree in civil engineering, engineering geology, geologic engineering, or geology. Backup data must be included for at least one sample for every two (2) excavations and/or borings distributed among the prominent horizons in the soil profile.
14. Classify the expansion level of the soil and specify the minimum embedment depth per table 1808.6.1.1.
15. Address, if applicable, the possible impacts on adjoining properties and mitigating measures to be undertaken.
16. Suitability of onsite soils for use as fill material.
17. Provide grading requirements for onsite and import soils (where applicable) including, but not limited to,

swell, solubility, and sulfates.

18. Geotechnical design considerations for drainage structures, as applicable.

19. Erosion control requirements, as applicable.

20. Anticipated structural loads and type of proposed structure.

21. Site class per table 1613.5.5, including all test data and supporting calculations.

22. All geotechnical reports must be current within the last 12 months. Any report older than 12 months must be accompanied by a wet sealed update letter addressing the current site conditions based on a recent site visit.

~~Section 1804—Excavation, Grading And Fill.~~

~~1804.3 Site Grading.~~

~~Revise section 1804.3 as follows:~~

~~1804.3 Site Grading.~~

~~The ground immediately adjacent to the foundation must be sloped away from the building at a slope of not less than one unit vertical in 20 units horizontal (5 percent slope) for a minimum distance of 10 feet (3048 mm) measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet (3048 mm) of horizontal distance, a 5 percent slope must be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose must be sloped a minimum of 1 percent along the flow line where located within 10 feet (3048 mm) of the building foundation. Impervious surfaces within 10 feet (3048 mm) of the building foundation must be sloped a minimum of 2 percent away from the building.~~

~~Exception:~~

~~Where low expansive, low collapsible, low soluble soil conditions occur or where an exterior asphalt or concrete surface abuts a building, the slope of the ground away from the building foundation is permitted to be reduced to not less than one unit vertical in 48 units horizontal (2 percent slope).~~

~~The procedure used to establish the final ground level adjacent to the foundation must account for additional settlement of the backfill.~~

Section 1805 - Damp-Proofing and Waterproofing.

1805.2.1 Floors.

Revise subsection 1805.2.1 as follows:

1805.2.1 Floors.

Damp-proofing materials for floors must be installed between the floor and the base course required by section 1805.4.1, except where a separate floor is provided above a concrete slab. Where installed beneath the slab, damp-proofing must consist of not less than 10-mil (.010 inch; 0.254 mm) polyethylene with joints lapped not less than 6 inches (152 mm) or other approved methods or materials. Where permitted to be installed on top of the slab, damp-proofing must consist of mopped-on bitumen, not less than 4-mil (.004 inch; 0.012 mm) polyethylene, or other approved methods or materials. Joints in the membrane must be lapped and sealed in accordance with the manufacturer's installation instructions.

SECTION 1807 2.1.1 ROCKERY RETAINING WALLS

Amend Section 1807.2 adding Section 1807.2.1.1 as follows:

1807.2.1.1 Rockery retaining walls.

Rockery retaining walls or rockery soil stabilization walls shall not be subject to surcharges, such as building foundations, adjacent retaining structures, slopes or vehicle surcharge. Rockery walls over four feet in height shall be engineered and shall have special inspection. The special inspection shall verify all of the specified items listed below. Wall height is determined from the bottom of the footing to the adjacent grade at the top of the wall. Structures adjacent to rockery wall shall be set back a minimum distance equal to the height of the wall. As described above, drainage shall be provided behind all engineered rockery walls. A global stability analysis shall be performed for all rockery walls that are terraced. No single tier shall exceed 8 feet in height. The Engineer shall specify on the construction documents:

1. Type and quality of rock.
2. Unit weight, if design exceeds 155 pcf.
3. Rock size in approximate diameter
4. Rock placement voids greater than 3" shall be filled
5. Drainage swale and system
6. Embedment
7. Wall face slope (batter 6v:1H recommended)
8. Mechanically stabilized earth, if specified

A Global Stability Analysis shall include the following:

1. Shall be stamped by a licensed geotechnical engineer.
2. Shall include a seismic evaluation representative of the location.
3. All results of the analysis shall be included in the report.

~~Section 1807 – Foundation Walls, Retaining Walls And Embedded Posts And Poles.~~

~~1807.2.4 Slope Stability Analysis.~~

~~Add a new subsection 1807.2.4 Slope Stability Analysis as follows:~~

~~1807.2.4 Slope Stability Analysis.~~

~~Retaining walls greater than ten feet in height must be required to submit a slope stability analysis performed by a registered design professional. Multiple terraced (also sometimes referred to as stacked or tiered) retaining walls with a total height of sixteen feet or more must require a slope stability analysis. Total height must be measured from the bottom of the foundation to the top of the retaining wall(s). The minimum factor of safety of 1.5 is required for all failure modes under static loading conditions.~~

1808.6.1 FOUNDATIONS

Amend Section 1808.6.1 to read as follows:

1808.6.1 Foundations. Foundations placed on or within the active zone of expansive soils shall be designed to resist differential volume changes and to prevent structural damage to the supported structure. Deflection and racking of the supported structure shall be limited to that which will not interfere with the usability and serviceability of the structure.

Foundations placed below where volume change occur or below expansive soil shall comply with the following provisions:

1. Foundations extending into or penetrating expansive soils shall be designed to prevent uplift of the supported structure.
2. Foundations penetrating expansive soils shall be designed to resist forces exerted on the foundation due to soil volume changes or shall be isolated from the expansive soil.

Post-tensioned slabs shall not be utilized in place of frost depth footing design unless super structure deflection and differential movement calculations are provided. The deflection calculations would need to show that the maximum combined frost and expansive soil heaving, as localized at slab edges, with resultant non-uniformly distributed deflections, as well as whole slab deflections would not result in super structure racking or excessive truss, roof or wall frame movement.

SECTION 1809.5 FROST PROTECTION

Amend Section 1809.5(1) to read as follows:

1809.5 Frost protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality. Refer to 2018 Northern Nevada Amendments Appendix Table R201.2(1) for requirements of local Authorities Having Jurisdiction.
2. Constructing in accordance with ASCE 32.
3. Erecting on solid rock.

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category I.
2. Area of 600 square feet (56 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction.
3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

~~Chapter 19—Concrete~~

~~Section 1910—Minimum Slab Provisions.~~

~~1910.1 General.~~

~~Revise section 1910.1 as follows:~~

~~1910.1 General.~~

~~The thickness of concrete floor slabs supported directly on the ground must not be less than 3¹/₂ inches (89 mm). A 10-mil (.010 inch; 0.254 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) must be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods must be used to retard vapor transmission through the floor slab.~~

~~Exception:~~

~~The vapor retarder is not required:~~

1. ~~For detached structures accessory to occupancies in group R-3, such as garages, utility buildings, or other unheated facilities.~~
2. ~~For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to~~

~~occupancies in group R-3.~~

~~3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.~~

~~4. From driveways, walks, patios and other flatwork which will not be enclosed at a later date.~~

~~5. Where approved based on local site conditions.~~

Chapter 23 — Wood

~~Section 2308—Conventional Light Frame Construction.~~

~~2308.9.8 Pipes In Walls.~~

~~Revise subsection 2308.9.8 as follows:~~

~~2308.9.8 Pipes In Walls.~~

~~Stud partitions containing plumbing, heating, or other pipes must be so framed and the joists underneath so spaced as to give proper clearance for the piping. Where a partition containing such piping runs parallel to the floor joists, the joists underneath such partitions must be doubled and spaced to permit the passage of such pipes and must be bridged. Where plumbing, heating, or other pipes are placed in or partly in a partition, necessitating the cutting of the soles or plates, a metal tie not less than 0.058 inch (1.47 mm) (16 galvanized gage) and 1³/₂ inches (38 mm) wide must be fastened to each plate across and to each side of the opening with not less than six 1³/₂" x 0.148" minimum nails.~~

Chapter 29 - Plumbing Systems

SECTION 2901.1 SCOPE

Amend Section 2901.5 to read as follows:

2901.1 Scope. The provisions of this chapter and the *Uniform Plumbing Code* shall govern the design, construction, erection and installation of plumbing components, appliances, equipment and systems used in *buildings* and structures covered by this code. Toilet and bathing rooms shall be constructed in accordance with Section 1209. The *International Fire Code*, *Uniform Plumbing Code* shall govern the use and maintenance of plumbing components, appliances, equipment and systems. The *International Existing Building code* and the *Uniform Plumbing Code* shall govern the alteration, repair, relocation, replacement and addition of plumbing components, appliances, equipment and systems.

SECTION 2902.1 MINIMUM NUMBER OF FIXTURES

Amend Section 2902.1 to read as follows:

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided in the minimum number as shown in Table 2902.1 based on the actual use of the building or space. Uses not shown in Table 2902.1 shall be considered individually by the code official. The number of occupants shall be determined by this code. Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction.

TABLE 2902.1 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

Amend Table 2902.1 to read as follows:

[P] TABLE 2902.1
 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 2902.1.1 and 2902.2)

| No. | CLASSIFICATION | DESCRIPTION | WATER CLOSETS | | LAVATORIES | | BATHTUBS/ SHOWERS | DRINKING FOUNTAINS | OTHER |
|-----|----------------|--|---|--|---|--------|----------------------|--------------------|----------------|
| | | | Male | Female | Male | Female | | | |
| 1 | Assembly | Theaters and other buildings for the performing arts and motion pictures ^d | 1 per 125 | 1 per 65 | 1 per 200 | | — | 1 per 500 | 1 service sink |
| | | Nightclubs, bars, taverns, dance halls and buildings for similar purposes ^d | 1 per 40 | 1 per 40 | 1 per 75 | | — | 1 per 500 | 1 service sink |
| | | Restaurants, banquet halls and food courts ^d | 1 per 75 | 1 per 75 | 1 per 200 | | — | 1 per 500 | 1 service sink |
| | | Casino gaming areas | 1 per 100 for the first 400 and 1 per 250 for the remainder exceeding 400 | 1 per 50 for the first 400 and 1 per 150 for the remainder exceeding 400 | 1 per 250 for the first 750 and 1 per 500 for the remainder exceeding 750 | | — | 1 per 1,000 | 1 service sink |

[P] TABLE 2902.1—(continued)
 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 2902.1.1 and 2902.2)

| No. | CLASSIFICATION | DESCRIPTION | WATER CLOSETS ^b | | LAVATORIES | | BATHTUBS/ SHOWERS | DRINKING FOUNTAINS | OTHER |
|-----|----------------|--|--|---|------------|-----------|----------------------|-----------------------|----------------|
| | | | Male | Female | Male | Female | | | |
| 1 | Assembly | Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums ^d | 1 per 125 | 1 per 65 | 1 per 200 | | — | 1 per 500 | 1 service sink |
| | | Passenger terminals and transportation facilities ^d | 1 per 500 | 1 per 500 | 1 per 750 | | — | 1 per 1,000 | 1 service sink |
| | | Places of worship and other religious services ^d | 1 per 150 | 1 per 75 | 1 per 200 | | — | 1 per 1,000 | 1 service sink |
| | | Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities | 1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500 | 1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520 | 1 per 200 | 1 per 150 | — | 1 per 1,000 | 1 service sink |
| | | Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities ^f | 1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500 | 1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520 | 1 per 200 | 1 per 150 | — | 1 per 1,000 | 1 service sink |

| | | | | | | | |
|----------|-------------------------------|--|--|--|-----------------|------------------|-----------------------------------|
| <u>2</u> | <u>Business</u> | <u>Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial, ambulatory care and similar uses</u> | <u>1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50</u> | <u>1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80</u> | <u>—</u> | <u>1 per 100</u> | <u>1 service sink^e</u> |
| <u>3</u> | <u>Educational</u> | <u>Educational facilities</u> | <u>1 per 50</u> | <u>1 per 50</u> | <u>—</u> | <u>1 per 100</u> | <u>1 service sink</u> |
| <u>4</u> | <u>Factory and industrial</u> | <u>Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials</u> | <u>1 per 100</u> | <u>1 per 100</u> | <u>—</u> | <u>1 per 400</u> | <u>1 service sink</u> |
| <u>5</u> | <u>Institutional</u> | <u>Custodial care facilities</u> | <u>1 per 10</u> | <u>1 per 10</u> | <u>1 per 8</u> | <u>1 per 100</u> | <u>1 service sink</u> |
| | | <u>Medical care recipients in hospitals and nursing homes^b</u> | <u>1 per room^c</u> | <u>1 per room^c</u> | <u>1 per 15</u> | <u>1 per 100</u> | <u>1 service sink</u> |
| | | <u>Employees in hospitals and nursing homes^b</u> | <u>1 per 25</u> | <u>1 per 35</u> | <u>—</u> | <u>1 per 100</u> | <u>—</u> |
| | | <u>Visitors in hospitals and nursing homes</u> | <u>1 per 75</u> | <u>1 per 100</u> | <u>—</u> | <u>1 per 500</u> | <u>—</u> |
| | | <u>Prisons^b</u> | <u>1 per cell</u> | <u>1 per cell</u> | <u>1 per 15</u> | <u>1 per 100</u> | <u>1 service sink</u> |

[P] TABLE 2902.1—continued
 MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 2902.1.1 and 2902.2)

| No. | CLASSIFICATION | DESCRIPTION | WATER CLOSETS | | LAVATORIES | | BATHTUBS/ SHOWERS | DRINKING FOUNTAINS | OTHER |
|-----|----------------|---|---------------------|--------|---------------------|--------|----------------------|-----------------------|---|
| | | | Male | Female | Male | Female | | | |
| 5 | Institutional | Reformatories, detention centers and correctional centers ^b | 1 per 15 | | 1 per 15 | | 1 per 15 | 1 per 100 | 1 service sink |
| | | Employees in reformatories, detention centers and correctional centers ^b | 1 per 25 | | 1 per 35 | | — | 1 per 100 | — |
| | | Adult day care and child day care | 1 per 15 | | 1 per 15 | | 1 | 1 per 100 | 1 service sink |
| 6 | Mercantile | Retail stores, service stations, shops, sales-rooms, markets and shopping centers | 1 per 500 | | 1 per 750 | | — | 1 per 1,000 | 1 service sink ^e |
| 7 | Residential | Hotels, motels, boarding houses (transient) | 1 per sleeping unit | | 1 per sleeping unit | | 1 per sleeping unit | — | 1 service sink |
| | | Dormitories, fraternities, sororities and boarding houses (not transient) | 1 per 10 | | 1 per 10 | | 1 per 8 | 1 per 100 | 1 service sink |
| | | Apartment house | 1 per dwelling unit | | 1 per dwelling unit | | 1 per dwelling unit | — | 1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units |

| | | | | | | | |
|----------|----------------|--|----------------------------|------------------|----------------------------|--------------------|--|
| | | One- and two-family dwellings and lodging houses with five or fewer guestrooms | <u>1 per dwelling unit</u> | <u>1 per 10</u> | <u>1 per dwelling unit</u> | <u>—</u> | <u>1 kitchen sink per dwelling unit; 1 automatic clothes</u> |
| | | Congregate living facilities with 16 or fewer persons | <u>1 per 10</u> | <u>1 per 10</u> | <u>1 per 8</u> | <u>1 per 100</u> | <u>1 service sink</u> |
| <u>8</u> | <u>Storage</u> | Structures for the storage of goods, warehouses, storehouses and freight depots, low and moderate hazard | <u>1 per 100</u> | <u>1 per 100</u> | <u>—</u> | <u>1 per 1,000</u> | <u>1 service sink</u> |

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by this code.
- b. Toilet facilities for employees shall be separate from facilities for inmates or care recipients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units shall be permitted, provided that each patient sleeping unit has direct access to the toilet room and provisions for privacy for the toilet room user are provided.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. For business and mercantile classifications with an occupant load of 30 or fewer, a service sink shall not be required.
- f. The required number and type of plumbing fixtures for outdoor swimming pools shall be in accordance with Section 609 of the International Swimming Pool and Spa Code.
- g. Drinking fountains are not required for an occupant load of 30 or fewer.
- h. For business and mercantile classifications with an occupant load of 30 or fewer, a service sink shall not be required.
- i. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals shall not be substituted for more than 50 percent of the required water closets in all other occupancies.

Table 2902.1 Minimum Number Of Required Plumbing Fixtures.

Revise table 2902.1 by adding A-2 Casinos, revising the column titles and footnote "f", and by adding new footnotes "g" and "h", as follows:

[P] TABLE 2902.1

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a.

| No.— | Classification— | Occupancy— | Description— | Water Closets (Urinals ^h)— | | Lavatories— | | Bathtubs/ Showers— | Drinking Fountains ^{e,f,g} — | Other ^f — |
|------|-----------------|--------------------|--------------|---|----------------|---|---------|-----------------------|--|-----------------------|
| | | | | Male— | Female— | Male— | Female— | | | |
| 1— | Assembly— | A-2 ^d — | Casinos— | 1:1— 100— | 3:1—50— | 1:1—200— | | - | - | 1 service sink— |
| | | | | ——— | 4:51— 100— | 2:201—400— | | | | |
| | | | | 2:101— 200— | 6:101— 200— | 3:401—750— | | | | |
| | | | | 3:201— 400— | 8:201— 400— | Over 750, add one fixture for each additional 500 persons— | | | | |
| | | | | Over 400, add one fixture each additional 250 males, and one for each 150 females— | | | | | | |

Remainder of rows 1 through 8 to remain unchanged.

(See Sections 2902.2 And 2902.3)

- a. The fixtures are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants must be determined by this code.
- b. Toilet facilities for employees must be separate from facilities for inmates or patients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units must be permitted where such room is provided with direct access from each patient sleeping unit and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas must be included when determining the minimum number of facilities required.
- e. The minimum number of required drinking fountains must comply with table 2902.1 and chapter 11.
- f. Drinking fountains and service sinks are not required for an occupant load of 30 or fewer.
- g. Where water is served in restaurants and similar occupancies, drinking fountains must not be required. In other occupancies, where drinking fountains are required, water coolers or bottled water dispensers that provide water to occupants free of charge must be permitted to be substituted for not more than 50 percent of the required drinking fountains.

~~h. In each bathroom or toilet room, urinals must not be substituted for more than 67 percent of the required water closets in assembly and educational occupancies. Urinals must not be substituted for more than 50 percent of the required water closets in all other occupancies.~~

SECTION 3102.7 ENGINEERING DESIGN

Amend Section 3102.7 to read as follows:

3102.7 Engineering design. The structure shall be designed and constructed to sustain dead loads; loads due to tension or inflation; live loads including wind, snow, flood and seismic loads and in accordance with Chapter 16.

Exception: Membrane structures intended to be in place for 30 days or less may be engineered to risk category I loads provided the installation and use are per the manufacturer's recommendations.

~~Chapter 34—Existing Structures~~

~~Section 3403—Additions.~~

~~3403.1 General.~~

~~Revise section 3403.1 as follows:~~

~~3403.1 General.~~

~~Additions to any building or structure must comply with the requirements of this code for new construction. Alterations to the existing building or structure must be made to ensure that the existing building or structure together with the addition are no less conforming with the provisions of this code than the existing building or structure was prior to the addition. An existing building together with its additions must comply with the height and area provisions of chapter 5. The portions of the building or structure not altered and not affected by the alterations are not required to comply with the height provisions for a new structure.~~

~~Section 3404—Alterations.~~

~~3404.1 General.~~

~~Revise section 3404.1 as follows:~~

~~3404.1 General.~~

~~Except as provided by section 3401.4 or this section, alterations to any building or structure must comply with the requirements of the code for new construction. Alterations must be such that the existing building or structure is no less complying with the provisions of this code than the existing building or structure was prior to the alteration.~~

~~Exceptions:~~

- ~~1. An existing stairway must not be required to comply with the requirements of section 1009 where the existing space and construction does not allow a reduction in pitch or slope.~~
- ~~2. Handrails otherwise required to comply with section 1009.12 must not be required to comply with the requirements of section 1012.6 regarding full extension of the handrails where such extensions would be hazardous due to plan configuration.~~
- ~~3. The building or structure must not be required to comply with the height and area provisions of chapter 5 for a new structure.~~

~~Section 3411—Accessibility For Existing Buildings.~~

~~3411.8.15 Check-Out Aisles.~~

~~Add new section 3411.8.15 as follows:~~

~~3411.8.15 Check-Out Aisles.~~

~~Where check-out aisles are altered, at least one of each check-out aisle serving each function must be made accessible until the number of accessible check-out aisles complies with section 1109.11.2.~~

Appendices C, E, H, I, and O

Adopt Appendices C, E, H, I, and O in their entirety without amendment.

Appendix J—Grading

Section J102—Definitions.

J102.1 Definitions.

Revise section J102.1 Definitions to read as follows:

~~Grading. An excavation, clearing and grubbing of vegetation, or fill or combination thereof.~~

~~Building Pad. The soil, cut or fill site, outlined by the area of the footprint of the building plus a minimum of 5 additional feet (1529 mm) to the exterior. This includes any type of foundation system for the structure.~~

~~Certify. Use of the word "certify" or "certification" constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification.~~

~~Fault. A fracture or zone of fracturing in geologic materials (soil or rock) along which there has been displacement of the sides relative to one another parallel to the fracture.~~

~~Final Grading Report. A grading report stamped and signed by a registered design professional certifying that the building pad was constructed in conformance with the recommendations set forth in the geotechnical report. This report contains explicit information and data that verifies compliance with the geotechnical report of record including any approved supplements or addendums.~~

~~Geotechnical Report (Soils Report). Data and engineering recommendations resulting from site exploration which evaluates the soil conditions and general site characteristics and suitability of the site for the proposed construction. A registered design professional must prepare and seal the report.~~

~~Pad Certification Report. An interim grading report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the geotechnical report of record.~~

~~Pad Recertification Report. A report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the geotechnical report of record. This report contains explicit information and data that verifies compliance to the geotechnical report of record including any approved supplements or addendums.~~

~~Refusal. Refusal while advancing an exploration is recognized as defined by ASTM D-1586-08a.~~

Adopt Appendix J in its entirety with the following amendments:

Section J102.1 Definitions.

Revise the definition of “GRADING” as follows:

GRADING. An excavation, inclusive of clearing and grubbing of vegetation, or fill or combination thereof.

Add new definitions in Section J102.1 for Building Pad, Certify, Fault, Fault, Final Grading Report, Geotechnical Report (Soils Report), Pad Certification Report, Pad Recertification Report, and Refusal as follows:

BUILDING PAD. The soil, cut or fill site, outlined by the area of the footprint of the building plus a minimum of 5 additional feet (1529 mm) to the exterior. This includes any type of foundation system for the structure.

CERTIFY. Use of the word “certify” or “certification” constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification.

FAULT. A fracture or zone of fracturing in geologic materials (soil or rock) along which there has been displacement of the sides relative to one another parallel to the fracture.

FINAL GRADING REPORT. A grading report stamped and signed by a registered design professional certifying that the building pad was constructed in conformance with the recommendations set forth in the geotechnical report. This report contains explicit information and data that verifies compliance with the geotechnical report of record including any approved supplements or addendums.

GEOTECHNICAL REPORT (SOILS REPORT). Data and engineering recommendations resulting from site exploration which evaluates the soil conditions and general site characteristics and suitability of the site for the proposed construction. A registered design professional shall prepare and seal the report.

PAD CERTIFICATION REPORT. An interim grading report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the geotechnical report of record.

PAD RECERTIFICATION REPORT. A report stamped and signed by a registered design professional certifying that the building pad currently is in conformance with the recommendations set forth in the geotechnical report of record. This report contains explicit information and data that verifies compliance to the geotechnical report of record including any approved supplements or addendums.

REFUSAL. Refusal while advancing an exploration is recognized as defined by ASTM D 1586-08a.

J103.2 Exemptions.

A grading permit must not be required for the following:

1. Excavation for construction of a structure permitted under this code.
2. Cemetery graves.
3. Refuse disposal sites controlled by other regulations.
4. Excavations for wells or trenches for utilities.
5. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
6. Exploratory excavations performed under the direction of a registered design professional.

Exemption from the permit requirements of this appendix must not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the city.

Section J103 - Permits Required.

J103.2 Permit Exemptions.

Delete exemption #1 in section J103.2 and re-number the remaining exemptions sequentially as follows:

J103.3 Hazards.

Add a new section J103.3 Hazards as follows:

J103.3 Hazards.

Whenever the city of Elko determines that any existing excavation, embankment, or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way, easement, storm sewer system, or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the city of Elko, must, within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

Section J104 - Permit Application And Submittals.

J104.1 Submittal Requirements.

Revise section J104.1 as follows:

J104.1 Submittal Requirements.

In addition to the provisions of section 105.3, the applicant must state the estimated quantities

of excavation and fill. All projects that require grading must have a grading plan prepared, stamped, and signed by a registered design professional.

Exception:

At the option of the city of Elko, if the structure is located outside of a flood hazard area the following projects may be exempted from having a grading plan. Projects exempted from a grading plan must still comply with the grading and drainage requirements in the IBC.

1. Single story structures or additions with a footprint less than 600 square feet.
2. Patio covers, decks, and canopies associated with a single-family residence.
3. Mobile homes, trailers, modular buildings that do not have concrete or masonry foundations.
4. Pre-engineered carports.
5. Signs, light poles, and communication towers.

J104.2 Grading Plan Requirements.

Revise section J104.2 in its entirety, as follows:

J104.2 Site (**Grading**) Plan Requirements.

All grading plans must be prepared, stamped, and signed by a registered design professional.

The following items must be included on all grading plan submittals.

1. General vicinity of the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.
3. Limiting dimensions, elevations or finish contours to be achieved by the grading, proposed drainage channels, and related construction.
4. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 100 feet of the property or that may be affected by the proposed grading operations.
5. Recommendations included in the geotechnical report must be incorporated in the grading plans or specifications as follows:
 - a. Locations and dimensions of all cut and fill slopes,
 - b. Locations of all cross sections presented in the geotechnical report,
 - c. Locations and sizes of all recommended remedial measures such as buttress fills, stability fills, deep foundation systems, reinforced earth, retaining walls, etc.,
 - d. Location and layout of proposed subdrainage system.
6. A statement that the site must be graded in accordance with the approved geotechnical report. This statement must include the firm name that prepared the geotechnical report, the

report number, and the date of the geotechnical report.

7. Locations of other existing topographic features either natural or man-made such as streets, drainage structures, pavements, walls, mining pits, etc.

8. The cut to fill transition line.

9. Positive drainage away from the foundation per section 1804.3.

10. Details and cross sections at property lines, fence walls, retaining walls, berms, etc.

11. Elevation datum and benchmarks (NAVD 88).

12. Existing contours at least 100 feet beyond the property lines.

13. Proposed finish contours or spot elevations at the property corners, building pad, and at swale flow lines.

14. Elevations of curbs or centerlines of roads or streets.

15. Earthwork quantities in cubic yards.

16. Finish floor elevations.

17. Details and cross sections of typical fill slopes and cut slopes.

18. Typical details of fill-over-natural slopes and fill-over-cut slopes where fill is to be placed on natural or cut slopes steeper than 5H:1V in accordance with section J107.

19. Setback dimensions of cut and fill slopes from site boundaries per section J108.

20. The placement of buildings and structures on and/or adjacent to slopes steeper than 3H:1V (33.3% slope) must be in accordance with section 1808.7.

21. Provide terracing in accordance with section J109 for slopes steeper than 3H:1V (33.3% slope).

22. Provide the locations and dimensions of all terrace drains for all slopes steeper than 3H:1V in accordance with section J109.

23. The standard notes specified in the city of Elko Construction Site Best Management Practice Guidance Manual (most current edition).

24. Registered design professional original seal (wet seal), signature and date or a records stamp and signature stating, "This is a true and exact copy of the original document on file in this office."

J104.3 Geotechnical Report.

Revise section J104.3 as follows:

J104.3 Geotechnical Report.

A geotechnical report prepared by a registered design professional must be provided. The report must comply with section 1803.6.

Section J105 - Inspections.

Revise section J105 in its entirety, as follows:

J105.1 General.

Inspection of grading operations must comply with the provisions of this section. The permittee must be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee must engage an approved agency, if required by the city of Elko.

J105.1.1 Completion of Work and Final Reports.

Report submittal must be in compliance with section 1704.1.2.

J105.1.2 Final Grading Report.

Upon completion of pad grading (or foundation excavation) and prior to a footing or foundation inspection, a final grading report must be provided by an approved agency. Grading (or foundation excavation) must be observed and tested by an approved agency. The approved agency must prepare the report, signed by a registered design professional certifying that the grading and earthwork are complete and substantially comply with the requirements of the geotechnical report of record including any approved supplements or addenda. At the option of the city of Elko, a pad certification report submitted in accordance with section J105.1.3 may be accepted as an interim report prior to a footing or foundation inspection. A final grading report will then be required prior to receiving a final inspection.

The final grading report itself will contain all applicable test data and analysis of the data. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading. The report must also include the following information:

1. Compaction test results, requirements, locations, depth of backfill at test locations and names of technicians conducting the tests.
2. Moisture density values and curves that include classifications for all soils used in the grading operation.
3. Description of structure or pad including the proposed use.
4. Grading plan showing approximate locations of tests, dates and depths of over-excavation observations, original contours and finish pad elevations.
5. Swell and solubility test requirements and results. This information must be provided if required by the geotechnical report of record, elsewhere in the code, or if imported soils were utilized.

6. Type of foundation system applicable to work being certified (i.e., spread footings, strip footings, combination footings, drilled shafts, etc.).
7. Import material used, source of import, and tests indicating compliance with the geotechnical report of record recommendations, and classification in relation to ACI 318-08 section 4.3.
8. A statement describing the process of pad grading. Where applicable, this must include, but not be limited to the minimum depth of over-excavation, blending operations, the use of import soils, nested aggregate, organics encountered, and removal of unsuitable soils.
9. The preceding requirements must be presented for each pad or structure being certified.

The final grading report remains valid for a maximum of six months after the completion of grading. The six month period begins at the first test date of the final test of the final lift of the structural pad. Once expired, a pad re-certification report is required.

J105.1.3 Pad Certification Report.

This letter/report is used as an interim document until a final grading report is completed (i.e., a final grading report for the entire project or a particular phase(s) of a project). The approved agency must prepare this report signed by a registered design professional and certifying that the grading and earthwork are complete and substantially comply with the requirements of the geotechnical report of record including any approved supplements or addenda. Specific project information is also required if there were any changes to the geotechnical report of record or unusual circumstances encountered during grading.

This report must include the following information for each pad or structure:

1. The first test date of the final test of the final lift.
2. Permit number and pad or structure description.
3. Classification of foundation soils in relation to ACI 318-08 section 4.3.
4. Classification of foundation soil for expansive properties (i.e., non-expansive or results from standard 60 pounds per square foot swell test).
5. The name(s) of the approved special inspector(s) and any technicians that observed grading or foundation improvements.
6. This report remains valid for no longer than six months after the completion of grading. The six month period begins at the first test date of the final test of the final lift of the structural pad. Upon expiration, a final grading report and pad recertification report will be required.

J105.1.4 Pad Recertification Report.

This report is required when a final grading report or pad certification report has expired or if required by the city of Elko. The approved agency must prepare this report signed by a registered design professional certifying the current suitability of the pad(s). The condition of the pad(s) is discussed, tests performed and their results are presented and discussed, and any

additional grading or reworking is discussed. The conclusions are stated and based upon the current condition of the pad(s) compared to completion at original grading and a statement that the current condition of the pad(s) substantially complies with the requirements of the geotechnical report of record including any approved supplements or addenda.

As a minimum, pad moisture data and standard sixty pounds per square foot swell test results, if applicable, are included in this report. The tests must be conducted on a representative number of pads.

The report remains valid for no longer than six months after the latest test date. Once expired, the pad(s) recertification will require an evaluation by a registered design professional to confirm the applicability of current site conditions.

J105.1.5 Finished Floor Elevation Certificate.

A registered design professional must certify the lowest habitable finished floor elevation to the elevation on the approved plans upon completion of the slab inspection and placement or the placement of the final construction form for the finished floor.

All certifications required by this section must be provided to and accepted by the city of Elko prior to performance of any additional inspections.

The minimum finished floor elevation must comply with the approved plans and the allowable tolerance must be minus (-) 0.0 feet to plus (+) 0.3 feet of the finished floor elevation detailed on the approved plans.

J105.1.6 Drainage Compliance Report.

Upon completion of final grading, and prior to the final building inspection, a statement of compliance for drainage must be provided by the registered design professional of record or the developer when approved by the city of Elko.

This report must state that site conditions at the time of final construction provide positive drainage in compliance with the approved drainage plan or the plot and grading plan.

When engineered drainage features, facilities, or structures are required by the approved plans, the registered design professional of record must verify that installed and constructed elements are in compliance with the approved plans. This includes site detention, lot to lot drainage, and drainage conveyance devices.

J105.1.7 Notification Of Noncompliance.

If in the course of fulfilling their respective duties under this appendix, the registered design professional or the approved agency finds that the work is not being done in conformance with this appendix or the approved plans the discrepancies must be immediately reported in writing to the contractor, the permittee, and to the city of Elko.

J105.2 Special Inspections.

The special inspection requirements of section 1704 must apply to work performed under a grading permit where required by the city of Elko.

Appendix L - Fences, Walls and Retaining Walls

Add a new appendix L Fences, Walls and Retaining Walls, as follows:

~~Appendix L – Fences, Walls And Retaining Walls~~

~~Section L101—General.~~

~~L101.1 General.~~

~~It will be unlawful for any person, contractor, firm or corporation to erect, install, construct or replace any fence, wall or retaining wall contrary to the provisions of this code.~~

~~L101.2 Applicable Regulations.~~

~~All regulations and requirements of the building code and any amendments, deletions and additions thereto must apply to the erection, installation or construction of any fence, wall and/or retaining wall except that which may be inconsistent with this chapter.~~

~~Section L102—Definitions.~~

~~L102.1 Definitions.~~

~~For the purpose of this chapter, certain terms are defined as follows:~~

~~Cut. See Excavation.~~

~~Excavation. The removal of earth material by artificial means, also referred to as a cut.~~

~~Fence. A structure of temporary or semi-permanent material such as wrought iron, wire, wood, screen, vinyl, plastic, etc., erected for purposes of enclosure, division of property or decoration.~~

~~Fill. The deposition placement of earth materials by artificial means.~~

~~Retaining Wall. Any wall that is used to resist the lateral displacement of earth or any other material with a difference in elevation of the material from one side to the other exceeding 24 inches (610 mm) in height.~~

~~Rockery Wall. A system of stacked rocks constructed to retain soil.~~

~~Wall. A structure of stone, brick, masonry, concrete or other similar permanent material, raised to some height and erected for purposes of enclosure, division of property or decoration.~~

~~Section L103—Permits.~~

~~L103.1 Permits Required.~~

~~No fence, wall or retaining wall regulated by this code, for which a permit is required, must be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each fence, wall or retaining wall is obtained from the city of Elko.~~

~~L103.2 Separate Permits Required.~~

~~A separate permit is required for each parcel of land upon which a fence, wall or retaining wall is to be located.~~

~~Exception: Only one permit is required for multiple fence(s), wall(s) and/or retaining wall(s) constructed along property lines in connection with the development of a subdivision, provided that a legal description of the property is submitted together with a dimensioned plot plan~~

showing the exact location of the fence, wall and/or retaining wall and all other recorded lot and easement lines.

~~L103.3 Application For A Fence, Wall Or Retaining Wall Permit.~~

~~To obtain a permit, the applicant must first file an application on a form furnished by the city of Elko for that purpose. The application must include the following:~~

~~1. The name and address of the owner of the real property upon which the fence, wall and/or retaining wall is to be located.~~

~~2. The type of material to be used for construction of the fence, wall, and/or retaining wall.~~

~~3. The total length, height and square footage of each fence, wall and/or retaining wall.~~

~~4. The authorized agent to perform construction.~~

~~5. A dimensioned drawing that identifies the location of each fence, wall and/or retaining wall with respect to the property or lot lines, easements, streets, other rights-of-way. Existing construction and drainage features must be clearly identified on the drawings.~~

~~6. The location of all light standards, gas and water meters, and fire hydrants.~~

~~Other information deemed pertinent by the city.~~

~~L103.4 Drawings And Specifications.~~

~~Drawings and specifications required for retaining walls must be prepared by a registered design professional. The design must be in accordance with the applicable chapters of the IBC. Rockery walls must be designed in accordance with the IBC and must be prepared by a registered design professional. Specifications for fences and walls need not be submitted unless required by the city. Drawings and specifications must be submitted for retaining walls showing that the retaining wall is designed in accordance with this code.~~

~~Section L104—General Requirements And Limitations.~~

~~L104.1 General. General requirements and limitations must be as follows:~~

~~1. No fence, wall and/or retaining wall must be placed within a right-of-way unless granted permission by the city of Elko.~~

~~2. The height and location of a fence, wall and/or retaining wall must comply with all zoning ordinances and regulations of the city.~~

~~L104.2 Required Inspections.~~

~~1. All footings must be inspected to verify location to property line, structures, and compliance to the approved plans and permit. Footings must be excavated and cast against the earth.~~

~~2. Concrete foundations must not be placed until footings have been inspected and approved by the city.~~

~~3. No wall and/or retaining wall must be grouted until the reinforcing required has been inspected and approved by the city.~~

4. Retaining wall must not be backfilled until verification of the required damp proofing, when required, and drainage has been inspected and approved by the city.

L104.3 Natural Drainage:

Permits must not be issued for fences, walls and/or retaining walls, which would block any natural flow path.

L104.4 Prohibited Materials:

Walls, fences and retaining walls must not be constructed of materials which impose a direct safety hazard, such as pointed posts, stakes or pickets, components intended for electrocution, embedded glass, nails, barbed or razor type wire, or other sharp, cutting objects.

Exception: Manufactured barbed or razor wire may be used when its detailed use, location, and construction requirements are approved by the city.

L104.5 Minimum Requirements For The Structural Analysis And Construction Of Rockery Walls:

1. A dimensioned drawing that identifies the location of each rockery wall with respect to the property lines, easement, streets, and other rights of way. Existing construction, required setbacks as noted below, and drainage features must clearly be identified on drawings.
2. Cross section of wall showing the approximate rock size for each lift, maximum height, backfill, drainage, slope of ground, embedment, cuts, and required face inclination.
3. All rockery walls five feet (5') high and greater require engineering analysis.
4. All rockery walls five feet (5') high and greater require a geotechnical report.
5. The base rock must be embedded at least 12" into the soil. Placement of base rocks at grade followed by subsequent backfilling of the "toe area" must not be permitted unless specific recommendations are provided by the geotechnical and/or structural engineer(s). The base should be level and must not have a slope greater than 1 unit vertical to 10 units horizontal (10 percent); otherwise a stepped base is required.
6. The wall must have a face inclination ratio of at least 1 unit horizontal to 6 units vertical (1:6) measured at the exposed face of wall. The ratio may be greater than 1:6.
7. The surrounding site must be graded such that water cannot flow over the top of the wall.
8. Landscape materials, if used, must not have detrimental effect on the wall. The use of landscape materials in close proximity to rockery walls must be specifically addressed in the structural analysis.
9. Walls greater than ten feet high (10') must have a slope stability analysis performed by the geotechnical engineer.
10. Caliches and other "cemented soils" formed by precipitation must not be used in rockery wall construction unless special design considerations are provided to address their suitability for use.
11. The height of any single story rockery wall must not exceed 16 feet.

12. Rockery walls must not be constructed as the sole means of repair to provide stability to any unstable slope. In this case a rockery wall may only be used after the slope is first stabilized by MSE, soil nailing or some other approved engineered repair.

13. Multiple terraced (also sometimes referred to as stacked or tiered) rockery walls with a total height of 16 feet or more require a slope stability analysis performed by the geotechnical engineer. Total height must be measured from the bottom of the base rock at the lowest wall to the top of the highest wall.

14. Rockery walls five feet (5') high and greater: Rocks sized as "two man" (approximately 200-700 pounds and 18-28 inch nominal diameter) or greater must be tightly fitted and interlock with neighboring rocks. Smaller rocks may be intermittently used for "structural chinking" which allows large rocks to rest in a stable movement free position. Void spaces between larger rocks must be tightly filled or "aesthetically chinked" such that large gaps between rocks in the exposed face are reasonably well filled. There must be no loose rocks or scree present at any point in the exposed face or top of a rockery wall.

15. Rockery walls five feet (5') high and greater: No rocks smaller than the nominal "two man" size (approximately 200-700 pounds and 18-28 inch nominal diameter) will be permitted to be exposed in the front face or top rock layer. Tightly fitted smaller rocks used for the purpose of filling voids or "chinking" must not be subject to this limitation.

16. The setback from a rockery wall to a building or structure must be not less than the height of the retained earth. The distance must be measured from the outside of the foundation of the structure to the exposed face of the rockery wall. This provision applies to buildings or structures (except other site walls or fences) on either the height side or slow side of the rockery walls. Exception: Where rockery walls are less than five feet (5') in height this requirement may be waived at the option of the city of Elko.

17. Multiple rockery walls, designed as terraced (stacked or tiered) retaining walls, must be minimum distance of $\frac{1}{2}$ the height of the lower rockery wall to another rockery wall. Surcharge loading from one wall to another must be considered in the design.

18. Ornamental fences, guards, or screen walls must be a minimum of four feet (4') from the front face at the top of the rockery wall. Ornamental fences, guards, or screen walls must have their own foundations and not rely on the rockery wall for structural support.

19. Rockery walls must be set back the required distances from fire hydrants, light standards, gas meters, water meters, electrical transformers, utility boxes or similar features. These distances must be established and enforced by the city of Elko. Where permitted, rockery walls located within a utility or other easement must be in accordance with the published standards of the city.

20. All structural analysis must be in accordance with adopted building codes, and local amendment adopted by the city of Elko, and this document.

21. The minimum factor of safety for sliding and overturning in a rockery wall must be in accordance with the adopted codes and regulations of the city of Elko.

~~22. The following analysis provisions apply:~~

~~a. The maximum unit weight of the rocks used in the design of a rockery wall must be 155 pcf unless field verified by special inspection or preconstruction lab analysis of samples from the source rock materials.~~

~~b. The maximum coefficient of friction between rocks in a rockery wall is 0.5.~~

~~c. Applied loads from adjacent foundations, surcharge materials, or dynamic/transient loads must be taken into consideration in the analysis.~~

~~d. Specifications must be provided to clearly define acceptance criteria for rock materials.~~

~~e. Design documents must clearly address the need (or lack thereof) for drainage provisions behind the wall. Items to be addressed are a gravel/cobble drainage blanket, filter fabric and drainage pipes. Specific requirements may be implemented by the city of Elko based upon prevailing geologic and climate conditions.~~

~~f. The structural and/or geotechnical engineer(s) of record must provide specific acceptance criteria to address special inspection details. Specific information must be provided regarding how the special inspector should determine compliance with embedment requirements outlined in items 5 through 10.~~

~~23. Inspections must be performed as required by the city of Elko.~~

~~24. Special inspection of rockery wall construction will be required for all walls five feet (5') tall and greater.~~

~~25. A final report must be submitted by the special inspector to the city of Elko.~~
~~Section L105—Implementation.~~

~~L105.1 Implementation.~~

~~The city is empowered to formulate procedural guidelines to be used in implementing this chapter.~~
~~(Ord. 723, 2-8-2011)~~

Appendix O - Fences, Walls and Retaining Walls

Add a new Appendix O Fences, Walls and Retaining Walls, as follows:

Appendix O - Fences, Walls and Retaining Walls

Section O101- General.

O101.1 General. It will be unlawful for any person, contractor, firm or corporation to erect, install, construct or replace any fence, wall or retaining wall contrary to the provisions of this code.

O101.2 Applicable Regulations. All regulations and requirements of the building code and any

amendments, deletions and additions thereto shall apply to the erection, installation or construction of any fence, wall and/or retaining wall except that which may be inconsistent with this chapter.

Section O102 - Definitions.

O102.1 Definitions. For the purpose of this chapter, certain terms are defined as follows:

Cut. See Excavation.

Excavation. The removal of earth material by artificial means, also referred to as a cut.

Fence. A structure of material such as wrought iron, wire, wood, screen, vinyl, plastic, etc., erected for purposes of enclosure, division of property or decoration.

Fill. The deposition placement of earth materials by artificial means.

Retaining Wall. Any wall that is used to resist the lateral displacement of earth or any other material with a difference in elevation of the material from one side to the other exceeding 24 inches (610 mm) in height.

Rockery Wall. A system of stacked rocks constructed to retain soil.

Wall. A structure of stone, brick, masonry, concrete or other similar permanent material, raised to some height and erected for purposes of enclosure, division of property or decoration.

Section O103-Permits.

O103.1 Permits Required. No fence, wall or retaining wall regulated by this code, for which a permit is required, shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each fence, wall or retaining wall is obtained from the City.

O103.2 Separate Permits Required. A separate permit is required for each parcel of land upon which a fence, wall or retaining wall is to be located.

Exception: Only one permit is required for multiple fence(s), wall(s) and/or retaining wall(s) constructed along property lines in connection with the development of a subdivision, provided that a legal description of the property is submitted together with a dimensioned plot plan showing the exact location of the fence, wall and/or retaining wall and all other recorded lot and easement lines.

O103.3 Application for a Fence, Wall or Retaining Wall Permit. To obtain a permit, the applicant shall first file an application on a form furnished by the City for that purpose. The application shall include the following:

1. The name and address of the owner of the real property upon which the fence, wall and/or retaining wall is to be located.

2. The type of material to be used for construction of the fence, wall, and/or retaining wall.

3. The total length, height and square footage of each fence, wall and/or retaining wall.

4. The authorized agent to perform construction.

5. A dimensioned drawing that identifies the location of each fence, wall and/or retaining wall with respect to the property or lot lines, easements, streets, other rights-of-way. Existing construction and drainage features shall be clearly identified on the drawings.

6. The location of all light standards, gas and water meters, and fire hydrants.

Other information deemed pertinent by the City.

O103.4 Drawings and Specifications. Drawings and specifications required for retaining walls shall be prepared by a registered design professional. The design shall be in accordance with the applicable chapters of the IBC. Rockery walls shall be designed in accordance with the IBC and shall be prepared by a registered design professional. Specifications for fences and walls need not be submitted unless required by the City. Drawings and specifications shall be submitted for retaining walls showing that the retaining wall is designed in accordance with this code.

Section O104 - General Requirements and Limitations.

O104.1 General. General requirements and limitations shall be as follows:

1. No fence, wall and/or retaining wall shall be placed within a right-of-way unless granted permission by the City.

2. The height and location of a fence, wall and/or retaining wall shall comply with all zoning ordinances and regulations of the City.

3. Special inspection, if required, shall be in accordance with the IBC.

O104.2 Required Inspections.

1. All footings shall be inspected to verify compliance to the approved plans and permit. Footings shall be excavated and cast against the earth.

2. Concrete foundations shall not be placed until footings have been inspected and approved by the City.

3. No wall and/or retaining wall shall be grouted until the reinforcing required has been inspected and approved by the City.

4. Retaining wall shall not be backfilled until verification of the damp-proofing, when required, and drainage has been inspected and approved by the City.

O104.3 Natural Drainage.

Permits shall not be issued for fences, walls and/or retaining walls, which would block any natural

flow path.

O104.4 Prohibited Materials. Walls, fences and retaining walls shall not be constructed of materials which impose a direct safety hazard, such as pointed posts, stakes or pickets, components intended for electrocution, embedded glass, nails, barbed or razor type wire, or other sharp, cutting objects.

Exception: Manufactured barbed or razor wire may be used when its detailed use, location, and construction requirements are approved by the City of Elko.

O104.5 Minimum Requirements for the Structural Analysis and Construction of Rockery Walls.

1. A dimensioned drawing that identifies the location of each rockery wall with respect to the property lines, easement, streets, and other rights-of-way. Existing construction, required setbacks as noted below, and drainage features shall clearly be identified on drawings.

2. Cross section of wall showing the approximate rock size for each lift, maximum height, backfill, drainage, slope of ground, embedment, cuts, and required face inclination.

3. All rockery walls greater than four feet (4') in height require engineering analysis.

4. All rockery walls greater than four feet (4') in height require a geotechnical report.

5. The base rock shall be embedded at least 12" into the soil. Placement of base rocks at grade followed by subsequent backfilling of the "toe area" shall not be permitted unless specific recommendations are provided by the geotechnical and/or structural engineer(s). The base should be level and shall not have a slope greater than 1 unit vertical to 10 units horizontal (10-percent); otherwise a stepped base is required.

6. The wall shall have a face inclination ratio of at least 1 unit horizontal to 6 units vertical (1:6) measured at the exposed face of wall. The ratio may be greater than 1:6.

7. The surrounding site shall be graded such that water cannot flow over the top of the wall.

8. Landscape materials, if used, shall not have detrimental effect on the wall. The use of landscape materials in close proximity to rockery walls shall be specifically addressed in the structural analysis.

9. Walls greater than ten feet high (10') shall have a slope stability analysis performed by the design professional.

10. Caliches and other "cemented soils" formed by precipitation shall not be used in rockery wall construction unless special design considerations are provided to address their suitability for use.

11. The height of any single story rockery wall shall not exceed 8 feet.

12. Rockery walls shall not be constructed as the sole means of repair to provide stability to any unstable slope. In this case, a rockery wall may be used only after the slope is first stabilized by MSE, soil nailing or some other approved engineered repair.

13. Multiple terraced (also sometimes referred to as stacked or tiered) rockery require a slope stability analysis performed by the design professional.

14. Rockery walls greater than four feet (4') in height: Rocks sized as "two man" (approximately 200-700 pounds and 18-28 inch nominal diameter) or greater shall be tightly fitted and interlock with neighboring rocks. Smaller rocks may be intermittently used for "structural chinking" which allows large rocks to rest in a stable movement free position. Void spaces between larger rocks shall be tightly filled or "aesthetically chinked" such that large gaps between rocks in the exposed face are reasonably well filled. There shall be no loose rocks or scree present at any point in the exposed face or top of a rockery wall.

15. Rockery walls greater than four feet (4') in height: No rocks smaller than the nominal "two man" size (approximately 200-700 pounds and 18-28 inch nominal diameter) will be permitted to be exposed in the front face or top rock layer. Tightly fitted smaller rocks used for the purpose of filling voids or "chinking" shall not be subject to this limitation.

16. The setback from a rockery wall to a building or structure shall be not less than the height of the retained earth. The distance shall be measured from the outside of the foundation of the structure to the exposed face of the rockery wall. This provision applies to buildings or structures (except other site walls or fences) on either the high side or low side of the rockery walls. Exception: Where rockery walls are less than four feet (4') in height this requirement may be waived at the option of the City of Elko.

17. Multiple rockery walls, designed as terraced (stacked or tiered) retaining walls, shall be minimum distance of $\frac{1}{2}$ the height of the lower rockery wall to another rockery wall. Surcharge loading from one wall to another shall be considered in the design.

18. Ornamental fences, guards, or screen walls shall be a minimum of four feet (4') from the front face at the top of the rockery wall. Ornamental fences, guards, or screen walls shall have their own foundations and not rely on the rockery wall for structural support.

19. Rockery walls shall be set back the required distances from fire hydrants, light standards, gas meters, water meters, electrical transformers, utility boxes or similar features. These distances shall be established and enforced by the City. Where permitted, rockery walls located within a utility or other easement shall be in accordance with the published standards of the City.

20. All structural analysis shall be in accordance with adopted building codes, and local amendment adopted by the City, and this document.

21. The following requirements shall apply:

a. The maximum unit weight of the rocks used in the design of a rockery wall shall be 155 pcf unless field verified by special inspection or preconstruction lab analysis of samples from the source rock materials.

b. The maximum coefficient of friction between rocks in a rockery wall is 0.5.

c. Applied loads from adjacent foundations, surcharge materials, or dynamic/transient loads

shall be taken into consideration in the analysis.

d. Specifications shall be provided to clearly define acceptance criteria for rock materials.

e. Design documents shall clearly address the need (or lack thereof) for drainage provisions behind the wall. Items to be addressed are a gravel/cobble drainage blanket, filter fabric and drainage pipes. Specific requirements may be implemented by the City based upon prevailing geologic and climate conditions.

f. The engineer(s) of record shall provide specific acceptance criteria to address special inspection details. Specific information shall be provided regarding how the special inspector should determine compliance with embedment requirements outlined in items 5 through 10.

22. Inspections shall be performed as required by the City.

23. Special inspection of rockery wall construction will be required for all walls greater than four feet (4') in height.

24. A final report shall be submitted by the special inspector to the City.

Chapter 3

RESIDENTIAL CODE

2-3-1: RESIDENTIAL CODE PROVISIONS:

2-3-2: RESIDENTIAL CODE AMENDMENTS:

2-3-1: RESIDENTIAL CODE PROVISIONS:

- A. Title: This chapter shall be known as the *INTERNATIONAL RESIDENTIAL CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2009 international residential code~~ **2018 International Residential Code** with the exception of chapters 11 through 42 but with appendices H and K and Q necessary administrative provisions. Certain sections of the international residential code and appendices may be added or deleted.
- B. Applicability: All construction of or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element or portion of a building or structure within the city must be in compliance with, in addition to, the other applicable codes or amendments set forth by the city council and the latest edition of the international residential code.
- C. Frost Line: References in the international residential code to the frost line mean a minimum of thirty inches (30") below finish grade.
- D. Supplements: All supplements to the international residential code, issued by the International Code Council Inc., between editions are hereby not made a part of the then current edition of the international residential code.

E. Conflict: In the event that any of the provisions of the latest edition of the international residential code conflict with any provision of this chapter, the provisions of this chapter must govern and be controlling. (Ord. 724, 2-8-2011)

2-3-2: RESIDENTIAL CODE AMENDMENTS:

All building construction work and the inspections thereof must be in conformity with the provisions of this code and with the latest edition of the international residential code, which is hereby adopted by the city, with the following specific deletions and additions:

Chapter 1 - Scope and Administration

Chapter 1 is deleted in its entirety and replaced by title 2 chapter 1, "Building Regulations Administrative Code", of the city code.

Chapter 2 – Definitions

Section R202 - Definitions.

Revise and/or add the following definitions to section R202 as follows:

Townhouse. A single-family dwelling unit constructed in a group of two or more attached units completely independent of all other such units in the building by reason of separation therefrom by un-pierced party walls in which each unit extends from foundation to roof and with open space on at least two sides, and as recorded on a final parcel map or final subdivision map.

Sleeping Area. Any area that includes one or more sleeping rooms that are located on the same floor and are not separated by another habitable room, such as a living room, dining room or kitchen (but not a bathroom, hallway or closet).

Sleeping Room. Any sleeping room, bedroom, basement, loft, mezzanine or other room that is ordinarily used or intended to be used for sleeping purposes. The term is deemed to include any room that contains a closet and that provides for occupant privacy.

Surcharge. A vertical load imposed on the retained soil that may impose a lateral force in addition to the lateral earth pressure of the retained soil. Examples include:

- Sloped retained soil.
- Structure footings supported by the retained soil.
- Adjacent vehicle loads supported by the retained soil.

Temporary. A defined time set by the city not to exceed 90 days. Extension of time may be granted upon written request.

Chapter 3 - Building Planning

Section R301 - Design Criteria.

Revise section R301 as follows:

R301.1.2 Construction Systems.

The requirements of this code are based on platform and balloon-frame construction for light-frame buildings. The requirements for concrete and masonry buildings are based on a balloon framing system. Other framing systems must have equivalent detailing to ensure force transfer, continuity and compatible deformations. All structural plain (unreinforced) concrete must be designed in accordance with the 2009 IBC. All plain (unreinforced) masonry, and rubble stone masonry construction is prohibited. All tables, figures and references for these unreinforced systems are deleted.

Table R301.2(1) Climatic and Geographic Design Criteria.
Amend table R301.2(1) as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

| Ground Snow Load | Wind Design | | Seismic Design Category ^f | Subject To Damage From | | |
|------------------------|------------------------------|-------------------------------------|--|-------------------------|----------------------------------|-----------------------|
| | Speed ^d (mph) | Topographic effects ^k | | Weathering ^a | Frost Line Depth ^b | Termite ^c |
| 30 lb/ft ² | 90- <u>115</u> | No | D ⁰ | Severe | 30" | Slight to moderate |

| Winter Design Temp ^e | Ice Barrier Underlayment Required ^h | Flood Hazards ^g | Air Freezing Index ⁱ | Mean Annual Temp ^j |
|------------------------------------|---|--|------------------------------------|----------------------------------|
| -2° | Yes | (I, m, n, o) <u>Varies, See Engineering Dept</u> | 2000 | 46°F |

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column must be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the weathering probability map [figure R301.2(3)]. The grade of masonry units must be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in figure R403.1(1). The jurisdiction must fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction must fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction must fill in this part of the table with the wind speed from the basic wind speed map [figure R301.2(4)]. Wind exposure category must be determined on a site-specific basis in accordance with section R301.2.1.4.

e. The temperature must be permitted to reflect local climate or local weather experience as determined by the city of Elko.

- f. The jurisdiction must fill in this part of the table with the seismic design category determined from section R301.2.2.1.
- g. The jurisdiction must fill in this part of the table with (a) the date of the jurisdiction's entry into the national flood insurance program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the flood insurance study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the city of Elko, as amended.
- h. In accordance with sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction must fill in this part of the table with "YES." Otherwise, the jurisdiction must fill in this part of the table with "NO."
- i. The jurisdiction must fill in this part of the table with the 100-year return period air freezing index (BF-days) from figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction must fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index—USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
- k. In accordance with section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction must fill in this part of the table with "YES." Otherwise, the jurisdiction must indicate "NO" in this part of the table.
- l. Date of original adoption November 1980.
- m. FIS dates: February 1984, November 1995, and September 2009.
- n. Community number 320010.
- o. Panel numbers: 5188, 5190, 5606, 5607, 5608, 5609, 5615, 5625, 5626, 5628, 5630.

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.

b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix

D temperatures shall be permitted to reflect local climates or local 33 weather experience as determined by the building official. [Also see Figure R301.2(1).]

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.

h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and 905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.

o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

Section R301.6 Roof Load.

Revise section R301.6 as follows:

Roof must be designed for the live load indicated in table R301.6 or the snow load indicated in table R301.2(1), whichever is greater. Roof live loads in accordance with section 1607.11 of the 2009 international building code may be used in place of the loads in table R301.6.

~~Section R302.1—Exterior Walls.~~

~~Revise section R302.1 Exterior Walls, and add exceptions #6 and #7, as follows:~~

~~R302.1 Exterior Walls.~~

~~Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings must comply with table R302.1. To determine when protection is required by table R302.1, the dimension must be determined from property line to the finish face of the wall.~~

~~Exceptions:~~

- ~~1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance.~~
- ~~2. Walls in between dwellings and accessory structures located on the same lot. Garages must comply with section R302.6.~~
- ~~3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall must not extend over the lot line.~~
- ~~4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).~~
- ~~5. Foundation vents installed in compliance with this code are permitted.~~
- ~~6. Exterior decorative trim must not project more than 4 inches (102 mm) into the minimum fire separation distance and must not exceed ten percent (10%) of the aggregate wall area on which it is located.~~
- ~~7. When there are no eave, attic or gable end vent openings, the unprotected eave is limited to a maximum of 12 inches (305 mm) beyond the wall construction into the minimum fire separation distance. The unprotected eave projection is further limited to a maximum depth of 24 inches (610 mm) from the roof sheathing to the bottom of the projection.~~

~~Table R302.1 Exterior Walls.~~

~~Revise table R302.1 Exterior Walls as follows:~~

~~TABLE R302.1~~

| Exterior Walls | Exterior Wall Element | Minimum Fire-Resistance Rating | Minimum Fire Separation Distance |
|---------------------------|------------------------------------|---|---|
| Walls | {Fire resistance rated} | 1 hour tested in accordance with ASTM E119 or UL 263 with exposure from both sides | <5 feet |

| | | | |
|--------------|--|--------------------------------------|----------------------------------|
| | (Not fire-resistance rated) | 0 hours | =5 feet |
| Projections | Not allowed | n/a | 0 to <2 feet |
| | (Fire-resistance rated) | 1 hour on the underside | =2 feet to <5 feet |
| | (Not fire-resistance rated) | 0 hours | =5 feet |
| Openings | Not allowed | n/a | <3 feet |
| | 25% maximum of wall area | 0 hours | =3 feet to <5 feet |
| | Unlimited | 0 hours | =5 feet |
| Penetrations | All | Comply with section 317.3 | <5 feet |
| | | None required | =5 feet |

~~Section R309—Garages And Carports.~~

~~Revise R309.2 as follows:~~

~~R309.2 Carports.~~

~~Carports shall be open on at least two complete sides. Carports in which a side(s) is within thirty six inches (914 mm) of an adjacent structure, for the purpose of this section, must be considered a closed side.~~

~~Carport floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.~~

~~Exception: Asphalt surfaces shall be permitted at ground level in carports.~~

~~The area of floor used for parking of automobiles or other vehicles shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway.~~

~~Section R313—Automatic Fire Sprinkler Systems.~~

~~R313 is deleted in its entirety with no replacement.~~

~~Section R314—Smoke Alarms.~~

~~Revise section R314, R314.1 as follows:~~

~~R314 Smoke Alarms And Carbon Monoxide Detectors.~~

~~R314.1 Smoke Detection And Notification.~~

~~All smoke alarms must be listed in accordance with UL 217 and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.~~

~~R314.2 Smoke Detection Systems.~~

~~Household fire alarm systems installed in accordance with NFPA 72 that include smoke alarms, or a combination of smoke detector and audible notification device installed as required by this section for smoke alarms will be permitted. The household fire alarm system must provide the same level of smoke detection and alarm as required by this section for smoke alarms. Where a household fire warning system is installed using a combination of smoke detector and audible notification device(s), it must become a permanent fixture of the occupancy and owned by the homeowner. The system must be monitored by an approved supervising station and be maintained in accordance with NFPA 72.~~

~~Exception:~~

~~Where smoke alarms are provided meeting the requirements of section R314.4.~~

~~R314.2.1 Carbon Monoxide Alarms.~~

~~Carbon monoxide alarms must be listed as complying with UL2034 and must be installed in accordance with this code and the manufacturer's installation instructions.~~

~~Exception:~~

~~Where carbon monoxide alarms are provided meeting the requirements of section R314.4.~~

~~R314.3 Location.~~

~~1. Smoke and carbon monoxide alarms must be installed in the following locations:~~

~~a) Smoke alarms in each sleeping room.~~

~~b) Smoke alarms must be located immediately outside of each sleeping room.~~

~~c) Smoke alarms on each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level must suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.~~

~~d) Carbon monoxide alarms outside of sleeping area in the immediate vicinity of the bedrooms in dwellings units within which fuel-fired appliances are installed and in dwelling units that have attached garages.~~

~~e) Carbon monoxide alarms within each bedroom which contains a fuel-fired appliance.~~

~~2. Smoke detectors should not be located:~~

~~a) Within three (3) feet of a door to a bathroom containing a tub or a shower.~~

~~b) Within three (3) feet of the supply registers of a forced air HVAC system.~~

~~c) Directly over the stove or range.~~

d) Near ceiling fans.

3. Carbon monoxide detectors should not be installed in the following locations:

a) Within fifteen feet of heating or cooking appliances.

b) Near very humid areas such as bathrooms.

4. When more than either one (1) smoke alarm or more than one (1) carbon monoxide alarm is required to be installed within an individual dwelling unit all alarm devices must be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit.

R314.3.1 Alterations, Repairs And Additions.

When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit must be equipped with smoke and carbon monoxide alarms located as required for new dwellings.

Exceptions:

a) Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.

b) Replacement, alteration or repairs of existing electrical, plumbing or mechanical systems are exempt from the requirements of this section.

R314.4 Power Source.

Smoke and carbon monoxide alarms must receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, must receive power from a battery. Wiring must be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke and carbon monoxide alarms must be interconnected.

Exceptions:

a) Smoke and carbon monoxide alarms must be permitted to be battery operated when installed in buildings without commercial power.

b) Interconnection and hard wiring of smoke and carbon monoxide alarms in existing areas must not be required where the alteration, addition or remodel does not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.

Section R315—Carbon Monoxide Alarms.

Delete section R315 in its entirety.

Section R319—Site Address.

Revise section R319 as follows:

~~R319.1 Address Numbers.~~

~~Buildings must have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers must contrast with their background. Address numbers must be arabic numbers or alphabetical letters. Numbers must be a minimum of 6 inches (152 mm) high with a minimum stroke width of $\frac{3}{8}$ inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means must be used to identify the structure.~~

~~Exception:~~

~~Any address or building number that is displayed on a permanently internally illuminated base must be a minimum of 4 inches (102 mm) high with a minimum stroke width of $\frac{3}{8}$ inch (12.7 mm).~~

~~Chapter 4—Foundations~~

~~Section R401—General.~~

~~Revise section R401 as follows:~~

~~R401.3 Drainage.~~

~~Delete R401.3 in its entirety and replace, as follows:~~

~~R401.3 Drainage.~~

~~The ground immediately adjacent to the foundation must be sloped away from the building at a slope of not less than 1 unit vertical in 20 units horizontal (5 percent slope) for a minimum distance of 10 feet (3048 mm) measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 10 feet (3048 mm) of horizontal distance, a 5 percent slope must be provided to an approved alternate location or a alternative method of diverting water away from the foundation must be considered. Swales must be used for the purpose of drainage and must be sloped a minimum of 1 percent along the flow line where located within 10 feet (3048 mm) of the building foundation. Impervious surfaces within 10 feet (3048 mm) of the building foundation must be sloped a minimum of 2 percent away from the building. All drainage must be directed to the nearest drainage easement or public right of way.~~

~~Exception:~~

~~Where an exterior asphalt or concrete surface abuts a building, the slope of the ground away from the building foundation is permitted to be reduced to not less than one unit vertical in 48 units (2 percent slope).~~

~~The procedure used to establish the final ground level adjacent to the foundation must account for additional settlement of the backfill.~~

~~Section R403—Footings.~~

~~Revise section R403 as follows:~~

~~R403.1.1 Minimum Size.~~

~~Minimum sizes for concrete and masonry footings must be as set forth in table R403.1 and figure R403.1(1). The footing width, W, must be based on the load bearing value of the soil in~~

accordance with table R401.4.1. Spread footings must be at least 8 inches (203 mm) in thickness, T. Footing projections, P, must be at least 2 inches (51 mm) and must not exceed the thickness of the footing. The size of footings supporting piers and columns must be based on the tributary load and allowable soil pressure in accordance with table R401.4.1. Footings for wood foundations must be in accordance with the details set forth in section R403.2, and figures R403.1(2) and R403.1(3).

Section 406—Foundation Waterproofing And Damp Proofing.
Revise section R406 as follows:

R406.2 Concrete And Masonry Foundation Waterproofing.

Unless an approved geotechnical report indicates there is not a high water table or other severe soil-water conditions are known to exist, exterior foundation walls that retain earth and enclose interior spaces and floors below grade must be waterproofed from the top of the footing to the finished grade. Walls must be waterproofed in accordance with one of the following:

1. Two-ply hot mopped felts.
2. Fifty-five pound (25 kg) roll roofing.
3. Six-mil (0.15 mm) polyvinyl chloride.
4. Six-mil (0.15 mm) polyethylene.
5. Forty-mil (1 mm) polymer-modified asphalt.
6. Sixty-mil (1.5 mm) flexible polymer cement.
7. One-eighth inch (3 mm) cement-based, fiber-reinforced, waterproof coating.
8. Sixty-mil (0.22) solvent-free liquid-applied synthetic rubber.

Exception:

Organic-solvent-based products such as hydrocarbons, chlorinated hydrocarbons, ketones and esters shall not be used for ICF walls with expanded polystyrene form material. Use of plastic roofing cements, acrylic coatings, latex coatings, mortars and parings to seal ICF walls is permitted. Cold-setting asphalt or hot asphalt shall conform to type C of ASTM-D 449. Hot asphalt shall be applied at a temperature of 200°F (93°C).

All joints in membrane waterproofing shall be lapped and sealed with an adhesive compatible with the membrane.

Section R408—Under-Floor Space.
Revise section R408 as follows:

R408.1 Ventilation.

The under-floor space between the bottom of the floor joists and the earth under any building

(except space occupied by a basement) must have the grade of the ground surface at the top of the footings and ventilation openings through foundation walls or exterior walls.

The minimum net area of ventilation openings must not be less than 1 square foot (0.0929 m²) for each 150 square feet (14 m²) of under-floor space area, unless the ground surface is covered by a class 1 vapor retarder material. When a class 1 vapor retarder material is used, the minimum net area of ventilation openings must not be less than 1 square foot (0.0929 m²) for each 1,500 square feet (140 m²) of under-floor space area. One such ventilating opening must be within 3 feet (914 mm) of each corner of the building.

R408.2 Openings For Under-Floor Ventilation.

The minimum net area of ventilation openings must not be less than 1 square foot (0.0929 m²) for each 150 square feet (14 m²) of under-floor area. One ventilation opening must be within 3 feet (915 mm) of each corner of the building. Ventilation openings must be covered for their height and width with any of the following materials provided that the least dimension of the covering must not exceed $\frac{3}{4}$ inch (6.4 mm):

1. Perforated sheet metal plates not less than 0.070 inch (1.8 mm) thick.
2. Expanded sheet metal plates not less than 0.047 inch (1.2 mm) thick.
3. Cast iron grill or grating.
4. Extruded load-bearing brick vents.
5. Hardware cloth of 0.035 inch (0.89 mm) wire or heavier.
6. Corrosion-resistant wire mesh, with the least dimension being $\frac{3}{8}$ inch (3.2 mm) thick.

Exception: The total area of ventilation openings must be permitted to be reduced to $\frac{1}{4,500}$ of the under-floor area where the grade of the ground surface is at the top of the footings and covered with an approved class 1 vapor retarder material and the required openings are placed to provide cross ventilation of the space. The installation of operable louvers will not be prohibited.

R408.3 Unvented Crawl Space.

Ventilation openings in under-floor spaces specified in sections R408.1 and R408.2 are not required where:

1. The grade of the ground surface is at the top of the footings and is covered with a continuous class 1 vapor retarder. Joints of the vapor retarder must overlap by 6 inches (152 mm) and must be sealed or taped. The edges of the vapor retarder must extend at least 6 inches (152 mm) up the stem wall and must be attached and sealed to the stem wall; and
2. One of the following is provided for the under-floor space:
 - 2.1. Continuously operated mechanical exhaust ventilation at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m²) of crawlspace floor area, including an

air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with the currently adopted energy code.

2.2. Conditioned air supply sized to deliver at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m²) of under floor area, including a return air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with section N1102.2.9.

2.3. Under floor space being used as a supply plenum must comply with the requirements of section 608.0 2009 uniform mechanical code.

Chapter 5—Floors

Section R506.2.3—Vapor Retarder.

Revise subsection R506.2.3 as follows:

R506.2.3 Vapor Retarder.

A 10 mil (0.010 inches; 0.254 mm) polyethylene or approved vapor retarder with joints lapped not less than 6 inches (152 mm) must be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists.

Exception: The vapor retarder may be omitted:

1. From detached garages, utility buildings and other unheated accessory structures.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports.
3. From driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.
4. Where approved by the building official, based on local site conditions.

Chapter 8—Roof-Ceiling Construction

Section R807—Attic Access.

Revise section R807 as follows:

R807.1 Attic Access.

Buildings with combustible ceiling or roof construction must have at least one (1) attic access opening to attic areas that exceed 30 square feet and have a vertical height of 30 inches or greater. Additional access openings must be provided to attic areas that have electrical, plumbing, or mechanical fixtures or equipment that require access for periodic maintenance. The vertical height must be measured from the top of the ceiling framing members to the underside of the roof framing members.

The rough framed opening must not be less than 22 inches by 30 inches (559 mm by 762 mm) and must be located in a hallway or other readily accessible location. When located in a wall, the opening must be a minimum of 22 inches wide by 30 inches high. When the access is located in a ceiling, minimum unobstructed headroom in the attic space directly above any portion of the access must be 30 inches (762 mm) measured vertically from the top of ceiling framing

members to the underside of the roof framing members. See the adopted mechanical code for access requirements where mechanical equipment is located in attics.

Chapter 10—Chimneys And Fireplaces

Section R1007—Fireplace Requirements:

R1007 Fireplace Requirements is added to read as follows:

R1007 Fireplace Requirements:

A gas or wood burning fireplace installed within a dwelling unit shall comply with the following requirements:

1. The fireplace opening shall be provided with solid doors such as glass, solid steel or cast iron.

2. If the fireplace is located in a sleeping room or an adjacent bathroom, then a permanent unobstructed fresh air supply shall be provided directly from the exterior of the structure to the firebox.

3. When gas is piped to the fireplace, a caution sign shall be installed that states "Caution: Damper must be permanently blocked open if gas is supplied to this fireplace." The letters on the sign must be a minimum of $\frac{3}{8}$ inches in height.
(Ord. 724, 2-8-2011)

Adopt Appendix Q in its Entirety with no amendments

Chapter 4

MECHANICAL CODE

2-4-1: MECHANICAL CODE PROVISIONS:

2-4-2: MECHANICAL CODE AMENDMENTS:

2-4-1: MECHANICAL CODE PROVISIONS:

- A. Title: This chapter shall be known as the *UNIFORM MECHANICAL CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2009 uniform mechanical code~~ 2018 Uniform Mechanical Code with appendices A, B, C, and D and necessary administrative provisions. ~~Certain sections of the uniform mechanical code and appendices may be added or deleted.~~
- B. Applicability: All construction of or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element or portion of a building or structure within the city must be in compliance with, in addition to, the other applicable codes or amendments set forth by the city council and the latest edition of the uniform mechanical code.
- C. Supplements: All supplements to the uniform mechanical code, issued by the International Association of Plumbing and Mechanical Officials (IAPMO), between editions are hereby not made a part of the then current edition of the uniform mechanical code.

- D. Conflict: In the event that any of the provisions of the latest edition of the uniform mechanical code conflicts with any provision of this chapter, the provisions of this chapter must govern and be controlling.

2-4-2: MECHANICAL CODE AMENDMENTS:

All building construction work and the inspections thereof must be in conformity with the provisions of this code and with the latest edition of the uniform mechanical code, which is hereby adopted by the city, with the following specific deletions and additions:

Chapter 1 - Administration

Chapter 1 Administration is deleted in its entirety except for section 101.0 Title and section 102.0 Purpose, and replaced by [title 2, chapter 1](#), "Building Regulations Administrative Code", of the city code.

Chapter 2 - Definitions

Section 205.0 C - Definitions.

Add a new definition to section 205.0 to be placed in alphabetical order, as follows:

Combustible Construction. Combustible construction means work within any building or structure classified as type III, type IV, type V as defined in the building code. Plastic piping is not permitted in type I and type II buildings.

SECTION 304.3 ACCESS TO APPLIANCES ON ROOFS

Amend Section 304.3 to read as follows:

Section 304.3 Access to Appliances on Roofs. Appliances located on roofs or other elevated locations above 30 inches shall be accessible. [NFPA 54:9.4.3.11]

304.3.1 Access. Buildings exceeding 15 feet (4572 mm) in height shall have an inside means of access to the roof unless other means acceptable to the Authority Having Jurisdiction are used [NFPA 54:9.4.3.2]

3-4.3.1.1 Access Type. The inside means of access shall be a permanent, or foldable inside stairway or ladder, terminating in an enclosure, scuttle, or trap door. Such scuttles or trap doors shall be not less than 22 inches by 24 inches (559 mm by 610 mm) in size, shall open easily and safely under all conditions, especially snow; and shall be constructed so as to permit access from the roof side unless deliberately locked on the inside.

Not less than 10 feet (3048 mm) of clearance shall be between the access opening and the edge of the roof or similar hazard or rigidly fixed rails or guards not less than 42 inches (1067 mm) in height shall be provided on structures are utilized in lieu of guards or rails, they shall be not less than 42 inches (1067 mm) in height. [NFPA 54:9.4.3.1]

SECTION 403.7.2 ENCLOSED PARKING GARAGES

Amend Section 403.7.2 to read as follows:

403.7.2 Enclosed Parking Garages. Mechanical ventilation systems for enclosed parking garages shall operate continuously.

Exceptions:

(1) Mechanical ventilation systems for enclosed parking garages shall be permitted to operate intermittently where the system is designed to operate automatically upon detection of vehicle operation or presence of occupants by approved automatic detection devices.

(2) Automatic carbon monoxide sensing devices shall be permitted to be employed to modulate the ventilation system to maintain a maximum average concentration of carbon monoxide of 50 parts per million during an eight-hour period, with a concentration of not more than 200 parts per million for a period not exceeding one hour. Automatic carbon monoxide sensing devices installed to modulated parking garages ventilation systems shall be approved.

Chapter 5 - Exhaust Systems

Section 504.0 - Environmental Air Ducts.

Revise subsection 504.3.1, 504.3.2 and 504.3.2.2 as follows:

~~504.3.1 Moisture Exhaust Ducts.~~

~~Moisture exhaust ducts must terminate on the outside of the building and must be equipped with a back-draft damper. Screens must not be installed at the duct termination. Ducts for exhausting clothes dryers must not be connected or installed with sheet metal screws or other fasteners which will obstruct the flow. Clothes dryer moisture exhaust ducts must not be connected to a gas vent connector, gas vent or chimney and must only serve clothes dryers. Clothes dryer moisture exhaust ducts under positive pressure must not extend into or through ducts or plenums.~~

~~Exception: When moisture exhaust ducts terminate vertically through a roof, back-draft dampers are not required.~~

~~504.3.2 Domestic Clothes Dryers.~~

~~When a compartment or space for a domestic clothes dryer is provided, a minimum four (4) inch diameter (102 mm) moisture exhaust duct of approved material must be installed in accordance with this section and section 504.0.~~

504.4.1 Provisions for makeup air. Makeup air shall be provided in accordance with the following:

- (1) Make up air shall be provided for Type 1 clothes dryers in accordance with the manufacturer's instructions. [NFPA 54:10.4.3.1] Where a closet is designed for the installation of a clothes dryer, an opening of not less than 100 square inches for makeup air shall be provided by approved means. 100 square inches for makeup air must be provided by means of permanent openings. Vents, louvers, or other openings in doors, or infiltration around doors must be prohibited in the calculations of the required makeup air

Section 504.4.2.1 Length Limitation

504.4.2.1 Length Limitation. Domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of 14 feet, including two 90- degree (1.57 rad) elbows. A length of 2 feet shall be deducted for each 90-degree (1.57 rad) elbow in excess of two.

Amend Section 504.4.2.1 to read as follows:

504.3.2.2 Length Limitation.

Domestic dryer moisture exhaust ducts must not exceed a total combined horizontal and vertical length of fourteen (14) feet (4267 mm), including two (2) 90-degree (1.57 rad) elbows. Two (2) feet (610 mm) must be deducted for each 90-degree (1.57 rad) elbow in excess of two.

Exceptions:

1. Where large-radius 45-degree (0.8 rad) and 90-degree (1.6 rad) bends are installed, determination of the equivalent length of clothes dryer exhaust duct for each bend by engineering calculation in accordance with ASHRAE Fundamentals Handbook shall be permitted.

SECTION 505.10 MAKEUP AIR

Amend Section 505.10 to read as follows:

505.10 Makeup Air. Makeup air shall be provided to replenish air exhausted by the ventilator system. Exhaust hood systems capable of exhausting in excess of 600 cfm (0.28 m³/s) shall be provided with *makeup air* at a rate approximately equal to the *exhaust air* rate. Such *makeup air* systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system. Makeup air intakes shall be located so as to avoid recirculation of contaminated air within enclosures.

SECTION 508.3.5.4 EVAPORATIVE COOLING SYSTEMS USED AS MAKE UP AIR SYSTEMS

Add Section 508.3.5.4 to read as follows:

508.3.5.4.1 Evaporative Cooling Systems. Evaporative cooling systems will comply with this chapter. Evaporative coolers shall not be used for makeup air units on commercial kitchen hoods and kitchen ventilation systems.

Exception: Evaporative cooling systems that are part of a listed heating air system for kitchen make up air systems. The temperature differential between the makeup air and the air in the conditioned space shall not exceed 10°F (6°C) except where the added heating and cooling load of makeup air do not exceed the capacity of the HVAC system.

SECTION 511.2.2.2 CAPTURE AND CONTAINMENT TEST

Amend Section 511.2.2.2 to read as follows:

Section 511.2.2.2 Capture and Containment Test. The permit holder shall verify the capture and

containment performance of Type I hoods. A field test shall be conducted with all appliances under the hood at operating temperatures, all the hoods operating at design airflows, and with all sources of replacement air operating at design airflows for the restaurant. Capture and containment shall be verified by observing smoke or steam produced by actual cooking operation or by simulating cooking using devices such as smoke candles or smoke puffers. Smoke bombs shall not be used [ASHRAE 154:4.7.2]

Exception: Capture and containment test not required if hood is UL and NFPA listed and manufacturer's data lists the individual equipment below hood.

SECTION 604.1 GENERAL

Amend Section 604.1 to read as follows:

604.1 General. Supply-air ducts, return air-ducts, and plenum of a heating or cooling system shall be insulated to achieve the minimum thermal (R) value in accordance with the 2018 International Energy Conservation Code Section 403.2.1 for residential and 503.2.7 for commercial.

SECTION 608.1 AIR-MOVING SYSTEMS AND SMOKE DETECTORS

Add Section 608.1 to read as follows:

608.1 Air-Moving Systems and Smoke Detectors. Air-moving systems supplying air in excess of 2000 cubic feet per minute (ft³/min) (0.9439 m³/s) to enclosed spaces within buildings shall be equipped with an automatic shutoff. Automatic shutoff shall be accomplished by interrupting the power source of the air-moving equipment upon detection of smoke in the main return-air duct or plenum upstream of any filters, exhaust air connections, outdoor air connections, or decontamination equipment and appliances served by such equipment. Duct smoke detectors shall comply with UL 268A and shall be installed in accordance with the manufacturer's installation instructions. Such devices shall be compatible with the operating velocities, pressures, temperatures, and humidity's of the system. Where fire-detection or alarm systems are provided for the building, the smoke detectors shall be supervised by such systems in an approved manner.

Exceptions:

1. Where the space supplied by the air-moving equipment is served by a total coverage smoke-detection system in accordance with the fire code, interconnection to such system shall be permitted to be used to accomplish the required shutoff.
2. Automatic shutoff is not required where occupied rooms served by the air-handling equipment have direct exit to the exterior and the travel distance does not exceed 100 feet (30 480 mm).
3. Automatic shutoff is not required for Group R, Division 3 and Group U Occupancies.
4. Automatic shutoff is not required for approved smoke control systems or where analysis demonstrates shutoff would create a greater hazard, such as shall be permitted to be encountered in air-moving equipment supplying specialized portions of Group H Occupancies. Such equipment shall be required to have smoke detection with remote indication and manual shutoff capability at an approved location. (5) Smoke detectors that are factory installed in listed air moving equipment shall be permitted to be used in

lieu of smoke detectors installed in the main supply-air duct served by such equipment.

SECTION 609.0 PERFORMANCE TEST FOR AUTOMATIC SHUTOFFS

Add Section 609.0 to read as follows:

609.0 Performance Test for Automatic Shutoffs. Upon completion and before final approval of the air-moving system, provide with the required smoke detectors, a performance test shall be performed to verify compliance of detector installation to manufacturer's instructions and system compatibility as specified in this chapter. The permittee shall furnish the necessary test equipment and devices required to perform the tests and shall provide the jurisdiction with an accurate, completed, and signed test report. The report shall provide the jurisdiction a form containing equivalent information. At the discretion of the Authority Having Jurisdiction, the performance test may be required to be witnessed by the Authority Having Jurisdiction or performed by an approved third-party testing agency.

Chapter 7 - Combustion Air

Section 701.12 - Prohibited Openings.

Add a new section 701.13 as follows:

Vents, louvers, other openings in doors, or infiltration around doors is prohibited in the calculation of the required combustion air.

Chapter 9 - Installation of Specific Appliances

Section 904.0 - Central Heating Boilers and Furnaces.

Revise section 904.10, Title and subsection 904.10.1 as follows:

~~904.10 Access To Appliances And Air Moving Systems On Roofs.~~

~~904.10.1 Appliances and air moving systems located on roofs or other elevated locations fifteen (15) feet above adjacent grade or floor level must be accessible by permanent roof access ladders, as follows:~~

- ~~1. Each ladder must have side railings which extend at least thirty (30) inches (762 mm) above the roof or parapet wall.~~
- ~~2. Each ladder must be a minimum of fourteen (14) inches (356 mm) in width.~~
- ~~3. Each ladder rung must be spaced at a maximum of fourteen (14) inches (356 mm) on center.~~
- ~~4. Each ladder must have a minimum of a six (6) inch (152 mm) toe space.~~
- ~~5. Rungs must have a minimum 0.75-inch (19 mm) diameter and be capable of withstanding a 300-pound (136.1 kg) load.~~
- ~~6. Each ladder must have intermediate horizontal landings whenever the ladder height exceeds eighteen~~

feet (5486 mm) above finished grade. Landings must be placed at eighteen foot (5486 mm) intervals, maximum.

Exceptions:

1. Permanent exterior ladders providing roof access need not extend closer than eight (8) feet (2438 mm) to the finish grade.

2. A portable ladder may be used for access for a group R division 3 and 4 and U occupancies.

3. Permanent ladders for equipment access need not be provided at parapets or walls less than thirty (30) inches (762 mm) in height.

904.10.2 An inside means of access must be a permanent stairway or ladder complying with 904.10.1, terminating in an enclosure, scuttle, or trapdoor. Such scuttles or trapdoors must be at least twenty-two (22) inches x twenty-four (24) inches (560 mm x 610 mm) in size, must open easily and safely under all conditions, especially snow, and must be constructed as so to permit access from the roof side unless deliberately locked on the inside. At least six (6) feet (1829 mm) of clearance must be available between the access opening and the edge of the roof or similar hazard, or rigidly fixed rails or guards a minimum of forty-two (42) inches (1067 mm) in height must be provided on the exposed side. Where parapets or other building structures are utilized in lieu of guards or rails, they must be a minimum of forty-two (42) inches (1067 mm) in height.

SECTION 939.0 SAUNA HEATERS

Add Section 939.1 to Section 939.0 Sauna Heaters to read as follows:

939.0 Sauna Heaters.

939.1 General. Sauna heaters shall be listed and installed in accordance with the manufacturer's installation instructions. Approved guards or barriers shall be installed to prevent accidental contact with the sauna heater. Ventilation shall be provided in accordance with its listing and combustion air for gas-fired sauna heaters shall comply with chapter 7.

Chapter 10—Steam And Hot Water Boilers

Section 1001.0—Scope Applicability.

Delete chapter 10 in its entirety except section 1001.0 and revise section 1001.0 as follows:

1001.0 Applicability.

For boilers and water heaters less than 120 gallon capacity, or a Btu input rating less than 200,000, or less than 160 pounds per square inch of pressure, see chapter 5 of the uniform plumbing code. For all other units, contact the mechanical section of the Nevada division of occupational safety and health, part of the office of business and industrial relations.

Chapter 11—Refrigeration

Table 11-1 Refrigerant Groups, Properties And Allowable Quantities.

Revise table 11-1 by adding a new footnote #16 as follows:

16 For occupancy group I, division 1 and division 2, the quantity of refrigerant in each system is limited to 50 percent of the respective amount listed in this table.

Exceptions: Kitchens, laboratories and mortuaries.

Justification: To correlate and avoid conflict with the state fire marshal requirements.

Table 11-2 Permissible Refrigeration Systems.

Revise table 11-2 as follows:

TABLE 11-2

PERMISSIBLE REFRIGERATION SYSTEMS¹.

| Occupancy Group And Division ⁴ | High Probability System | Low Probability System | Machinery Room |
|---|----------------------------|------------------------|----------------|
| A-1 | Group A1 only | Any | Any |
| A-2 | Group A1 only | Any | Any |
| A-3 | Group A1 only | Any | Any |
| A-4 | Group A1 only | Any | Any |
| A-5 | Group A1 only | Any | Any |
| B | Group A1 only ² | Any | Any |
| E | Group A1 only | Any | Any |
| F-1 | Group A1 only | Any | Any |
| F-2 | Any ² | Any | Any |
| H-1 | Any | Any | Any |
| H-2 | Any | Any | Any |
| H-3 | Any | Any | Any |
| H-4 | Any | Any | Any |
| H-5 | Group A1 only | Any | Any |
| I-1 | Group A1 only ³ | Any | Any |
| I-2 | Group A1 only ³ | Any | Any |
| I-3 | Group A1 only ³ | Any | Any |
| I-4 | Group A1 only ³ | Any | Any |

| | | | |
|--------|------------------------------|------|------|
| M- | Group A1 only ² - | Any- | Any- |
| R-1- | Group A1 only- | Any- | Any- |
| R-2- | Group A1 only- | Any- | Any- |
| R-3- | Group A1 only- | Any- | Any- |
| R-4- | Group A1 only- | Any- | Any- |
| S-1- | Group A1 only ² - | Any- | Any- |
| S-2- | Any ² - | Any- | Any- |
| U-1 U- | Any- | Any- | Any- |

Notes:

1 See section 1105.0.

2 Any refrigerant may be used within a high-probability system when the room or space complies with section 1105.3.

3 The allowable quantities shown in table 11-1 must be reduced by 50 percent for all institutional occupancies except kitchens, laboratories, and mortuaries. (ASHRAE safety standard for refrigeration systems 15-2007 section 7.2.1.).

4 Occupancy classifications are defined in the building code.

Chapter 13 - Fuel Gas Piping

SECTION 1301.1 APPLICABILITY

Amend Section 1301.1 to read as follows:

1301.1 Applicability. The regulations of this chapter shall govern the installation of fuel gas piping in or in connection with a building, structure or within the property lines of premises up to 5 pounds-force per square inch (psi) (34 kPa), other than service pipe.

Fuel oil piping systems shall be installed in accordance with NFPA 31. Whenever there is a conflict between this code and NFPA 54 and NFPA 58 as adopted by the Nevada LP-Gas Board for LP-Gas installations, the adopted codes of the Nevada LP-Gas Board shall govern.

~~1309.0 Gas Piping System Design, Materials, And Components.~~

~~1309.5.4 Plastic Pipe, Tubing, And Fittings.~~

~~Revise section 1309.5.4 by adding an exception as follows:~~

~~1309.5.4 Plastic Pipe, Tubing, And Fittings.~~

~~Plastic pipe, tubing, and fittings used to supply fuel gas shall conform with ASTM D 2513, standard specification for thermoplastic gas pressure pipe, tubing, and fittings. Pipe to be used shall be marked "gas" and "ASTM D 2513." [NFPA 54:5.6.4.1]~~

~~Anodeless risers shall comply with the following: [NFPA 54:5.6.4.3]~~

~~Exception: Any time polyvinyl chloride (PVC) gas conveyance material is damaged, altered or repaired, the material must be completely replaced with gas piping which complies with the mechanical and plumbing code in effect at the time.~~

Section 1313.3 Test Pressure

Amend Section 1313.3 to read as follows:

1313.3 Test Pressure. This inspection shall include an air, CO₂, or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than 25 psi (172.4 kPa) gauge pressure. Test pressures shall be held for a length of time satisfactory to the Authority Having Jurisdiction but in no case less than 30 minutes with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of 14 inches water column (3.5 kPa) pressure, the test pressure shall be not less than 60 psi (414 kPa) and shall be continued for a length of time satisfactory to the Authority Having Jurisdiction, but in no case for less than 30 minutes. These tests shall be made using air, CO₂, or nitrogen pressure and shall be made in the presence of the Authority Having Jurisdiction. Necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conducting test shall be in accordance with Section 318.0.

SECTION 1313.5.1 TURNING GAS ON

Amend Section 1313.5.1 to read as follows:

1313.5.1 Turning Gas On. During the process of turning gas on into a system of new gas piping or portion of a gas system that has been restored after an interruption of service, the entire system shall be inspected to determine that there are no open fittings or ends and that all valves at unused outlets are closed and plugged or capped. [NFPA 54:8.2.2]

1313.5.1.1 During the process of turning gas on into a system of new gas piping or into a system or portion of a gas system that has been restored after an interruption of service; in the City of Elko a manometer test shall be made after all valves, unions, connectors and piping to the appliances are complete. A pressure test shall be made with the use of a manometer gauge measuring inches of water column. With all valves including gas cock and gas control valves in the open position, a pressure of at least eleven (11) to fifteen (15) inches of water column shall be measured for at least fifteen (15) minutes with no perceptible drop in pressure.

1313.5.1.2 For medium pressure gas systems: Where the appliance is rated for seven (7) to eleven (11) inches of water column, a manometer test of eleven (11) to fifteen (15) inches of water column will be conducted between the pressure regulating valve and the appliance and shall be measured for at least fifteen (15) minutes with no perceptible drop in pressure.

1313.5.1.3 For appliances or equipment requiring pounds of gas pressure: A pressure test using a pressure gauge measuring in one tenth (1/10) increments shall be conducted on the gas train of that appliance or equipment. The pressure shall be equal to the appliance's normal operating pressure for a period of thirty (30) minutes with no perceptible drop in pressure.

1313.5.1.4 Manometer testing. Manometer testing shall be performed by a person holding a valid City of Elko manometer tester card for which the number is to be provided at the time of request for inspection. A manometer test does not need to be reported when the serving gas utility performs a manometer or clock test prior to providing service.

PLUMBING CODE

2-5-1: PLUMBING CODE PROVISIONS:

2-5-2: PLUMBING CODE AMENDMENTS:

2-5-1: PLUMBING CODE PROVISIONS:

- A. Title: This chapter shall be known as the *UNIFORM PLUMBING CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2009~~2018 Uniform Plumbing Code (UPC) as published by the International Association of Plumbing and Mechanical Officials (IAPMO) ~~with appendices A, B, D, E, I, and L~~ and necessary administrative provisions. Certain sections of the uniform plumbing code and appendices may be added or deleted.
- B. Applicability: All construction of or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element or portion of a building or structure within the city shall be in compliance with, in addition to, the other applicable codes or amendments set forth by the city council and the latest edition of the uniform plumbing code.
- C. Supplements: All supplements to the uniform plumbing code, issued by the International Association of Plumbing and Mechanical Officials (IAPMO), between editions are hereby not made a part of the then current edition of the uniform plumbing code.
- D. Conflict: In the event that any of the provisions of the latest edition of the uniform plumbing code conflicts with any provision of this chapter, the provisions of this chapter shall govern and be controlling.

2-5-2: PLUMBING CODE AMENDMENTS:

All building construction work and the inspections thereof shall be in conformity with the provisions of this code and with the latest edition of the uniform plumbing code, which is hereby adopted by the city, with the following specific deletions and additions:

Chapter 1 - Administration

Chapter 1 is deleted in its entirety except for section 101.0 Title and section 102.0 Purpose, and replaced by title 2, chapter 1, "Building Regulations Administrative Code", of the city code.

Chapter 2 - Definitions

Section 205.0 - C

205.0 C Definitions.

Add a new definition to section 205 to be placed in alphabetical order, as follows:

Combustible Construction - Combustible construction shall mean work within any building or structure classified as type III, type IV, type V as defined in the building code. Plastic piping is not permitted in type I and type II buildings.

SECTION 216.0 DEFINITION NON-COMBUSTIBLE MATERIAL

Amend Section 216.0 to read as follows:

Section 216.0 Definitions. Non-Combustible Material: Materials that, when tested in accordance with ASTM E136, have at least three of four specimens tested meeting all of the following criteria:

1. The recorded temperature of the surface and interior thermocouples shall not at any time during the test rise more than 54°F (30°C) above the furnace temperature at the beginning of the test.
2. There shall not be flaming from the specimen after the first 30 seconds.
3. If the weight loss of the specimen during testing exceeds 50 percent, the recorded temperature of the surface and interior thermocouples shall not at any time during the test rise above the furnace air temperature at the beginning of the test, and there shall not be flaming of the specimen.

Section 218.0 Definition Penetration Firestop System

Delete Section 216.0 as follows:

Section 216.0 Definitions. Non-Combustible Material: Materials that, when tested in accordance with ASTM E136, have at least three or four specimens tested meeting all of the following criteria:

1. The recorded temperature of the surface and interior thermocouples shall not at any time during the test rise more than 54°F (30°C) above the furnace temperature at the beginning of the test.
2. There shall not be flaming from the specimen after the first 30 seconds.
3. If the weight loss of the specimen during testing exceeds 50 percent, the recorded temperature of the surface and interior thermocouples shall not at any time during the test rise above the furnace air temperature at the beginning of the test, and there shall not be flaming of the specimen.

Section 218.0 Definition Penetration Firestop System

Delete Section 218

~~218.90 Definitions. Penetration Firestop System. A specific assemblage of field assembled materials, or a factory made device, which has been tested to a standard test method and, where installed properly~~

on penetrating piping materials, is capable of maintaining the fire resistance rating of assemblies penetrated.

Section 222.0 Definitions "T" Rating

Delete Section 222.0 as follows:

222.0 Definitions. T Rating. The time period that the penetration firestop system, including the penetrating item, limits the maximum temperature rise of 325° above its initial temperature through the penetration on the non fire side, where tested in accordance with ASTM E 814 or UL 1479.

Chapter 3 - General Regulations

SECTION 312.7 FIRE-RESISTANT CONSTRUCTION

Amend Section 312.7 to read as follows:

312.7 Fire-Resistant Construction. Piping penetrations of fire-resistance-rated walls, partitions, floors, floor/ceiling assemblies, roof/ceiling assemblies, or shaft enclosures shall be protected in accordance with the requirements of the building code.

~~Section 313.0—Protection Of Piping, Materials, And Structures.
Revise section 313.6 as follows:~~

~~313.6 No water, soil, or waste pipe shall be installed or permitted outside of a building in an exterior wall or outside of any conditioned space unless adequate provisions are made to protect such pipe from freezing.~~

~~Chapter 4—Plumbing Fixtures And Fixture Fittings~~

~~Section 402.0—Water Conserving Fixtures And Fittings.~~

~~Revise sections 402.2 and 402.3 as follows:~~

~~402.2 Water Closets.~~

~~Water closets, either flush tank, flushometer tank, or flushometer valve operated, shall have an average consumption of 1.6 gallons (6.1 liters) of water per flush. A timing device or other mechanism which will automatically flush a water closet periodically or continually is prohibited.~~

~~402.3 Urinals.~~

~~Urinals shall have an average water consumption of 1 gallon (3.8 liters) of water per flush. A timing device or other mechanism which will automatically flush a urinal periodically or continually is prohibited.~~

~~Section 411.0—Floor Drains.~~

~~411.2 Location Of Floor Drains.~~

~~Add a new subsection 411.2.4 as follows:~~

~~411.2.4 All fire pump rooms shall be provided with a (3) inch (76 mm) minimum floor drain which must be connected to an approved trap primer.~~

~~Section 412.0—Minimum Number Of Required Fixtures.~~

~~Delete sections 412.2 through 412.6 and table 4-1 in their entirety and revise section 412.1 as follows:~~

~~412.1 Minimum Number Of Required Fixtures.~~

~~Plumbing fixtures shall be provided for the type of occupancy and in the minimum number as required by the currently adopted building code.~~

~~Chapter 5—Water Heaters~~

~~Section 509.0—Appliances On Roofs.~~

~~509.3 Access To Appliances On Roofs.~~

~~Revise subsection 509.3.1 as follows:~~

~~509.3.1 Gas utilization appliances located on roofs or other elevated locations shall be accessible by permanent roof access ladders, as follows:~~

~~(1) Each ladder shall have side railings which extend at least thirty (30) inches (762 mm) above the roof or parapet wall.~~

~~(2) Each ladder shall be a minimum of fourteen (14) inches (356 mm) in width.~~

~~(3) Each ladder rung shall be spaced at a maximum of fourteen (14) inches (356 mm) on center.~~

~~(4) Each ladder shall have a minimum of a six (6) inch (152 mm) toe space.~~

~~(5) Each ladder shall have intermediate horizontal landings whenever the ladder height exceeds eighteen feet (5486 mm) above finished grade. Landings shall be placed at eighteen foot (5486 mm) intervals, maximum.~~

~~Exceptions:~~

~~a. Permanent exterior ladders providing roof access need not extend closer than eight (8) feet (2438 mm) to the finish grade.~~

~~b. A portable ladder may be used for access for a group R division 3 and 4 and U occupancies.~~

~~c. Permanent ladders for equipment access need not be provided at parapets or walls less than thirty (30) inches (762 mm) in height.~~

Section 422.0 Minimum Number of Required Fixtures

Delete Section 422.0 to read:

~~Section 422.0 Minimum Number of Required Fixtures.~~

Table 422.1 Minimum Plumbing Facilities

Delete Table 422.1 as follows:

~~Table 422.1 Minimum Plumbing Facilities~~

Chapter 6—Water Supply And Distribution

~~Section 603.0—Cross-Connection Control.~~

~~603.3 General Requirements.~~

~~Revise subsection 603.3.3 as follows:~~

~~603.3.3 The premises owner or responsible person shall have the backflow prevention assembly tested by a certified backflow assembly tester at the time of installation, repair, or relocation and not less than on an annual schedule thereafter, or more often when required by the city of Elko. The certified tester shall leave a copy of their backflow certification on-site along with a copy of the certification of each device tested. These documents shall be recorded into the permanent record at the time of installation. The periodic testing shall be performed in accordance with the procedures referenced in table 14-1 by a tester qualified in accordance with those standards.~~

~~Section 604.0—Materials.~~

~~Add a new subsection 604.1.1 as follows:~~

~~604.1.1 Plastic piping shall be limited to buildings defined as combustible construction by this code.~~

~~Section 608.0—Water Pressure, Pressure Regulators, Pressure Relief Valves, And Vacuum Relief Valves.~~

~~Revise section 608.5 Relief Valves as follows:~~

~~608.5 Relief Valves.~~

~~Relief valves located inside a building shall be provided with a drain, not smaller than the relief valve outlet, of galvanized steel, hard drawn copper piping and fittings, CPVC, flexible corrugated connectors complying with 604.12, or listed relief valve drain tube with fittings that will not reduce the internal bore of the pipe or tubing (straight lengths as opposed to coils) and shall extend from the valve to the outside of the building with the end of the pipe not more than two (2) feet (610 mm) nor less than six (6) inches (152 mm) above the ground or the flood level of the area receiving the discharge and pointing downward. Temperature and pressure relief (T & P) drains may discharge through an air gap in a floor sink or a floor drain provided they are located in normally unoccupied areas. Relief valve drains shall not terminate in a building's crawl space. No part of such drain pipe shall be trapped or subject to freezing. The terminal end of the drain pipe shall not be threaded.~~

~~Table 6-5—Water Supply Fixture Units (WSFU) And Minimum Fixture Branch Pipe Sizes.~~

~~Revise footnote number five (5) by adding the following:~~

~~Each single family dwelling shall be assigned ten (10) WSFU's for lawn sprinklers unless otherwise specified by the design professional.~~

Section 609.1 Installation

Amend Section 609.1 to read as follows:

609.1 Installation. Water piping shall be adequately supported in accordance with Table 313.3. Burred ends shall be reamed to the full bore of the pipe or tube. Changes in direction shall be made by the appropriate use of fittings, except that changes in direction in copper or copper alloy tubing shall be permitted to be made with bends, provided that such bends are made with bending

equipment that does not deform or create a loss in the cross-sectional area of the tubing. Changes in direction are allowed with flexible pipe and tubing without fittings in accordance with the manufacturer's instructions. Provisions shall be made for expansion in hot-water piping. Piping, equipment, appurtenances, and devices shall be installed in a workmanlike manner in accordance with the provisions and intent of the code. Building supply yard piping shall be not less than 6 inches (152mm) below the average local frost depth. The cover shall be not less than 12 inches (305 mm) below finish grade.

Chapter 7 - Sanitary Drainage

~~Section 701.0 – Materials.~~

~~Revise section 701.0 by adding a new subsection 701.1.2.1 Materials as follows:~~

~~701.1.2.1 Materials.~~

~~Plastic piping used for drainage waste and vent systems shall be limited to buildings defined as combustible construction by this code.~~

~~Section 704.0 – Fixture Connection (Drainage).~~

~~704.3 Fixture Connections.~~

~~Revise section 704.3 as follows:~~

~~Pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing machines, silverware washing machines, and other similar fixtures shall be indirectly connected to the drainage systems by means of an air gap.~~

~~Section 707.0 – Cleanouts.~~

~~707.4 Cleanouts.~~

~~Revise section 707.4 as follows:~~

~~Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, that is more than one hundred (100) feet (30 480 mm) in total developed length, shall be provided with a cleanout for each one hundred (100) feet (30 480 mm), or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees (2.36 rad). A cleanout shall be provided on every sewer connection serving all structures, trailers, or mobile homes, with said cleanout placed so as to fall outside of the area covered by the structure, trailer or mobile home.~~

SECTION 712.1 MEDIA

Amend Section 712.1 to read as follows:

712.1 Media. The piping of the plumbing, drainage and venting systems shall be tested with water or air except that plastic piping shall not be tested with air. The Authority Having Jurisdiction shall be permitted to require the removal of cleanouts, etc., to ascertain whether the pressure has reached all parts of the system. After the plumbing fixtures have been set and their traps filled with water, they shall be submitted to a final test.

SECTION 717.1 GENERAL (SIZE OF BUILDING SEWERS)

Amend Section 717.1 to read as follows:

- 717.1 General. The minimum size of a building sewer shall be determined on the basis of the total number of fixture units drained by such sewer, in accordance with Table 717.1. No building sewer shall be smaller than the building drain, or less than four (4) inches in diameter. For alternate methods of sizing building sewers, see Appendix C.

SECTION 723.1 GENERAL (BUILDING SEWER TEST)

Amend Section 723.1 to read as follows:

723.1 General. Building sewers shall be tested by plugging the end of the building sewer at its points of connection with the public sewer or private sewage disposal system and completely filling the building sewer with water from the lowest to highest point thereof, or by approved equivalent low-pressure air test. Plastic DWV piping shall not be tested by the air test method. The building sewer shall be watertight.

The remainder of the section is unchanged.

~~Chapter 8—Indirect Wastes~~

~~Section 801.0—Indirect Wastes:~~

~~801.2 Food And Beverage Handling Establishments:~~

~~Revise subsection 801.2.2 as follows:~~

~~801.2.2 For walk-in coolers, floor drains shall be permitted to be connected to a separate drainage line discharging into an outside receptor. The flood level rim of the receptor shall be not less than six (6) inches (152 mm) lower than the lowest floor drain. Such floor drains shall be trapped and individually vented. Cleanouts shall be provided at every ninety (90) degree (1.6 rad) turn and shall be accessibly located. Such waste shall discharge through an airgap into a trapped and vented receptor, except that a full-size airgap is required where the indirect waste pipe may be under vacuum.~~

~~801.2 Food And Beverage Handling Establishments:~~

~~Revise section 801.2 by adding a new subsection 801.2.4 Floor Sinks as follows:~~

~~801.2.4 Floor Sinks:~~

~~Floor sinks shall be installed flush with the finished floor and shall be accessible for cleaning.~~

~~Chapter 9—Vents~~

~~Section 903.0—Materials:~~

~~Revise section 903.1 by adding a new subsection 903.1.2.1 as follows:~~

~~903.1.2.1 Plastic piping used for drainage waste and vent systems shall be limited to buildings defined as combustible construction by this code.~~

~~Chapter 10—Traps And Interceptors~~

~~Section 1016.0—Sand Interceptors:~~

~~Revise section 1016.0 by adding a new subsection 1016.4 as follows:~~

~~1016.4 Sand/Oil Interceptor Sizing Data:~~

~~(Square footage area of the facility/facility factor) x 7.48) x 2 = volume of interceptor~~

~~Example: 3 bay car wash calculations:~~

| | |
|---|--|
| Square footage area of the facility— | = 1500 square feet— |
| Divided by facility factor (below)— | = /25— |
| Multiply by the gallons per cu. ft— | = x 7.48— |
| Multiply by the retention time (2 hour)— | = x 2— |
| Volume of the interceptor— | = 897.6 gallons— |
| Manufactured size (traffic rated)— | 1000 gallon sand/oil interceptor— |

~~Facility factor:~~

~~One (1) cu. ft of interceptor capacity equals:~~

~~* 25 sq. feet of floor space at: truck washes, manual and automatic car wash~~

~~* 100 sq. feet of floor space at: machine shop, automotive workshops, storage garage/warehouse~~

~~* 250 sq. feet of floor space at: paint spray booths~~

~~* 300 sq. feet of floor space at: printers~~

~~* 2000 sq. feet of floor space at: parking garages (where floors are to be washed)~~

~~Chapter 11—Storm Drainage~~

~~Section 1101.0—General:~~

~~1101.3 Material Uses:~~

~~Revise section 1101.3 by adding a new subsection 1101.3.1 as follows:~~

~~1101.3.1 Plastic piping used for rainwater systems shall be limited to buildings defined as combustible construction by this code.~~

SECTION 1107.2 METHODS OF TESTING STORM DRAINAGE SYSTEMS

Amend Section 1107.2 to read as follows:

1107.2 Methods of Testing Storm Drainage Systems. Except for outside leaders and perforated or open-jointed drain tile, the piping of storm drain systems shall be tested upon completion of the rough piping installation by water or air, except that plastic pipe shall not be tested with air and proved tight. The Authority Having Jurisdiction shall be permitted to require the removal of

cleanout plugs to ascertain whether the pressure has reached parts of the system. One of the following test methods shall be used in accordance with Section 1109.2.1 through Section 1109.2.3.

Chapter 12 - Fuel Piping

SECTION 1201.1 INSTALLATION

Amend Section 1201.1 to read as follows:

1201.1 Installation. The regulations of this chapter shall govern the installation of fuel gas piping in or in connection with a building, structure or within the property lines of premises up to 5 pounds-force per square inch (34 kPa) other than service pipe. Fuel oil piping systems shall be installed in accordance with NFPA31. Whenever there is a conflict between this code and NFPA 54 and NFPA 58 as adopted by the Nevada LP-Gas Board for LP-Gas installations, the adopted codes of the Nevada LP-Gas Board shall govern.

SECTION 1208.6.1.3 SNOW HAZARD

Add Section 1208.6.1.3 to 1208.6 to read as follows:

1208.6.1.3 Snow Hazard: Protection of utilities shall be per requirements of local utility.

~~Section 1209.0 Gas Piping System Design, Materials, And Components:~~

~~1209.5.4 Plastic Pipe, Tubing, And Fittings:~~

~~Revise section 1209.5.4 by adding an exception as follows:~~

~~1209.5.4 Plastic Pipe, Tubing, And Fittings. Plastic pipe, tubing, and fittings used to supply fuel gas shall conform with ASTM D 2513, standard specification for thermoplastic gas pressure pipe, tubing, and fittings. Pipe to be used shall be marked "gas" and "ASTM D 2513." [NFPA 54:5.6.4.1]~~

~~Exception: Any time polyvinyl chloride (PVC) gas conveyance material is damaged, altered or repaired, the material must be completely replaced with gas piping which complies with the mechanical and plumbing code in effect at the time.~~

SECTION 1213.3 TEST PRESSURE

Amend Section 1213.3 to read as follows:

1213.3 Test Pressure. This inspection shall include an air, CO2, or nitrogen pressure test, at which time the gas piping shall stand a pressure of not less than 25 psi (172.4 kPa) gauge pressure. Test pressures shall be held for a length of time satisfactory to the Authority Having Jurisdiction, but in no case less than 30 minutes with no perceptible drop in pressure. For welded piping, and for piping carrying gas at pressures in excess of 14 inches water column pressure (3.5 kPa), the test pressure shall be not less than 60 psi (414 kPa) and shall be continued for a length of time satisfactory to the Authority Having Jurisdiction, but in no case for less than 30 minutes. These tests shall be made

using air, CO2, or nitrogen pressure and shall be made in the presence of the Authority Having Jurisdiction. Necessary apparatus for conducting tests shall be furnished by the permit holder. Test gauges used in conducting tests shall be in accordance with Section 318.0.

SECTION 1213.5.1 TURNING GAS ON

Amend Section 1213.5.1 to read as follows:

1213.5.1 Turning Gas On. During the process of turning gas on into a system of new gas piping or into a system or portion of a gas system that has been restored after an interruption of service, the entire system shall be inspected to determine that there are no open fittings or ends and that the valves at unused outlets are closed and plugged or capped. [NFPA 54:8.2.2]

1213.5.1.1 During the process of turning gas on into a system of new gas piping or into a system or portion of a gas system that has been restored after an interruption of service; in the City of Elko a manometer test shall be made after all valves, unions, connectors and piping to the appliances are complete. A pressure test shall be made with the use of a manometer gauge measuring inches of water column. With all valves including gas cock and gas control valves in the open position, a pressure of at least eleven (11) to fifteen (15) inches of water column shall be measured for at least fifteen (15) minutes, with no perceptible drop in pressure.

1213.5.1.2 For medium pressure gas systems: Where the appliance is rated for seven (7) to eleven (11) inches of water column, a manometer test of eleven (11) to fifteen (15) inches of water column will be conducted between the pressure regulating valve and the appliance and shall be measured for at least fifteen (15) minutes with no perceptible drop in pressure.

1213.5.1.3 For appliances or equipment requiring pounds of gas pressure: A pressure test using a pressure gauge measuring in one tenth (1/10) increments shall be conducted on the gas train of that appliance or equipment. The pressure shall be equal to the appliance's normal operating pressure for a period of thirty (30) minutes with no perceptible drop in pressure.

~~Chapter 15 – Firestop Protection~~

~~Delete chapter 15 in its entirety. Refer to the currently adopted IBC.~~

~~Chapter 16 – Nonpotable Water Reuse Systems~~

~~Delete chapter 16, Nonpotable Water Reuse Systems in its entirety.~~

~~Refer to the effluent management plan for the city of Elko.~~

~~{Ord. 761, 9-11-2012}~~

Chapter 6

ELECTRICAL CODE

2-6-1: ELECTRICAL CODE PROVISIONS:

2-6-2: ELECTRICAL CODE AMENDMENTS:

2-6-1: ELECTRICAL CODE PROVISIONS:

- A. Title: This chapter shall be known as the *ELECTRICAL CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2008~~ 2017 National Electrical Code and necessary provisions.
- B. Applicability: The provisions of this chapter shall apply to all new construction, relocated buildings, and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter. All electrical construction work, electrical alterations or repair, installation and maintenance of overhead and underground electrical supply and communication lines and the inspections thereof shall be in conformity with the provisions of this chapter and with the ~~2008 edition~~ of the national electrical code, along with supplements as adopted by the National Fire Protection Association, which are hereby adopted by the city.
- C. Conversions to Commercial or Industrial Uses: In the event that any residential use presently permitted in any commercially or industrially zoned area, which is presently being used as a residence, is converted to a commercial or industrial use, such building, structure or other property must be rewired with electrical wiring and equipment which meets commercial and industrial standards established pursuant to this chapter and the national electrical code.
- D. Construction Power: The city is hereby empowered and authorized to permit and approve the use of electrical current through any wiring or equipment for the purpose of construction. Permits for construction power shall be issued only after the primary building permit has been issued. Any wiring or equipment shall comply with the limitations and restrictions of the electrical code. Construction power wiring and equipment must be removed prior to the final building inspection. (Ord. 727, 2-8-2011)

2-6-2: ELECTRICAL CODE AMENDMENTS:

All electrical construction work, electrical alterations or repair, installation and maintenance of overhead and underground electrical supply and communication lines and the inspections thereof, shall be in conformity with the provisions of this chapter and with the latest edition of the national electrical code, along with supplements as adopted by the National Fire Protection Association, which are hereby adopted by the city, with the following specific additions and deletions:

Article 90 – Introduction

Section 90.2 (B)(5)(a) Scope.

Revise item (a) of section 90.2 (B)(5) as follows:

- a. Consist of service drops or service laterals, and associated metering and monitoring equipment, or Chapter 1; Article 110 - Requirements for Electrical Installations

Section 110.12 Mechanical Execution of Work.

Add a new subsection (C) as follows:

(C) Abandoned Conductors and Cables. For those structures regulated by the building or swimming pool code, no electrical conductors or cables shall be abandoned in place. Such conductors or cables shall be

removed from the building or structure back to the panelboard unless otherwise approved by the city based upon consideration of safety and combustibility.

Add a new subsection (D) as follows:

(D) Used Materials and Equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the city.

Section 110.26 Spaces About Electrical Equipment.

Revise section 110.26 (C)(2) as follows:

(2) Large Equipment. For equipment rated 1200 amperes or more and over 1.8 m (6 ft) wide that contains overcurrent devices, switching devices, or control devices, there shall be one entrance to and from the required working space not less than 610 mm (24 in.) wide and 2.0 m (6½ ft) high at each end of the working space. When more than one entrance is required by this section both entrances shall open to the exterior of the building or into an approved means of egress that is not under the control of an individual tenant.

A single entrance to and egress from the required working space shall be permitted where either of the conditions in 110.26 (C)(2)(a) or (C)(2)(b) is met.

The remainder of this section remains unchanged.

Section 110.33 Entrance to Enclosures and Access to Working Space.

Revise section 110.33 (A)(1) as follows:

Large Equipment. On switchboard and control panels exceeding 1.8 m (6 ft) in width, there shall be one entrance at the end of the equipment. When more than one entrance is required by this section both entrances shall open to the exterior of the building or into an approved means of egress that is not under the control of an individual tenant. A single entrance to the required working space shall be permitted where either of the conditions in 110.33 (A)(1)(a) or (A)(1)(b) is met.

The remainder of this section remains unchanged.

Chapter 2; Article 210 - Branch Circuits

Section 210.23 Permissible Loads.

Add a new subsection (E) to section 210.23 as follows:

(E) Dwelling Branch Circuits.

Maximum Number (15-Ampere). The maximum number of outlets on a 15-ampere, 125 volt (nominal) luminaire lighting fixture circuit shall be twelve (12) and shall not contain general purpose outlets. The maximum number of outlets on a 15-ampere, 125 volt (nominal) general purpose (duplex receptacle)

circuit shall be eight (8). The maximum number of outlets on a 15-ampere, 125 volt (nominal) combination (luminaire lighting fixture and general purpose outlets) circuit shall be eight (8).

Exception No. 1: Dedicated branch circuits feeding only IC rated recessed luminaires (recessed lighting fixtures) and/or low wattage energy efficient luminaires (lighting fixtures) may use article 220.14 (D) for maximum number of lighting outlets.

Exception No. 2: In branch circuits serving smoke detectors the smoke detectors outlets need not be counted with the other lighting outlets.

Maximum Number (20-Ampere). The maximum number of outlets on a 20-ampere, 125-volt (nominal) luminaire lighting fixture circuit shall be fourteen (14) and shall not contain general purpose outlets. The maximum number of outlets on a 20-ampere, 125 volt (nominal) general purpose (duplex receptacle) circuit shall be ten (10). The maximum number of outlets on a 20-ampere, 125 volt (nominal) combination (luminaire lighting fixture and general purpose outlets) circuit shall be ten (10).

Exception No. 1: Dedicated branch circuits feeding only IC rated recessed luminaires (recessed lighting fixtures) and/or low wattage energy efficient luminaires (lighting fixtures) may use article 220.14(D) for maximum number of lighting outlets.

Exception No. 2: In branch circuits serving smoke detectors the smoke detectors outlets need not be counted with the other lighting outlets.

Individual Branch Circuits. The following fastened-in-place appliances are required to have a separate minimum 20-ampere circuit: dishwasher, trash compactor and microwave oven. The required laundry circuit may serve one (1) additional outlet in the laundry area.

Section 210.52 Dwelling Unit Receptacle Outlets.

210.52(A)(2) WALL SPACING

Amend Section 210.52(A)(2) of Section 210.52(A) General Provisions to read as follows:

210.52(A)(2) Wall Spacing. As used in this section, a wall space shall include any of the following:

1. Any space 600 mm (2 ft) or more in width (including space measured around corners) and unbroken along the floor line by doorways and similar openings, fireplaces, and fixed cabinets that do not have countertops or similar work surfaces.
2. The space occupied by fixed panels in walls, excluding sliding panels.
3. The space afforded by fixed room dividers, such as free-standing bar-type counters or railings.

Exceptions

1. The space behind operable doors.
2. Vestibules, hallways, and similar areas less than 5 ft wide in bedrooms.

~~Revise section 210.52 (B)(3), and add a new exception as follows:~~

~~Kitchen Receptacle Requirements. Receptacles installed in a kitchen to serve countertop surfaces shall be limited to four (4) duplex receptacles on a circuit. They shall be supplied by not fewer than two small-appliance branch circuits, either or both of which shall also be permitted to supply receptacle outlets in the same kitchen or in other rooms as specified in 210.52(B)(1). Additional small-appliance branch circuits shall be permitted to supply receptacle outlets in the kitchen and other rooms specified in 210.52(B)(1). No small-appliance branch circuit shall serve more than one kitchen.~~

~~Exception: Receptacles installed to provide power for electric ignition systems or clock timers for gas-fired ranges, ovens or counter-mounted cooking units.~~

~~Section 210.70 Lighting Outlets Required.~~

~~Revise item (1) in section 210.70 (A) as follows:~~

- ~~(1) Habitable Rooms. At least one wall switch-controlled lighting outlet shall be installed in every habitable room and bathroom. Unless prohibited by structural design, a wall switch shall be located within 1.8 m (6 ft) of the point of entry, and shall not be located behind an active door in the fully open position.~~

~~The remainder of this section remains unchanged.~~

~~Section 210.70 (A)(2)(a) Additional Locations.~~

~~Revise item (a) in section 210.70 (A)(2) as follows:~~

~~Additional Locations:~~

- ~~(a) At least one wall switch-controlled lighting outlet shall be installed in hallways, stairways, attached garages, and detached garages with electric power. Hallways of 3.0 m (10 ft) or more in length shall have wall switches at each end. There shall be a wall switch within 1.8 m (6 ft) of each bedroom door unless prohibited by structural design.~~

~~Section 210.70 (A)(2)(b) Additional Locations.~~

~~Revise item (b) in section 210.70 (A)(2)(b) as follows:~~

~~Additional Locations:~~

- ~~(b) For dwelling units, attached garages, and detached garages with electric power, at least one wall switch-controlled lighting outlet shall be installed to provide illumination on the exterior side of outdoor entrances or exits with grade-level access. A vehicle door shall not be considered as an outdoor entrance or exit with grade-level access. At least one wall switch that controls an interior lighting outlet shall be located at each keyed exterior entry. This switch shall be located within 1.8 m (6 ft) of the latching jamb side, unless prohibited by structural design, and not behind an active door in the fully open position.~~

~~Section 210.70(A)(4) Closets.~~

~~Add a new subsection (4) to section 210.70(A) as follows:~~

~~(4) Closets. All walk-in closets or storage areas of 1.86 sq. m (20 square feet) or more in floor area shall contain a light fixture controlled by a wall switch.~~

~~Section 210.70 (D) Self-Service Storage Facilities.~~

~~Add a new subsection (D) to section 210.70 as follows:~~

~~(D) Self-Service Storage Facilities. All self-service storage facilities shall have egress illumination as required by the building code.~~

~~Chapter 2; Article 225—Outside Branch Circuits And Feeders~~

~~Section 225.31 Disconnecting Means.~~

~~Revise section 225.31 as follows:~~

~~Disconnecting Means.~~

~~Means shall be provided for disconnecting all ungrounded conductors that supply or pass through the building or structure. When more than one building or other structure is on the same property and under single management, each building or other structure served shall be provided with means for disconnecting all ungrounded conductors. The disconnecting means shall be installed outside of the building served at a readily accessible location. A shunt trip may be used to satisfy this requirement where:~~

~~(1) It is located at seven (7) feet above finished grade.~~

~~(2) It is located within an equilateral triangle (12 inch minimum), red in color.~~

~~Section 225.32 Locations~~

~~Amend section 225.32 as follows:~~

~~225.32 Location~~

~~The disconnecting means shall be ~~installed~~ attached as described in 230.70 of these amendments. For the purposes of this section the requirements in 230.6 shall be utilized.~~

~~Exception No. 1: For installations under single management, where documented safe switching procedures are established and maintained for disconnection, and where the installation is monitored by qualified individuals, the disconnecting means shall be permitted to be located elsewhere on the premises.~~

~~Exception No. 2: For buildings or other structures qualifying under the provisions of article 685, the disconnecting means shall be permitted to be located elsewhere on the premises.~~

~~Exception No. 3: For towers or poles used as lighting standards, the disconnecting means shall be permitted to be located elsewhere on the premises.~~

Exception No. 4: For accessory buildings to one and two-family dwellings the disconnecting means may be installed either inside or on the exterior of the accessory structure.

Exception No. 5: The disconnecting means shall be located independent of the building or structure served, in direct line of sight, but not to exceed thirty feet (30').

Exception No. 6: The service disconnecting means may be installed within a building when an external remote shunt switch is provided. All shunt trip switches shall be located at seven feet (7') above finish grade at a location approved by the fire department. All shunt trip switches shall be located within a twelve inch (12") equilateral triangle, red in color.

~~Chapter 2; Article 230—Services~~

~~Section 230.70 General.~~

~~Revise section 230.70 General, in its entirety, as follows:~~

~~230.70 General.~~

~~Means shall be provided to disconnect all ungrounded service entrance conductors to a building or structure.~~

~~(A) Location. The service disconnecting means shall be installed in accordance with 230.70(A)(1), (2), (3), (4) and (5).~~

~~(1) Exterior Of The Building. The service disconnecting means shall be installed in a readily accessible exterior location and within 3.7 m (12 ft.) of the building or structure. Where the distance is greater than 3.7 m (12 ft.) from the building or structure the service disconnecting means shall be considered as a separate structure.~~

~~Exception: A fire pump and its associated electrical equipment.~~

~~(2) Electrical Equipment Room. The service disconnecting means may be installed within a dedicated electrical equipment room with a readily accessible direct access on the exterior of a building or structure. Such rooms shall be separated from all other rooms or spaces within the building by a minimum of one (1) hour fire resistive construction and shall have approved fire department access.~~

~~(3) Bathrooms. Service disconnecting means shall not be installed in bathrooms.~~

~~(4) Remote Control. Where a remote control device(s), required by another code such as in a fire command center, is used to actuate the service disconnecting means, the service disconnecting means shall be located in accordance with 230.70(A)(1) or (2). The remote control device shall be supervised by a local signaling service that causes an audible signal and illumination of an amber visual signal at the fire command center and at each auxiliary location required for the life safety system.~~

~~(5) Emergency Systems, Information Technology Equipment And Uninterruptible Power Supplies (UPS). Emergency systems driven by prime movers and UPS systems shall have separate disconnecting means with separate identification. Information technology equipment rooms complying with article 645.2 shall be permitted to have their disconnecting means installed per article 645.10 and 645.11 if identified at the same location as the "service disconnect."~~

~~(B) Marking. Each service disconnecting means shall be marked with a sign(s). When located in a dedicated electrical room the exterior door(s) providing access to the disconnecting means located in a dedicated electrical room shall be permanently marked with a sign(s). Each sign shall be a minimum 0.093 sq. m (1 sq. foot), colored red with 25.4 mm (1 inch) high; 6.35 mm (1/4 inch) stroke raised or engraved letters and/or numbers indicating the address or unit it serves and be identified as the "Electrical Service Disconnect(s)" and/or "Electrical Service Disconnect(s) Inside." Emergency systems disconnects shall be permanently marked with sign(s), identified as "Emergency Electrical Disconnect(s)" and/or "Main Emergency Electrical Disconnect(s) Inside." When the service disconnecting means is located inside a dedicated electrical room and it is not the first service disconnect encountered or there are multiple service disconnects there shall be a directional 75 mm (3 inch) wide painted red stripe on the floor from the entry door(s) to each service disconnect.~~

~~Exception: One and two family dwelling units and their associated accessory structures.~~

~~(C) Suitable For Use. Each service disconnecting means shall be suitable for the prevailing conditions. Service equipment installed in hazardous (classified) locations shall comply with the requirements of articles 500 through 517.~~

230.70(A)(1) READILY ACCESSIBLE LOCATION

Amend Section 230.70(A)(1) of Section 230.70 General to read as follows:

230.70 (A)(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure nearest the point of entrance of the service conductors. The disconnecting means may be located independent of the building or structure served, in direct line of sight, but not to exceed thirty feet (30').

Exception: The service disconnecting means may be installed within a building when an external remote shunt switch is provided. All shunt trip switches shall be located at seven feet (7') above finish grade at a location approved by the fire department. All shunt trip switches shall be located within a twelve inch (12") equilateral triangle, red in color.

240.51(B) REPLACEMENT ONLY

Amend Section 240.51(B) of Section 240.51 Edison-Base Fuses to read:

240.51(B) Replacement Only. Plug fuses of the Edison-base type shall be used only for replacements in existing installations where there is no evidence of overfusing or tampering. In any existing building where alterations or additions are made to any of the premises wiring, all fuse holders shall comply with Article 240.54.

Chapter 2; Article 250—Grounding And Bonding

Section 250.32 Buildings Or Structures Supplied By A Feeder Or Branch Circuit.
Revise section 250.32(A) as follows:

~~(A) Grounding Electrode. For the purposes of this section all buildings or structures not joined by a continuous concrete foundation or footing and roof shall be considered as separate buildings or structures. Building(s) or structure(s) supplied by feeder(s) or branch circuit(s) shall have a grounding electrode system installed in accordance with part III of article 250. The grounding electrode conductor(s) shall be connected in accordance with 250.32(B) or (C). Where there is no existing grounding electrode, the grounding electrode(s) required in 250.50 shall be installed.~~
~~Section 250.50 Grounding Electrode System.~~

Revise section 250.50 as follows:

~~250.50 Grounding Electrode System.~~

~~All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system.~~

~~Where none of these grounding electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through (A)(8) shall be installed and used. The concrete-encased electrode described in article 250.52(A)(3) shall be required for new buildings and structures that are supplied with electrical power and have concrete foundations or footings.~~

~~Exception: Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.~~

250.118(4) TYPES OF EQUIPMENT GROUNDING CONDUCTORS

Amend Section 250.118(4) of Section 250.118 Types of Equipment Grounding Conductors to read as follows:

250.118 Types of Equipment Grounding Conductors

(3) Electrical metallic tubing with the exception of where the metallic raceway is subject to either damage or likely to be disturbed in the future under normal operating conditions, this determination shall be made by the Authority Having Jurisdiction.

FPN: An example of "subject to damage" is a surface installed conduit running along a traffic path. An example of "likely to be disturbed" is a surface installed conduit running across a rooftop, where future re-roofing operations will require the conduit to be shifted, damaged, removed or relocated.

250.120 Equipment Grounding Conductor Installation

Section 250.120 Equipment Grounding Conductor Installation.

Add a new subsection (D) to section 250.120 as follows:

(D) Equipment Grounding Conductor. All raceways installed on roofs shall contain an equipment grounding conductor sized per table 250.122 installed with the circuit conductors.

Exception No. 1: Low voltage, communication and similar type systems unless required elsewhere in the code

~~Section 250.120 Equipment Grounding Conductor Installation.
Add a new subsection (D) to section 250.120 as follows:~~

~~(D) Equipment Grounding Conductor. All raceways installed on roofs shall contain an equipment grounding conductor sized per table 250.122 installed with the circuit conductors.~~

~~Exception No. 1: Low voltage, communication and similar type systems unless required elsewhere in the code.~~

~~Exception No. 2: As permitted by article 250.86 for short sections of metal enclosures or raceways.
Table 250.122 Minimum Size Equipment Grounding Conductors For Grounding Raceway And Equipment.
Revise the minimum aluminum or copper-clad aluminum wire size for a 4000 amp overcurrent device, as follows:~~

| Rating Or Setting Of Automatic Overcurrent Device In Circuit Ahead Of Equipment, Conduit, Etc., Not Exceeding (Amperes) | Size (AWG Or kcmil) Copper | Size (AWG Or kcmil) Aluminum Or Copper-Clad Aluminum* |
|--|---|--|
| 4000 | 500 | 750 |

Chapter 3

314.17(C) NONMETALLIC BOXES AND CONDUIT BODIES

Amend Section 314.17(C) of Section 314.17 Conductors entering Boxes, Conduit Bodies, or Fittings to read as follows:

314.17(C) Nonmetallic Boxes and Conduit Bodies. Nonmetallic boxes and conduit bodies shall be suitable for the lowest temperature-rated conductor entering the box. Where nonmetallic boxes and conduit bodies are used with messenger-supported wiring, open wiring on insulators, or concealed knob-and-tube wiring, the conductors shall enter the box through individual holes. Where flexible tubing is used to enclose the conductors, the tubing shall extend from the last insulating support to not less than 6 mm (1/4 in.) inside the box and beyond any cable clamp. Where non-metallic sheathed cable or multiconductor Type UF cable is used, the sheath shall extend not less than 6 mm (1/4 in.) inside the box and beyond any cable clamp. In all instances, all permitted wiring methods shall be secured to the boxes.

Exception: where non-metallic sheathed cable or multiconductor Type UF cable is used with boxes mounted in walls or ceilings, and where the cable is fastened within 200 mm (8 in.) of the box measured along the sheath and where the sheath extends through a cable knockout not less than 6 mm (1/4 in.), securing the cable to the box shall not be required. Multiple cable entries shall be permitted in a single cable knockout opening.

~~Article 358—Electrical Metallic Tubing—Type EMT~~

~~Section 358.12 Uses Not Permitted.~~

~~Add new items (7), (8) and (9) to section 358.12 as follows:~~

~~(7) Embedded within concrete or masonry in contact with earth.~~

~~(8) Underground installations.~~

~~(9) Within earth fills.~~

358.12 Uses Not Permitted

Amend Section 358.12 to read as follows:

358.12 Uses Not Permitted. EMT shall not be used under the following conditions:

1. Where subject to severe physical damage.
2. For the support of luminaires or other equipment except conduit bodies no larger than the largest trade size of the tubing.
3. In direct contact with earth.

~~Chapter 5; Article 514—Motor Fuel Dispensing Facilities~~

~~Section 514.11 (A) Circuit Disconnects—General.~~

~~Revise section 514.11(A) as follows:~~

~~(A) General. Each circuit leading to or through dispensing equipment, including equipment for remote pumping systems, shall be provided with a clearly identified and readily accessible switch or other acceptable means, located remote from the dispensing devices, to disconnect simultaneously from the source of supply, all conductors of the circuits, including the grounded conductor, if any. Single-pole breakers utilizing handle ties shall not be permitted. The switch shall be a momentary contact type. The disconnect station sign shall be 0.093 sq. m (1 ft square), colored red and have black, 25.4 mm (1 inch) high, 6.35 mm ($\frac{1}{4}$ inch) stroke permanent lettering describing it as "Emergency Pump Shutoff".~~

~~Chapter 6; Article 690—Solar Photovoltaic Systems~~

~~Section 690.14 Additional Provisions.~~

~~Delete the exception and revise section 690.14(C)(1) as follows:~~

~~(1) Location. The photovoltaic disconnecting means and overcurrent device shall be installed at an accessible location on the outside of a building before any system conductors enter the building or structure.~~

~~The photovoltaic system disconnecting means shall not be installed in bathrooms.~~

~~Chapter 7; Article 700—Emergency Systems~~

700.10(D) Fire Protection

Amend Section 700.10(D) of Section 700.10 Wiring, Emergency System to read as follows:

700.10(D) Fire Protection. Emergency systems shall meet the additional requirements in (D)(1) through (D)(3) in the following occupancies:

1. Assembly occupancies for not less than 1000 persons
2. Buildings above 55 ft in height
3. Health care occupancies where persons are not capable of self-preservation.
4. Educational occupancies with more than 300 occupants

700.12 GENERAL REQUIREMENTS

Amend Section 700.12 to read as follows:

700.12 General Requirements. Current supply shall be such that, in the event of failure of the normal supply to, or within, the building or group of buildings concerned, emergency lighting, emergency power, or both shall be available within the time required for the application but not to exceed 10 seconds. The supply system for emergency purposes, in addition to the normal services to the building and meeting the general requirements of this section, shall be one or more of the types of systems described in 700.12(A) through (E). Unit equipment in accordance with 700.12(F) shall satisfy the applicable requirements of this article.

In selecting an emergency source of power, consideration shall be given to the occupancy and the type of service to be rendered, whether of minimum duration, as for evacuation of a theater, or longer duration, as for supplying emergency power and lighting due to an indefinite period of current failure from trouble either inside or outside the building.

Equipment shall be designed and located so as to minimize the hazards that might cause complete failure due to flooding, fires, icing, and vandalism.

Equipment for sources of power as described in 700.12(A) through (E) shall be installed either in spaces fully protected by approved automatic fire suppression systems (sprinklers, carbon dioxide systems, and so forth) or in spaces with a 2-hour fire rating where located within the following:

1. Assembly occupancies for more than 1000 persons.
2. Buildings above 55 feet in height with any of the following occupancy classes- assembly, educational, residential, detention and correctional, business, and mercantile
3. Health care occupancies where persons are not capable of self-preservation
4. Educational occupancies with more than 300 occupants

~~Section 700.12 (B) Generator Set.~~

~~Add a new subsection (7) to section 700.12 (B) as follows:~~

~~(7) The emergency generator must not be located more than 55 feet (22 860 mm) above the lowest level of fire department vehicle access. When the generator set is located inside a building it must be located in a room dedicated to the emergency power supply system. This room must be separate from~~

~~the interior of the building by a minimum of two-hour resistive construction or must be in room(s) fully protected by approved automatic fire suppression systems. Unless otherwise required by building codes openings for generator cooling and exhaust is required to be fire-resistive construction.~~

~~When a generator set is located within 1.5 m (5 ft) of a building it must be separated from the building with a rated separation wall equal to the highest fire rating within the building that has no openings. It must be isolated within an enclosure and protected from physical damage.~~

~~When a generator set is located more than 1.5 m (5 ft) from a building it must be isolated within an enclosure and protected from physical damage.
(Ord. 727, 2-8-2011)~~

Chapter 7 ENERGY CONSERVATION CODE

2-7-1: ENERGY CONSERVATION CODE PROVISIONS:

2-7-2: ENERGY CONSERVATION CODE AMENDMENTS:

2-7-1: ENERGY CONSERVATION CODE PROVISIONS:

- A. Title: This chapter shall be known as the *INTERNATIONAL ENERGY CONSERVATION CODE OF THE CITY OF ELKO*, hereinafter "code", including the adoption of the ~~2009~~-2018 International Energy Conservation Code and necessary administrative provisions. Certain sections of the international energy conservation code and appendices may be added or deleted.
- B. Applicability: All construction of or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element or portion of a building or structure within the city shall be in compliance with, in addition to, the other applicable codes or amendments set forth by the city council and the latest edition of the international energy conservation code.
- C. Materials: These provisions are not intended to prevent the use of any material or method of construction not specifically prescribed herein, provided the city of Elko has approved any alternates.
- D. Supplements: All supplements to the international energy conservation code, issued by the International Code Council Inc., between editions are hereby not made a part of the then current edition of the international energy conservation code.
- E. Conflicts: In the event that any of the provisions of the latest edition of the international residential code conflict with any provision of this chapter, the provisions of this chapter shall govern and be controlling. (Ord. 728, 2-8-2011)

2-7-2: ENERGY CONSERVATION CODE AMENDMENTS:

Chapter 1 - Administration

Chapter 1 is deleted in its entirety except for sections 101 and 102.

Section 101 - Scope And General Requirements.

Revise section 101 as follows:

~~101.4.3 Additions, Alterations, Renovations Or Repairs.~~

~~Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portions of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. The addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.~~

~~Exceptions:~~

~~The following need not comply provided the energy use of the building is not increased:~~

- ~~1. Storm windows installed over existing fenestrations.~~
- ~~2. Glass only replacements in an existing sash and frame.~~
- ~~3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.~~
- ~~4. Construction where the existing roof, wall or floor cavity is not exposed.~~
- ~~5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below sheathing.~~
- ~~6. Replacement of existing doors that separate conditioned space from the exterior shall not require installation of the vestibule or revolving door, provided, however, that an existing vestibule that separates a conditioned space from the exterior shall not be removed.~~
- ~~7. Alterations that replace less than 50 percent of the luminaires in a space provided that such alterations do not increase the installed interior lighting power.~~
- ~~8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the alteration does not increase the installed interior lighting power.~~
- ~~9. Relocations only of existing luminaires within an existing area enclosed by walls or floor to ceiling partitions.~~

Section C102.1.1 Above code program

Amend Section C102.1.1 to read as follows:

C102.1.1 Above code programs. The code official or other authority having jurisdiction shall be

permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this code. Programs seeking approval must submit all requested supporting documentation, including program guidelines, protocols, calculations and program simulation performance software, if applicable, to the NNICC and/or jurisdiction for review for use as acceptable software. Buildings approved in writing by such an energy efficiency shall be considered to be in compliance with this code. The requirements identified as "mandatory" in Chapter 4 shall be met.

~~101.5.2.1 Low Energy Buildings is amended to read as follows:~~

~~101.5.2 Low Energy Buildings.~~

~~The following buildings, or portions thereof, separated from the remainder of the building by building thermal envelope assemblies complying with this code shall be exempt from the building thermal envelope provisions of this code:~~

- ~~1. Those with a peak design rate of energy usage less than 3.4 Btu's/h/ft² (10.7W/m²) or 1.0 watt/ft² (10.7W/m²) of floor area for space conditioning purposes.~~
- ~~2. Those that do not contain conditioned space.~~
- ~~3. Those spaces that employ evaporative cooling as the sole source of conditioning.~~
- ~~4. Spaces whose sole purpose is to house and protect from freezing risers and mechanisms directly related to the building fire suppression system.~~

~~Chapter 2—Definitions~~

SECTION C201.3 TERMS DEFINED IN OTHER CODES

Amend Section C201.3 to read as follows:

C201.3 Terms defined in other codes. Terms that are defined in this code but are defined in the International Building Code, International Fire Code, Uniform Mechanical Code, Uniform Plumbing Code, or the International Residential Code shall have the meanings ascribed to them in those codes.

~~Section 202—Definitions.~~

~~Revise section 202 by adding the definitions as follows:~~

~~Luminaire. A complete lighting unit consisting of a light source such as a lamp or lamps, together with the parts designed to position the light source and connect it to the power supply. It may also include parts to protect the light source or the ballast or to distribute the light. A lamp holder itself is not a luminaire.~~

~~Occupant Sensor (Lighting). A device that detects the presence or absence of people within an area and causes lighting to be regulated accordingly. The term "occupant sensor" applies to a device that controls indoor lighting systems. When the device is used to control outdoor lighting systems, it is defined as a~~

~~motion sensor. This definition also applies to "occupancy sensor" and "occupant-sensing device." When used with a manual device for initial activation, an occupant sensor may be called a "vacancy sensor."~~

SECTION C202 GENERAL DEFINITIONS

Amend Section C202 by adding the following definitions to read as follows:

C202 General Definitions

CASINO. A structure that houses a business with a Non-Restricted Gaming License from the Nevada Gaming Commission and State Gaming Control Board. It includes the gaming area(s) as well as the adjacent area(s) within the building envelope.

CASINO GAMING AREA. The space within a *casino* wherein gaming is conducted. The gaming area shall also include accessory uses within the same room(s) as, or substantially open to the gaming floor(s). Such areas shall include, but not be limited to lobbies, balconies, public circulation areas, assembly areas, restaurants, bars, lounges, food courts, retail spaces, mezzanines, convention pre-function areas, cashiers' cages, players' clubs, customer support, conservatories and promenades that share the same atmosphere, spillover lighting and theme lighting with the adjacent gaming floor area. For accessory areas situated on the perimeter of the gaming floor to be considered substantially open, the walls(s) or partitions(s) separating an accessory space from the gaming area must be a minimum of 50% open, as measured from the interior side of the accessory space, with no doors, windows and other obstructions, other than roll up security grills, installed within the opening.

Chapter 4 - Residential Energy Efficiency

~~Section 401—General:~~

~~Revise section 401.3 as follows:~~

~~401.3 Certificate:~~

~~A permanent certificate shall be posted in a conspicuous place on or in the home. The certificate shall be completed by the builder or registered design professional. The certificate shall list the predominant *R*-values of insulation installed in or on ceiling/roof, walls, foundation (slab, basement wall, crawlspace wall and/or floor) and ducts outside conditioned spaces; *U*-factors for fenestration and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating equipment.~~

SECTION C402.5.3 ROOMS CONTAINING FUEL-BURNING APPLIANCES

Amend Section C402.5.3 to read as follows:

C402.5.3 Rooms containing fuel-burning appliances. In Climate Zones 3 through 8, where combustion air is supplied through openings in an exterior wall to a room or space containing a space-conditioning fuel-burning appliance, one of the following shall apply:

1. The room or space containing the appliance shall be located outside of the building thermal envelope.
2. The room or space containing the appliance shall be enclosed and isolated from conditioned spaces inside of the building thermal envelope. Such rooms shall comply with all of the following:
 - 2.1. The walls, floors and ceilings that separate the enclosed room or space from conditioned spaces shall be insulated to be not less than equivalent to the insulation requirement of below-grade walls as specified in Table C402.1.3 or C402.1.4.
 - 2.2. The walls, floors and ceilings that separate the enclosed room or space from conditioned spaces shall be sealed in accordance with Section C402.5.1.1.
 - 2.3. The doors into the enclosed room or space shall be fully gasketed.
 - 2.4. Water lines and ducts in the enclosed room or space shall be insulated in accordance with Section 403.
 - 2.5. Where an air duct supplying combustion air to the enclosed room or space passes through conditioned space, the duct shall be insulated to an R-value not less than R-8.

Exception: Fireplaces and stoves complying with Section 911, 912, 913 of the Uniform Mechanical Code, and Section 2111.14 of the International Building Code.

SECTION 402.5.9 AIR CURTAINS

Amend Section 402.5 by adding 402.5.9 to read as follows:

C402.5.9 Air curtains. Where doorway, passageway or pass-thru openings in the building thermal envelope area intended to be normally opened to the exterior environment, an approved air curtain tested in accordance with ANSI/AMCA 220 shall be used to separate conditioned air from the exterior.

~~Section 403—Systems.~~

~~Revise section 403 as follows:~~

~~403.2.2 Sealing (Mandatory):~~

~~All ducts, air handler connections at the plenum, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with the currently adopted mechanical code. Duct assemblies shall be verified for tightness by either of the following methods:~~

~~The remainder of this section remains unchanged.~~

SECTION 403.2.2 VENTILATION (MANDATORY)

Amend Section C403.2.2 Ventilation (Mandatory) to read as follows:

C403.2.2 Ventilation (Mandatory). Ventilation, either natural or mechanical, shall be provided in accordance with Chapter 4 of the *Uniform Mechanical Code*. Where mechanical ventilation is provided, the system shall provide the capability to reduce the outdoor air supply to the minimum required by Chapter 4 of the *Uniform Mechanical Code*.

~~403.4 Circulating Hot Water Systems (Mandatory).~~

~~Delete section 403.4 Circulating Hot Water Systems (Mandatory) in its entirety and replace as follows:~~

~~403.4 Hot Water Systems:~~

~~All service hot water heating systems and domestic water systems shall meet the requirements of 403.4.1 or 403.4.2.~~

~~403.4.1 Non-Circulating Hot Water Systems:~~

~~All service hot water piping installed in unconditioned spaces, including under-slab piping, shall be insulated to R-2.~~

~~403.4.2 Circulating Hot Water Systems:~~

~~All circulating service hot water piping, including under-slab piping, shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or readily accessible manual switch that can turn off the hot water circulating pump when the system is not in use.~~

~~Exception:~~

~~Under-slab radiant heat for exterior ice and snowmelt shall be designed by a design professional to ensure the most efficient use of the system.~~

~~403.5 Mechanical Ventilation (Mandatory).~~

~~Revise section 403.5 Mechanical Ventilation (Mandatory) as follows:~~

~~Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.~~

~~Exception:~~

~~Where clothes dryer exhaust vents terminate at the roof, back-draft dampers are not required.~~

SECTION C403.6.1 VARIABLE AIR VOLUME AND MULTIPLE-ZONE SYSTEMS

Amend Section C403.6.1 to read as follows:

C403.6.1 Variable air volume and multiple-zone systems. Supply air systems serving multiple zones shall be variable air volume (VAV) systems that have zone controls configured to reduce the volume of air that is reheated, re-cooled or mixed in each zone to one of the following:

1. Twenty percent of the zone design peak supply for systems with DDC and 30 percent for other systems.
2. Systems with DDC where all of the following apply:
3. The outdoor airflow rate required to meet the minimum ventilation energy source requirements of Chapter 4 of the Uniform Mechanical Code.
4. Any higher rate that can be demonstrated to reduce overall system annual energy use by offsetting reheat/re-cool energy losses through reduction in outdoor air intake for the system as approved by the code official.
5. The airflow rate required to comply with applicable codes or accreditation standards such as pressure relationships or minimum air change rates.

Exception: The following individual zones or entire air distribution systems are exempted are

from the requirement for VAV control:

1. Zones or supply air systems where not less than 75 percent of the energy for reheating or for providing warm air in mixing systems is provided from a site-recovered, including condenser heat, or site-solar
2. Systems that prevent reheating, re-cooling, mixing or simultaneous supply of air that has been previously cooled, either mechanically or through the use of economizer systems, and air that has been previously mechanically heated.

SECTION C403.6.6 MULTIPLE-ZONE VAV SYSTEM VENTILATION OPTIMIZATION CONTROL

Amend Section C403.6.6 to read as follows:

C403.6.6 Multiple-zone VAV system ventilation optimization control. Multiple-zone VAV systems with direct digital control of individual zone boxes reporting to a central control panel shall have automatic controls configured to reduce outdoor air intake flow below design rates in response to changes in system ventilation efficiency (E_v) as defined by the *Uniform Mechanical Code*.

Exception:

1. VAV systems with zonal transfer fans that recirculate air from other zones without directly mixing it with outdoor air, dual-duct dual-fan VAV systems, and VAV systems with fan-powered terminal units.
2. Systems where total design exhaust airflow is more than 70 percent of the total design outdoor air intake flow requirements.

SECTION 403.7.1 DEMAND CONTROL VENTILATION (MANDATORY)

Amend Section C403.7.1 to read as follows:

C403.7.1 Demand control ventilation (Mandatory). Demand control ventilation (DCV) shall be provided for spaces larger than 500 square feet (46.5m²) and with an average occupant load of 25 people or greater per 1,000 square feet (93m²) of floor area, as established in Table 402.1 of the *Uniform Mechanical Code*, and served by systems with one or more of the following:

1. An air-sided economizer.
2. Automatic modulating control of the outdoor air damper.
3. A design outdoor airflow greater than 3,000 cfm (1416 L/s).

Exceptions:

1. Systems with energy recovery complying with Section C403.7.4.
2. Multiple-zone systems without direct digital control of individual zones communicating with a central control panel.
3. Systems with a design outdoor airflow less than 1,200 cfm (566 L/s).
4. Spaces where the supply airflow rate minus any makeup or outgoing transfer air requirements is less than 1,200 cfm (566 L/s).
5. Ventilation provided only for process loads.

SECTION C403.7.2 ENCLOSED PARKING GARAGE VENTILATION CONTROLS (MANDATORY)

Amend Section C403.7.2 to read as follows:

C403.7.2 Enclosed parking garage ventilation controls (Mandatory). Enclosed parking garages used for sorting or handling automobiles operating under their own power shall employ contamination-sensing devices and automatic controls configured to stage fans or modulate fan average airflow rates to 50 percent or less of design capacity, or intermittently operate fans less than 20 percent of the occupied time or as required to maintain acceptable contaminant levels in accordance with the applicable *Uniform Mechanical Code* provisions. Failure of contamination-sensing devices shall cause the exhaust fans to operate continuously at design airflow.

Exceptions:

1. Garages with a total exhaust capacity less than 22,500 cfm (10 620 L/s) with ventilation systems that do not utilize heating or mechanical cooling.
2. Garages that have a garage area to ventilation system motor nameplate power ratio that exceeds 1125 cfm/hp (710 L/kW) and do not utilize heating or mechanical cooling.

SECTION C403.7.4 ENERGY RECOVERY VENTILATION SYSTEMS (MANDATORY)

Amend Section C403.7.4 to read as follows

C403.7.4 Energy recovery ventilation systems (Mandatory). Where the supply airflow rate of a fan system exceeds the values specified in Tables C403.7.4(1) and C403.7.4(2), the system shall include an energy recovery system. The energy recovery system shall be configured to provide a change in the enthalpy of the outdoor air supply of not less than 50 percent of the difference between the outdoor air and return air enthalpies, at design conditions. Where an air economizer is required, the energy recovery system shall include a bypass or controls that permit operation of the economizer as required by Section C403.5.

Exception: An energy recovery ventilation system shall not be required in any of the following conditions:

1. Where energy recovery systems are prohibited by the *Uniform Mechanical Code*.
2. Laboratory fume hood systems that include not fewer than one of the following features:
 - 2.1. Variable-air-volume hood exhaust and room supply systems configured to reduce exhaust and makeup air volume to 50 percent or less of design value.
 - 2.2. Direct makeup (auxiliary) air supply equal to or greater than 75 percent of the exhaust rate, heated not warmer than 2°F (1.1°C) below room setpoint, with no humidification added, and no simultaneous heating and cooling used for dehumidification control.
3. Systems serving spaces that are heated to less than 60°F (15.5 °C) and that are not cooled.
4. Where more than 60 percent of the outdoor heating energy is provided from site-recovered or site-solar energy.
5. Heating energy recovery in Climate Zones 1 and 2.
6. Cooling energy recovery in Climate Zones 3C, 4C, 5B, 5C, 6B, 7, and 8.
7. Systems requiring dehumidification that employ energy recovery in series with the cooling coil.

8. Where the largest source of air exhausted at a single location at the building exterior is less than 75 percent of the design outdoor air flow rate.
9. Systems expected to operate less than 20 hours per week at an outdoor percentage covered by Table C403.7.4(1).
10. Systems exhausting toxic, flammable, paint or corrosive fumes or ducts.
11. Commercial kitchen hoods used for collecting and removing grease vapors and smoke.

SECTION C403.7.7 SHUTOFF DAMPERS (MANDATORY)

Amend Section C403.7.7 to read as follows:

C403.7.7 Shutoff dampers (Mandatory). Outdoor air intake and exhaust openings and stairway and shafts vents shall be provided with Class I motorized dampers. The dampers shall have an air leakage rate not greater than 4 cfm/ft² (20.3 L/s * m²) of damper surface area at 1.0inch water gauge (249 Pa) and shall be labeled by an approved agency when tested in accordance with AMCA 500D for such purpose.

Outdoor air intake and exhaust dampers shall be installed in automatic controls configured to close when the systems or spaces served are not in use or during unoccupied period warm-up and setback operation, unless the systems served require outdoor or exhaust air in accordance with the *Uniform Mechanical Code*, or the dampers are opened to provide intentional economizer cooling.

Stairway and shaft vent dampers shall be installed with automatic controls configured to open upon the activation of any fire alarm initiating device of the building's fire alarm system or the interruption of power to the damper.

Exception: Nonmotorized gravity dampers shall be an alternative to motorized dampers for exhaust and relief openings as follows:

1. In buildings less than three stories in height above grade plane.
2. In buildings of nay height located in Climate Zones 1,2or 3.
3. Where the design exhaust capacity is not greater than 300 cfm (142 L/s).

Nonmotorized gravity dampers shall have an air leakage rate not greater than 20 cfm/ft² (101 L/s*m²) where not less than 24 inches (610 mm) in either dimension and 40 cfm/ft² (203.2 L/s*m²) where less than 24 inches (610 mm) in either dimension. The rate of air leakage shall be determined at 1.0-inch water gauge (249 Pa) when tested in accordance with AMCA 500D for such purpose. The dampers shall be labeled by an approved agency.

SECTION C403.11.1 DUCT AND PLENUM INSULATION AND SEALING (MANDATORY)

Amend Section C403.11.1 to read as follows:

C403.11.1 Duct and plenum insulation and sealing (Mandatory). Supply and return air ducts and plenums shall be insulated with not less than R-6 insulation where located in unconditioned spaces and where located outside of the building with not less than R-8 insulation in Climate Zones 1 through 4 and not less than R-12 insulation in Climate Zones 5 through 8. Where located within a

building envelope assembly, the duct or plenum shall be separated from the building exterior or unconditioned or exempt spaces by not less than R-8 insulation in Climate Zones 1 through 4 and not less than R-12 insulation in Climate Zones 5 through 8

Exceptions:

1. Where located within equipment.
2. Where the design temperature difference between the interior and exterior of the duct or plenum is not greater than 15°F (8°C).

Ducts, air handlers and filter boxes shall be sealed. Joints and seams shall comply with Section 603.10, 603.11 of the Uniform Mechanical Code.

Amend Section C403.11.2.1 to read as follows:

C403.11.2.1 Low-pressure duct systems (Mandatory). Longitudinal and transverse joints, seams and connections of supply and return ducts operating at a static pressure less than or equal to 2 inches water gauge (w.g.) (498 Pa) shall be securely fastened and sealed with welds, gaskets, mastics, (adhesives), mastic-plus-embedded-fabric systems or tapes installed in accordance with the manufacturer's instructions. Pressure classifications specific to the duct system shall be clearly indicated on the construction documents in accordance with the Uniform Mechanical Code.

Exception: Locking-type longitudinal joints and seams, other than the snap-lock and button-lock types, need not be sealed as specified in this section.

SECTION C403.11.2.2 MEDIUM-PRESSURE DUCT SYSTEMS (MANDATORY)

Amend Section C403.11.2.2 to read as follows:

C403.11.2.2 Medium-pressure duct systems (Mandatory). Ducts and plenums designed to operate at a static pressure greater than 2 inches water gauge (w.g.) (498 Pa) but less than 3 inches w.g. (747 Pa) shall be insulated and sealed in accordance with Section C403.11.1. Pressure classifications specific to the duct system shall be clearly indicated on the construction documents in accordance with the Uniform Mechanical Code.

SECTION C406.6 DEDICATED OUTDOOR AIR SYSTEMS

Amend Section C406.6 to read as follows:

C406.6 Dedicated outdoor air system. Buildings containing equipment or systems regulated by Section C403.3.4, C403.4.3, C403.4.4, C403.4.5, C403.6, C403.8.4, C403.8.5, C403.8.5.1, C403.9.1, C403.9.2, C403.9.3, C403.9.4 shall be equipped with an independent ventilation system designed to provide not less than the minimum 100-percent outdoor air to each individual occupied space, as specified by the Uniform Mechanical Code.

Chapter 5 - Commercial Energy Efficiency

SECTION C501.4 COMPLIANCE

Amend Section C501.4 to read as follows:

C501.4 Compliance. Alterations, repairs, additions and changes of occupancy to, or relocation of, existing buildings and structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy or relocation, respectively, in this code and in the International Building Code, International Existing Building Code, International Fire Code, Uniform Mechanical Code, Uniform Plumbing Code, International Property Maintenance Code, International Private Sewage Disposal Code and NFPA 70.

~~Section 502—Building Envelope Requirements.~~

~~Section 502.4.5 Outdoor Air Intakes And Exhaust Openings.~~

~~Revise section 502.4.5, to add new exceptions 2 through 6, as follows:~~

~~502.4.5 Outdoor Air Intakes And Exhaust Openings.~~

~~Stair and elevator shaft vents and other outdoor air intakes and exhaust openings integral to the building envelope shall be equipped with not less than a class I motorized, leakage-rated damper with a maximum leakage rate of 4 cfm per square foot (6.8 L/s · Cm²) at 1.0 inch water gauge (w.g.) (250 Pa) when tested in accordance with AMCA 500D.~~

~~Exceptions:~~

- ~~1. Gravity (non-motorized) dampers are permitted to be used in buildings less than three stories in height above grade.~~
- ~~2. Supply and exhaust ducts or shafts integral to the smoke management system as required by sec. 909 of the international building code.~~
- ~~3. Type I and type II fume hoods in commercial kitchens and the make-up air units that are required for the operation of these fume hoods.~~
- ~~4. All vents used for conveying products of combustion.~~
- ~~5. Clothes dryer vents that terminate vertically through a roof.~~
- ~~6. Explosion venting.~~

~~Section 505 Electrical Power And Lighting Systems (Mandatory).~~

~~Revise the title of section 505 as follows:~~

~~Section 505 Electrical Power And Lighting Systems.~~

~~505.2.1 Interior Lighting Controls.~~

~~Revise section 505.2.1 Interior Lighting Controls, by adding a new exception #3, as follows:~~

~~505.2.1 Interior Lighting Controls.~~

~~Exceptions:~~

~~3. Normally unoccupied areas, such as restrooms, janitor closets, storage closets and similar spaces, controlled by local occupancy sensors.~~

~~505.6 Exterior Lighting (Mandatory).~~

~~Revise section 505.6 Exterior Lighting, by adding a new exception #2, as follows:~~

~~When the power for the exterior lighting is supplied through the energy service to the building, all exterior lighting, other than low voltage landscaping lighting, shall comply with sections 505.6.1 and 505.6.2.~~

~~Exceptions:~~

~~1. Where approved because of historical, safety, signage or emergency considerations.~~

~~2. Where specific lighting levels are required by state or local governmental criteria, the state or local code shall prevail. Areas affected by this exemption include, but are not limited to, ATM's and parking garage emergency lighting.
(Ord. 728, 2-8-2011)~~

Chapter 6 Referencing Standards

Amend Chapter 6 by adding the following to read as follows:

AMCA

205-12: Energy Efficiency Classification for Fans C403.8.3

220-08 (R2012): Laboratory Methods for Testing Air Curtain Units for Aerodynamic Performance Rating C402.5.7

500D-12: Laboratory Methods for Testing Dampers for Rating C403.7.7

IAPMO

UMC-18: Uniform Mechanical Code C201.3, C403.2.2, C403.6, C406.6.6, C403.7.1, C403.7.2, C403.7.4, C403.7.5, C403.7.7, C403.11.1, C403.11.2.1, C403.11.2.2, C406.6, C501.4

UPC-18: Uniform Plumbing Code C201.3, C501.4

ICC

IBC-18: International Building Code C201.3, C303.1.1, C303.2, C402.5.3, C402.5.4, C501.4,

IFC-18: International Fire Code C201.3, C501.4

RESIDENTIAL PROVISIONS

Section R102.1.1 Above code programs

Amend R102.1.1 to read as follows:

R102.1.1 Above code programs. The code official or other authority having jurisdiction shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this code. Programs seeking approval must submit all requested supporting documentation, including program guidelines, protocols, calculations and program simulation performance software, if applicable, to the NNICC and/or jurisdictions for review for use as acceptable software. Buildings approved in writing by such an energy efficiency program shall be considered in compliance with this code. The requirements identified as "mandatory" in Chapter 4 shall be met.

Section R401.3 Certificate (Mandatory)

Amend Section R401.3 to read as follows:

R401.3 Certificate (Mandatory) The builder shall provide a final certificate to the owner. The certificate shall indicate the predominant R-values of insulation installed in or on ceilings, roofs, walls, foundation components such as slabs, basement walls, crawl space walls and floors and ducts outside conditioned spaces; U-factors of fenestration and the results from any required duct system and building envelope air leakage testing performed on the building. Where there is more than one value for each component, the certificate shall indicate the value covering the largest area. The certificate shall indicate the types and efficiencies of heating, cooling and service water heating

Section R403.3.4 Duct leakage (prescriptive)

Amend section R403.3.2 to read as follows:

R403.3.4 Duct Leakage (prescriptive). The total leakage of the ducts, where measured in accordance with Section R403.3.4, shall be as follows:

1. Rough-in test: The total leakage shall be less than or equal to 4 cubic feet per minute (113.3 L/min) per 100 square feet (9.29 m²) of conditional floor area where the air handler is installed at the time of the test. Where the air handler is not installed at the time of the test, the total leakage shall be less than or equal to 3 cubic feet per minute (85 L/min) per 100 square feet (9.29 m²) of conditioned floor area.
2. Postconstruction test: Total leakage shall be less than or equal L/min) 5 cubic feet per minute (cfm) (141.6 L/min) or total leakage to outside shall be less than or equal to 3.5 cfm (99.1 L/min) 100 square feet (9.29 m²) of conditioned floor area.

SECTION R403.6 MECHANICAL VENTILATION (MANDATORY)

Amend Section R403.6 to read as follows:

R403.6 Mechanical ventilation (Mandatory). The building shall be provided with ventilation that complies with the requirements of the International Residential Code or International Mechanical Code, as applicable, or with other approved means of ventilation. The mechanical system shall have a readily accessible on-off control switch allowing control of the mechanical system. Utilization of outside air temperature sensors, carbon dioxide sensors, humidity sensors or similar intermittent controls to activate the outside air mechanical equipment is permitted. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

Chapter 8

~~RESERVED~~ 2-8 1-Existing Building Code

Title: Pursuant to Nevada Revised Statutes 278.570, et seq., this chapter shall be known as the INTERNATIONAL EXISTING BUILDING CODE.

A. Title: This chapter shall be known as the INTERNATIONAL EXISTING BUILDING CODE OF THE CITY OF ELKO, hereinafter "code", including the adoption of the 2018 international existing building code.

B. Applicability: Existing building code is for the repair and alternative approaches for alterations and additions to existing buildings. It is necessary to regulate construction in existing buildings that undergo additions, alterations, extensive repairs or change of occupancy.

2-8-2 Existing Building Code Amendments

All building construction work and the inspections thereof must be in conformity with the provision of this code and with the latest edition of the international building code, which is hereby adopted by the city, with the following specific deletions and additions:
and 902.1.2.

Section 1209.4 Baby Changing Tables

Amend Section 1209 by adding Section 1209.4 as follows:

1209.4 Baby Changing Tables. Diaper changing tables are required to be installed in both male, female and other restrooms, in permanent buildings that contain public restrooms as defined in chapter 29 of the 2018 IBC. Changing tables are required when any of the following occur: new buildings, tenant improvements, new restrooms, alteration of existing restrooms, new additions, change of uses that require updating existing restrooms with additions to those facilities. Shall meet the guidelines of 603.5, 309 and 902 of ANSI/ICC A117.1-2017.

Exceptions: A building or facility that does not have public restrooms or has been issued a permit or license which restricts the admission of children on the basis of age, shall be exempt from this requirement

Section 902.1 High-rise buildings

Amend Section 902.1 to read as follows:

902.1 High-rise buildings. Any building having occupied floors more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access shall comply with the requirements of Sections 902.1.1

RESERVED

~~SIDEWALKS, CURBS, GUTTERS~~

~~2-13-1: PERMIT REQUIRED:~~

~~2-13-2: PLANS TO BE APPROVED:~~

~~2-13-3: SIDEWALK, CURB AND GUTTER CONSTRUCTION:~~

~~2-13-4: SIDEWALK MAINTENANCE, RECONSTRUCTION AND REPAIR:~~

~~2-13-5: PENALTIES:~~

~~2-13-1: PERMIT REQUIRED:~~

It shall be unlawful for any person to hereafter install, construct, or lay, or cause to be installed, constructed or laid, any sidewalk or sidewalks, curb or gutter within the street lines of the city without first obtaining a permit authorizing the same from the city council, to be issued by its authorized agent; and it shall also be unlawful for any person to construct, install or lay any sidewalk, curb or gutter for any other person until such person shall have first obtained a permit permitting the same from the city council, as provided in this chapter. (Ord. 787, 8-26-2014)

~~2-13-2: PLANS TO BE APPROVED:~~

Any sidewalk, curb or gutter hereafter constructed within the street lines of the city by any person shall be constructed in strict compliance with specifications and plans and upon grades and lines to be approved by the city council or its duly authorized engineer. (Ord. 787, 8-26-2014)

~~2-13-3: SIDEWALK, CURB AND GUTTER CONSTRUCTION:~~

A. Required; Exception: Except as otherwise provided in this section, sidewalks, curbs and gutters shall be required on all vacant lots or parcels of land which are hereafter developed; or upon lots or parcels of land which are merged or divided; or developed lots or parcels of land involving a change in building occupancy and use of land; or upon which any building expansion or new construction shall take place involving the addition of gross floor area greater than four hundred (400) square feet; or when a change of use results in a measurable increase in pedestrian or vehicular traffic; provided, however, that upon the request of the city development department or application by a property owner, tenant, lessee or a contractor duly authorized to represent said property owner and for cause shown, the city council may waive all or part of, the requirement for the installation of the above described improvements.

B. Request To Waive Requirements By Development Department: Any request by the city development department to waive all or part of the requirement to install curb, gutter and sidewalk shall be based on the following criteria: 1) the presence or proposed installation of other substantially equivalent or superior improvements in the vicinity of the lot or parcel of land, 2) conditions on the lot or parcel of land affecting the practicability of installing the curb, gutter and sidewalk and 3) any other factors deemed by the city development department to be appropriate grounds for waiving any or all of the foregoing requirements relative to the installation of curb, gutter and sidewalk.

C. Request To Waive Requirements By Property Owner: Any application to waive all or part of the requirement to install curb, gutter and sidewalk by a property owner, tenant, lessee or contractor

duly authorized to represent said property owner: 1) shall be based on evidence that it is impractical to install curb, gutter and sidewalk because of circumstances beyond the reasonable control of the applicant and 2) shall include a filing fee paid to the city in an amount established by resolution of the city council. (Ord. 787, 8-26-2014)

~~2-13-4: SIDEWALK MAINTENANCE, RECONSTRUCTION AND REPAIR:~~

~~A. Responsibility Of Property Owners: It is the responsibility of all property owners in the city to maintain a sidewalk in a public right of way that abuts the owner's property within the street lines of the city. The responsibility imposed is that of a reasonable person and is not a duty greater than imposed by common law duty. Furthermore, this section is not intended and cannot be relied upon to define the standard of care in any civil action for negligence or for the establishment of negligence per se for its violation.~~

~~B. Standards: Except as otherwise provided in this code, all sections of the city sidewalks shall be of concrete cement with a minimum of four inches (4") depth and a minimum of four feet (4') in width. Wherever any sidewalk has been constructed under the authority of any former ordinance in any manner other than in accordance with the existing lines and grades, sidewalks for the remaining properties in the same block shall be so constructed that uniformity of line and grade may be maintained.~~

~~C. Reconstruction And Repair:~~

- ~~1. The city may require the reconstruction and repair of sidewalks in the following circumstances:~~
 - ~~a. Imposing an assessment or other charge authorized by law for any reconstruction or repair of a sidewalk that the governing body causes to be performed within a public right of way;~~
 - ~~b. Requiring any reconstruction or repair of a sidewalk as a condition of approval for a change in the use of the land;~~
 - ~~c. The repair and reconstruction of a sidewalk in the public right of way that abuts the property of the owner if the owner caused the need for such repair or reconstruction.~~
- ~~2. Any sidewalk ordered repaired or reconstructed by the city council shall be repaired or reconstructed by the owners of the property which abut upon the sidewalk. The property owner shall complete said reconstruction and repair, within a time period not to exceed ninety (90) days during the city construction season.~~

~~D. Failure: Failure of the owner to complete the sidewalk improvements as required within the time limits designated shall be considered an infraction of this code and, upon conviction of such infraction, the municipal court may impose any injunctive relief or fine of a civil nature as may be allowed by this code or laws of the state. (Ord. 787, 8-26-2014)~~

~~2-13-5: PENALTIES:~~

~~Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided in title 1, chapter 3 of this code. Each day's violation of the provisions of this chapter may be deemed a separate offense. (Ord. 787, 8-26-2014)~~

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict

Section 3: If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid, unenforceable, or unconstitutional by a court of competent jurisdiction, the invalidity, unenforceability or provision shall not affect any remaining provisions of this ordinance.

Section 4: Upon adoption, the City Clerk of the City of Elko is hereby directed to have this ordinance published by title only, together with the Councilman voting for or against its passage in a newspaper of general circulation within the time established by law, for at least one publication.

Section 5: This Ordinance shall be effective upon the publication mentioned in Section 4.

PASSED AND ADOPTED this _____ day of _____, 2019 by the following vote of the Elko City Council.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2019.

CITY OF ELKO

BY: _____
REECE KEENER, Mayor

ATTEST:

KELLY WOOLDRIDGE, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Second reading of Ordinance No. 840, an ordinance amending Title 6, Chapter 1, of the Elko City Code entitled "Fire Code" and other matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **June 11, 2019**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **10 Minutes**
5. Background Information: **On February 26, 2019, Council approved the initiation on Ordinance No. 840 and directed Staff to complete a Business Impact Statement. On May 14, 2019, Council found that Ordinance No. 840 does not impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business. On May 28, 2019 Council approved first reading of ordinance 840. KW**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Completed**
8. Supplemental Agenda Information: **Copy of Ordinance No. 840**
9. **Recommended Motion: Approve second reading of Ordinance No. 840**
10. Prepared By: **Kelly Wooldridge, City Clerk**
11. Committee/Other Agency Review: **N/A**
12. Council Action:
13. Council Agenda Distribution:

CITY OF ELKO
ORDINANCE840

AN ORDINANCE AMENDING TITLE 6 OF THE ELKO CITY CODE ENTITNTLED "FIRE CODE" AND MATTERS RELATED THERETO.

WHEREAS, the City has reviewed and has determined that it is necessary to adopt the 2018 International Fire Code and to incorporate the same into the Elko City Code, subject to certain amendments;

WHEREAS, the 2018 International Fire Code contains regulations governing conditions hazardous to life and property from fire or explosion.

WHEREAS, the City has reviewed and has determined that it is necessary to make additional amendments to Chapter 1 of Title 6, including certain additions to the requirements set forth in the 2018 International Fire Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THECITY OF ELKO, NEVADA.

For amendment purposes, words which are in blue bold and underlined are additions to the Ordinance, and words ~~which are red-lined through and bold are~~ deleted from the Ordinance.

SECTION 1: Title 4, Chapter 6, Section 1 shall be entitled "Adoption of International Fire Code of the City of Elko" and is hereby amended as follows:

Chapter 1
FIRE CODE

6-1-1: ADOPTION OF INTERNATIONAL FIRE CODE:

6-1-2: ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION:

6-1-3: DEFINITIONS:

6-1-4: ROUTES FOR TRANSPORTING EXPLOSIVES, BLASTING AGENTS, HAZARDOUS CHEMICALS AND OTHER DANGEROUS ARTICLES (REP. BY ORD. 390, 7-11-1989):

6-1-5: FIRE LANES ON PRIVATE PROPERTY:

6-1-6: APPEALS:

6-1-7: NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS:

6-1-8: PENALTIES:

6-1-9: COPIES OF CODE AVAILABLE:

6-1-10: TANK STORAGE AND BULK STORAGE COMPLIANCE:

6-1-11: INTERNATIONAL FIRE CODE AMENDMENTS

6-1-1: ADOPTION OF INTERNATIONAL FIRE CODE:

- A. Title: This chapter will be known as the *ADOPTION OF INTERNATIONAL FIRE CODE OF THE CITY OF ELKO*, hereinafter "Code", including the adoption of the 2012~~12~~¹⁸ International Fire Code with appendices A, B, C, D, E, F, G, H, I, J, K, L and M. Certain sections of the International Fire Code and appendices may be added or deleted by resolution.
- B. Applicability: All construction of, or the enlarging, altering, repairing, moving, demolishing, or changing the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any component, element, or portion of a building or structure within the City must be in compliance with, in addition to, the other applicable codes or amendments set forth by the City Council, the currently adopted edition of the International Fire Code.
- C. International Fire Code Amendments: There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code (IFC), recommended by the International Code Council, being particularly the edition noted in subsection A of this section, thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, such to become effective thirty (30) days after public notice of the filing in the City Clerk's Office hereinafter specified is given by one (1) publication in a newspaper in the City. One (1) copy of the latest edition being adopted shall be approved by the City Council and placed on file in the Office of the City Clerk. From the date on which such filed edition of said Code shall take effect, the provisions thereof shall be controlling within the limits of the City. The said Code is hereby adopted as the rules and regulations for governing conditions hazardous to life from fire or explosion. In the event that any of the provisions of the latest edition of the IFC conflict with any provisions of this chapter, the provisions of this chapter shall govern and be controlling. All supplements to the IFC, issued by the International Code Council between editions and approved by the City Council and filed in triplicate in the Office of the City Clerk shall become part of this IFC effective thirty (30) days after public notice of such filing is given by one (1) publication in a newspaper in the City. Certain sections of the International Fire Code and appendices may be added or deleted by resolution. (Ord. 817, 4-25-2017)

6-1-2: ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION:

- A. The IFC shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City, which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.
- B. The Chief in charge of the Bureau of Fire Prevention shall be appointed by the City Council on the basis of examination to determine his qualifications.
- C. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Council the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be

open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause. (Ord. 646, 9-13-2005)

6-1-3: DEFINITIONS:

Whenever used in the international fire code:

CORPORATION COUNCIL: The attorney for the City of Elko.

FIRE CODE OFFICIAL: The Fire Chief or other designated authority charged with the administration and enforcement of the international fire code, or a duly authorized representative.

JURISDICTION: The City of Elko. (Ord. 733, 5-10-2011)

6-1-4: ROUTES FOR TRANSPORTING EXPLOSIVES, BLASTING AGENTS, HAZARDOUS CHEMICALS AND OTHER DANGEROUS ARTICLES:

(Rep. by Ord. 390, 7-11-1989)

6-1-5: FIRE LANES ON PRIVATE PROPERTY:

The following are hereby designated fire lanes:

- A. At the Elko shopping plaza, Highway 40 E., a fifteen-foot (15') lane adjoining all storefront sidewalks and all routes or lanes used for access to the stores and parking areas
- B. At the Northeastern Nevada Regional Hospital, all routes or lanes used for access to the hospital and parking areas. Any road or passageway developed to allow the passage of fire apparatus.
- C. Section 503.4 of the international fire code prohibits obstruction of fire apparatus access roads, including, but not limited to, the parking of vehicles.
- D. Fire lane, fire lane parking, fire apparatus access roads, fire protection appliances, fire hydrants, and other fire protection equipment or appliances on any private property, shall be identified, marked and for the life of the facility be maintained with signage, red paint street markings and other clearly identified means by the property owner in compliance with chapter 5 and appendix D of the currently adopted international fire code.
- E. Enforcement of these regulations shall fall to the city of Elko fire code official and shall include the authority of the police department to cooperate and issue citations and cause the removal of any blockage of fire lanes, appliances, fire access roadways or designated areas.

6-1-7: APPEALS:

Whenever the fire code official disapproves an application or refuses to grant a permit applied for, or

when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire code official to the city council within thirty (30) days from the date of the decision appealed.

6-1-7: NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS:

The City Manager, the Fire Chief and the Chief of the bureau of fire prevention shall act as the committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The Chief of the bureau of fire prevention shall post such lists in a conspicuous place in his office and distribute copies thereof to interested persons.

6-1-8: PENALTIES:

- A. Violation Penalties: Persons who shall violate any provision of this title, or shall fail to comply with any of the requirements thereof, or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificated use under provisions of this title, shall be guilty of a misdemeanor, punishable of a fine not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding one hundred eighty (180) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- B. Recovery of Costs: The city may recover all actual response costs, isolation costs or mitigation costs associated with all provisions of this title when deemed in the public best interest, to recover extraordinary expenses, or costs associated with the civil or criminal order of the court for any municipal, district or juvenile court within our district.
- C. Abatement of Violations: In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

6-1-9: COPIES OF CODE AVAILABLE:

One copy of the IFC, with all amendments and supplements thereto after adopted, shall be kept on file in the office of the city clerk for use and examination by the public in the office of the city clerk.

6-1-10: TANK STORAGE AND BULK STORAGE COMPLIANCE:

It shall be unlawful for any lessee, owner, individual, partnership, corporation, firm, business, or other entities of any type or nature to own, suffer, permit or allow any tank or bulk storage aboveground outside or inside a building; or underground outside or under a building; or to abandon any tank without complying with the currently adopted international fire code and any other referenced codes.

6-6-11 INTERNATIONAL FIRE CODE AMENDMENTS

6-1-2 International Fire Code Amendments

Section 102.7 Referenced codes and standards:

Section 102.7 is amended to read:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those the most current that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Section 102.7.1 and 102.7.2.

Section 105.6.51 Fire Fighter Air Replenishment Systems:

Section 105.6.51 is added to Section 105.6 Required operational permits, to read:

Section 105.6.51 Fire Fighter Air Replenishment Systems. An operational permit is required to maintain a Fire Fighter Air Replenishment System.

Section 105.6.52 Emergency responder radio coverage system

Section 105.6.51 is added to Section 105.6 Required operational permits, to read as follows:

Section 105.6.52 Emergency responder radio coverage system. An operational permit is required for the operation and maintenance of an emergency radio coverage system and related equipment, as specified in Section 510.

Section 105.7.26 Fire fighter air replenishment systems:

Section 105.7.26 is added to Section 105.7 Required construction permits, to read:

Section 105.7.26 Fire Fighter Air Replenishment Systems. A construction permit is required for installations of or modification to a Fire Fighter Air Replenishment System. The construction permit application shall include documentation of an acceptance and testing plan as specified in Section L103.2.

Section 202 General Definitions:

The following definitions are amended or added in Section 202 General definitions to read:

[BG] HIGH-RISE BUILDING. A building with an occupied floor located more than ~~75~~ 55 feet (~~22806~~ 16764 mm) above the lowest level of fire department vehicle access.

OCCUPANCY CLASSIFICATION [BG] Institutional Group I-1. Institutional Group I-1 occupancy shall include buildings, structures, or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. 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 a "I-1" occupancy classification. Buildings of Group I-1 shall be classified as one of the occupancy conditions listed below. This group shall include, but not be limited to, the following:

Alcohol and Drug Centers

Assisted living facilities

Congregate care facilities

Group homes

Halfway houses

Residential board and care facilities

Residential board and custodial care facilities

Social rehabilitation facilities

[BG] Condition 1. This occupancy condition shall include buildings in which all persons receiving custodial care who, without any assistance, are capable of responding to an emergency to complete building evacuation.

[BG] Condition 2. This occupancy shall include buildings in which there are any persons requiring custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation.

[BG] Six to 16 persons receiving custodial care. A facility housing not fewer than six and not more than 16 persons receiving custodial care shall be classified as group R-4.

[BG] Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial 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 Section P2904 of the *International Residential Code*.

Occupational Classification [BG] Group I-4, day care facilities. Institutional Group I-4 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.

[BG] 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.

[BG] 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*.

[BG] ~~Five~~ Six 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.

[BG] ~~Five~~ Six or fewer occupants receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having ~~five~~ six or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the *International Residential Code*.

Occupancy Classification [BG] Residential Group R-1. Residential Group R-1 occupancies containing *sleeping units* where the occupants are primarily transient in nature, including:

Boarding houses (transient) with more than 10 occupants

Brothels

Congregate living facilities (transient) with more than 10 occupants

Hotels (transient)

Motels (transient)

OCCUPANCY CLASSIFICATION [BG] Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units

Care facilities that provide accommodations for ~~five~~ 6 or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants

Boarding houses (nontransient)

Convents

Dormitories

Fraternities and sororities

Monasteries

Congregate living facilities (transient) with 10 or fewer occupants

Boarding houses (transient)

Lodging houses (transient) with five or fewer guestrooms and 10 or fewer occupants.

Unwanted alarm. Any alarm that occurs that is not the result of a potentially hazardous condition.

Section 307.4.3 Portable outdoor fireplaces

Section 307.4.3, of Section 307.4 Location, is amended to read:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Section 308.1.6.3 Sky lanterns

Section 308.1.6.3, of Section 308.1.6 Open-flame devices, is amended to read:

308.1.6.3 Sky lanterns. A person shall not release or cause to be released an untethered sky lantern. Sky lanterns are prohibited.

Section 319.4.1 Fire protection for cooking equipment

Section 319.4.1, of Section 319.4 Fire protection, is amended to read:

319.4.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with ~~Section~~ Sections 607.2 and 904.12.

Section 320 Natural Gas Meter Protection

Section 320 Natural Gas Meter Protection and Section 320.1 General are added to read as follows:

320 Natural Gas Meter Protection

320.1 General. A protective cover shall be provided over natural gas meter assemblies serving buildings, or portions thereof, located at an elevation of 5,800 feet (1767.48 m) or higher. The protective cover shall be designed to be equal to or greater than the Building Design Load (as determined by the Building Department having jurisdiction). The cover shall be approved by the natural gas supplier, shall be installed over the meter assembly, and shall be securely supported to the ground or diagonally to the building wall. When supported to the ground, the footing of the supports shall extend a minimum of 6-inches (152.4 mm) below finished grade. Pre-cast concrete piers may be used in lieu of poured footings, provided they are placed on stable soil.

Section 403.12.3.2 Training

Section 403.12.3.2, of Section 403.12.3 Crowd managers, is amended to read as follows:

403.12.3.2 Training. Training for crowd managers shall be in compliance with the latest International Code Council or National Fire Protection Associations standards or guidelines ~~approved~~.

Section 505.1 Address Identification

Section 505.1 is amended to read:

505.1 Address identification. New and existing buildings shall be provided with approved maintained all-weather address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetic letters. Numbers shall not be spelled out. Each character shall be not less) than a nominal height of 6-inches with a minimum ½-inch stroke for residential occupancies and 12-inches with a 1-inch stroke in commercial occupancies, unless otherwise approved by the fire code official. Where required by fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 507.3 Fire flow

Section 507.3 is amended to read:

507.3 Fire flow. Fire flow requirements for buildings or portions of building and facilities shall be determined by an approved method.

Subject to the approval of the fire authority, if the required fire flow is not available for adequate fire protection, an automatic fire sprinkler system shall be installed throughout the building or buildings. The sprinkler system must meet the requirements of the appropriate N.F.P.A. standard. The provisions of this paragraph do not apply if a fire sprinkler system is otherwise required by this chapter or the adopted codes.

Section 507.5.5 Clear space around hydrants

Section 507.5.5 in Section 507.5 Fire hydrants is amended to read:

507.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants, except as otherwise required or approved. In addition, a minimum clear space of seven and one-half feet (2286 mm) shall be maintained to both sides directly in front of the front pumper connection. In the North Lake Tahoe Fire Protection District and Tahoe Douglas Fire Protection District, a minimum of four feet (1219 mm) shall also be maintained clear to the rear of any fire hydrant. These clearance requirements shall apply to any public or private property.

Section 508.1.6 Required features

Section 508.1.6 of Section 508.1 General is amended to read:

508.1.6 Required features. The fire command center shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.
2. The fire department communications system.
3. Fire detection and alarm system annunciator.
4. Annunciator unit visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for the air distribution systems.
6. The fire fighter's control panel required by Section 909.16 for smoke control systems installed in the building.
7. Controls for unlocking interior exit stairway doors simultaneously.
8. Sprinkler valve and water-flow detector display panels.
9. Emergency and standby power status indicators.
10. A telephone for fire department used with controlled access to the public telephone system.

11. Fire pump status indicators.

12. Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighter air-replenishment systems, fire-fighting equipment and fire department access, and the location of fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions.

13. An approved Building Information Card that includes, but is not limited to, all of the following information:

13.1. General building information that includes: the number of floors in the building above and below grade, use, and occupancy classification (for mixed uses, identify the different types of occupancies on each floor) and the estimated building population during the day, night, and weekend;

13.2. Building emergency contact information that includes: a list of the building's emergency contacts including, but not limited to, building manager, building engineer and their respective work phone number, cell phone number and e-mail address;

13.3. Building construction information that includes: type of building construction including but not limited to floors, walls, columns and roof assembly;

13.4. Exit access stairway and exit stairway information that includes: number of exit access stairways and exit stairways in building; each exit access stairway and exit stairway designation and floors served; location where each exit access stairway and exit stairway discharges, interior exit stairways that are pressurized; exit stairways that are provided with emergency lighting; each exit stairway that allows reentry; exit stairways providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve; location of elevator machine rooms, control rooms, and control spaces; location of sky lobby; and location of freight elevator banks;

13.5. Building Services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator and locations of natural gas service.

13.6. Fire protection system information that includes: location of standpipes, location of fire pump room, location of fire department connections, floors protected by automatic sprinklers and location of different types of automatic sprinkler systems installed including but not limited to dry, wet, and pre-action;

13.7. Hazardous material information that includes: location and quantity of hazardous material;

14. Work table.

15. Generator supervision devices, manual start and transfer features.

16. Public address system, where specifically required by other sections of this code.

17. Elevator fire recall switch in accordance with ASME A17.1/CSA B44.

18. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.

19. HVAC. The central control station shall be provided with heating, cooling, and ventilation (HVAC) systems that are independent of any other building system or area. HVAC for the central control station shall be connected to the emergency power system.

20. Lighting. Lighting shall provide adequate illumination and shall be on emergency service with additional battery backup emergency lighting.

21. Inside Telephone Line. A telephone connected to the premises' telephone exchange shall be provided. A current directory of all telephone numbers within the premises shall be placed next to this telephone.

22. Disconnect. The main switch for disconnecting the utility power and any alternate power sources shall be in the fire command center. Switches shall be covered to prevent utility power feeds and any alternate power sources before entering the building. After the switch is operated, no live electrical panels, conductors, or feeds within the premises shall remain energized excluding the emergency electrical circuits.

Section 510.1 Emergency responder radio coverage in new buildings

Section 510.1 is amended to read:

510.1 Emergency responder radio coverage in new buildings. An emergency responder radio coverage system shall be provided throughout buildings when any of the following apply:

1. High-rise buildings. Buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.

2. Underground and below grade buildings. Buildings having a floor level below the finished floor of the lowest level of exit discharge of any level.

3. Other buildings. The fire code official is authorized to require a technical opinion and report, in accordance with Section 104.7.2, for buildings whose design, due to location, size, construction type, or other factors, could impede radio coverage as required by Section 510.4.1. The report shall make a recommendation regarding the need for an emergency responder radio coverage system.

Section 510.2 Emergency responder radio coverage in existing buildings

Section 510.2 is amended to read:

510.2 Emergency responder radio coverage in existing buildings. Existing other than Group R-3, which do not have approved radio coverage for emergency responders in the building based on existing coverage levels of the public safety communications systems, shall be equipped with such coverage according to one of the following conditions:

1. Existing buildings that do not have approved radio coverage, as determined by the Fire Chief, in accordance with Section 510.4.1.

2. Where an existing wired communication system cannot be repaired or is being replaced.

3. Within a time frame established by the adopting authority.

Exception: Where it is determined by the fire code official that the radio coverage is not needed.

Section 510.3 Permit required

Section 510.3 is amended to read:

510.3 Permits Required. Permits shall be required to install, modify and operate an emergency radio coverage system and related equipment, as follows:

1. A construction permit for the installation of or modifications to emergency radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

2. An operational permit is required for the operation and maintenance of an emergency radio coverage system and related equipment as specified in Section 105.6.52.

Section 704.3 Wood-burning appliance enclosures and flue shafts

Section 704.3 is added to Section 704 JOINTS AND VOIDS, and reads:

704.3 Wood-burning appliance enclosures and flue shafts. In North Lake Tahoe Fire Protection District and Tahoe Douglas Fire Protection District, the interior of any firewood-burning fireplace enclosure and flue shaft constructed of combustible framing materials shall be completely lined with taped 5/8" type "X" drywall.

Section 901.4.6.2 Marking on access door

Section 901.4.6.2 is amended to read:

901.4.6.2 Marking on access door. Access doors for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with a maintained approved all-weather sign. The lettering shall be in contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 3/8 inch (10 mm).

Section 901.6 Inspection, testing and maintenance

Section 901.6 is amended to read:

901.6 Inspection, testing and maintenance. Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, mechanical smoke exhaust systems and smoke and heat vents, and commercial kitchen hood ventilation systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Nonrequired fire protection systems and equipment shall be inspected, tested and maintained or removed. Air systems

for fire-suppression breathing apparatus shall be maintained at the same frequency as other high-rise life safety systems.

Section 901.6.2.3 Fire fighter air replenishment system

Section 901.6.2.3 is added to Section 901.6.2 Integrated testing, to read:

Section 901.6.2.3 Fire fighter air replenishment system. Fire suppression breathing apparatus air system procedures, maintenance and report records shall be approved by the fire code official. Inspection records shall be kept on-site.

Section 901.11 Problematic unwanted fire alarms

Section 901.11 is added to Section 901 GENERAL, to read:

901.11 Problematic unwanted fire alarms. Problematic unwanted fire alarms are a violation of this code. When a fire alarm system is required by this code, it shall be the responsibility of the property owner or owner's authorized agent to maintain the system and properly educate occupants, tenants, and/or employees in accepted behavioral practices that will minimize or eliminate false and/or nuisance alarms. This includes nuisance activations in response to predictable environmental stimuli such as but not limited to cooking fumes, smoking, and construction activities. Where unwanted alarms become repetitive, the fire code official is authorized to charge fees or issue administrative citations to the property owner in accordance with the fee schedule or administrative code as established by the applicable governing authority.

Section 903.2 Where required

Section 903.2 is amended to read:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in Sections 903.2.1 through 903.2, and Tables 903.2.1 and 903.2.2.

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

Section 903.2.1.2 Group A-2

Section 903.2.1.2 is amended to read:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m²).
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Occupancies containing a casino, regardless of occupancy classification, must be designed and built with a sprinkler system classified as an Ordinary Hazard Group 2.

Table 903.2.1 Required Automatic Sprinklers by Fire Area, Response Time and Height for Structures Designed and Constructed with the International Building Code Including A, B, E, F, H, I, M, S and U Occupancies

Add Table 903.2.1 to Section 903.2, to read:

TABLE 903.2.1^a

Required Automatic Sprinklers by Fire Area, Response Time and Height

For Buildings Designed and Constructed with the International Building Code Including A, B, E, F, H, I, M, S and U Occupancies

Sprinklers are required when any one of the listed conditions are met, or when otherwise required by this Code

| <u>Fire Authority</u> | <u>Fire Area ^{b,c}</u> <u>In square feet (sf)</u> | <u>Height ^d</u> <u>In stories</u> | <u>Response Time</u> <u>In minutes (min)</u> |
|----------------------------------|---|---|---|
| <u>Elko City Fire Department</u> | <u>> 5000</u> | <u>> 2</u> | <u>=</u> |

a. This table is in addition to any other automatic sprinkler requirements in this code.

b. Fire areas may be separated according to IBC 707.3.10.

c. Any addition or remodel that increases the fire area will be included in the calculation for the total square footage.

d. Airport towers and open parking garages complying with IBC 406.5 are exempt from this table.

e. A one-time increase in the fire area is permitted provided said increase is < 50% of the structure's existing permitted fire area square footage.

f. A one-time increase of 360 square feet of fire area is permitted.

Table 903.2.2 Required Automatic Sprinklers by Fire Area, Response Time, and Height for Structures Designed and Constructed with the International Residential Code

Add Table 903.2.2 to Section 903.2, to read as follows:

TABLE 903.2.2^a

Required Automatic Sprinklers by Fire Area, Response Time and Height

For Structures Designed and Constructed with the International Residential Code

Sprinklers are required when any one of the listed conditions are met,

or when otherwise required by this Code

| <u>Fire Authority</u> | <u>Fire Area ^b</u> <u>In square feet (sf)</u> | <u>Height</u> <u>In stories</u> | <u>Response Time</u> <u>In minutes (min)</u> |
|----------------------------------|---|------------------------------------|---|
| <u>Elko City Fire Department</u> | <u>> 5000</u> | <u>>2</u> | <u>=</u> |

a. This table is in addition to any other automatic sprinkler requirements in this code.

b. Any addition or remodel that increases the fire area will be included in the calculation for the total square footage. The use of fire walls and fire barriers to reduce the size of fire areas is prohibited.

c. A one-time increase in the fire area is permitted provided said increase is < 50% of the structure's existing permitted fire area square footage.

d. A one-time increase of 360 square feet of fire area is permitted.

e. See section 907.2.10.2.1 for alarm requirements for existing structures.

f. Accessory structures are exempt from this table.

Section 903.2.3 Group E

Section 903.2.3 is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows where one of the following exists:

1. Throughout all Group E fire areas greater than ~~12,000~~ 5,000 square feet (~~1115~~ 464 m²) in area.

2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.

Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.

3. The Group E fire area has an occupant load of 300 or more.

Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest.

4. Daycare facilities where there is occupancy from 12:00 am- 6:00 am and care for 7 or more children.

In high schools where automatic fire sprinkler systems are provided, the automatic fire sprinkler systems for automotive and woodworking shops must be designed to Ordinary Hazard, Group 1 automatic fire sprinkler systems criteria, or as required by the Authority Having Jurisdiction.

Section 903.3.1.1 NFPA 13 sprinkler systems

Section 903.3.1.1 is amended to read:

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 and 903.1.1.2.

In North Lake Tahoe Fire Protection District all Group R-3 occupancies larger than ten thousand (10,000) square feet (3048 m²) in area or exceeding four (4) stories in height are required to have automatic sprinklers installed throughout in accordance with NFPA 13.

Section 903.3.1.3 NFPA 13D sprinkler systems

Section 903.3.1.3 is amended to read:

903.3.1.3 NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one and two-family dwellings: Group R-3; Group R-4, Condition 1; and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. NFPA 13D systems are not permitted in North Lake Tahoe Fire Protection District.

Section 903.4 Sprinkler system supervision and alarms

Section 903.4 is amended to read:

903.4 Sprinkler system supervision and alarms. Valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems in accordance with Section 903.3.8.

3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.

4. Jockey pump control valves that are sealed or locked in open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position. This exception will not apply to any of the above- mentioned control valves if they are located in a building equipped with any fire alarm or protection system that is required to be monitored by a central station fire alarm company.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction, and deluge sprinkler systems that are sealed or locked in the open position.

Section 903.4.2 Alarms

Section 903.4.2 is amended to read:

903.4.2 Alarms. An approved audible alarm notification appliance device shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system.

Approved alarm notification appliances shall be provided on the exterior of the building and within each tenant space on the interior of the building and in an approved location. When residential (single family dwelling) automatic sprinkler systems are provided, water flow activation shall provide occupant notification at all occupied levels and sleeping units, with minimum audible notification level of 75 dba sound pressure at pillow height. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.4.3 Floor control valves

Amend Section 903.4.3 to read:

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings in multi-story facilities.

Section 906.2 General requirements

Section 906.2 is amended to read:

906.2 General requirements. Portable fire extinguishers shall be selected, installed, and maintained in accordance with this section and NFPA 10.

Exceptions:

1. Travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.
2. Thirty-day inspections shall not be required, and maintenance shall be allowed to be ~~once~~ every three years annually for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

- 2.1 Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.
 - 2.2 Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.
 - 2.3 The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.
 - 2.4 Electronic monitoring devices and supervisory circuits shall be tested ~~every three~~ years annually when extinguisher maintenance is performed.
 - 2.5 A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.
3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.

Carbon dioxide, wet chemical, halogenated agent, AFFF and FFFP portable fire extinguishers shall be internally examined in accordance with NFPA 10. All other portable fire extinguishers shall be internally examined annually.

Section 907.2.9.4 Automatic smoke detection systems in Group R-4

Section 907.2.9.4 is added to Section 907.2.9, to read:

907.2.9.4 Automatic smoke detection system in Group R-4. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5 shall be installed in corridors, waiting areas open to corridors and habitable spaces other than sleeping units and kitchens.

Exceptions:

1. Smoke detection in habitable spaces is not required where the facility is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
2. An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

Section 907.2.9.5 Automatic smoke detection systems in Group R-3

Section 907.2.9.5 is added to Section 907.2.9, to read:

907.2.9.5 Automatic smoke detection system in Group R-3. In Truckee Meadows Fire Protection District automatic smoke detection system installed throughout and connected to a central station fire alarm company is required for additions that make the structure more than 5,000 square feet but less than 7,000 square feet.

Section 907.2.10.2.1 Alternative to single- and multiple-station smoke alarms

Section 907.2.10.2.1 is added to 907.2.10.2 Groups R-2, R-3, R-4 and I-1, to read:

907.2.10.2.1 Alternative to single- and multiple-station smoke alarms. Fire alarm in place of single and multiple-station smoke alarms may be replaced by an NFPA 72 Household compliant fire alarm system. Plans shall be submitted to the local fire authority and permit obtained prior to installation.

All fire alarm installation contractors shall be required to be licensed by both the Nevada State Contractors Board and Nevada State Fire Marshal (F license).

Section 907.5.2.1.1 Average sound pressure

Section 907.5.2.1.1 is amended to read:

907.5.2.1.1 Average sound pressure. The audible alarm notification appliances shall provide a sound pressure level of 15 decibels (dBA) above the average ambient sound level or 5 dBA above the maximum sound level having a duration of at least 60 seconds, whichever is greater, in every occupiable space within the building. The minimum sound pressure levels shall be 90 dBA in mechanical equipment rooms and 80 dBA in all other occupancies.

Section 910.2.2 High-piled combustible storage

Section 910.2.2 is amended to read:

910.2.2 High-piled combustible storage. Smoke and heat removal required by Table 3206.2 for buildings and portions thereof containing high-piles combustible storage shall be installed in accordance with Section 910.3 in unsprinklered buildings. In buildings and portions thereof containing high-piled combustible storage equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, a smoke and heat removal system shall be installed in accordance with 910.3 or 910.4. Smoke and heat vents shall be activated by manual controls only per Section 910.4.4. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with 910.4 shall be installed.

Section 912.5.1 Service area

Section 912.5.1 is added to Section 912.5 Signs, to read:

912.5.1 Connection sign. An approved all-weather sign indicating the building's address or areas serviced by a sprinkler or standpipe system shall be permanently mounted and maintained on all fire department connections when required by the fire code official.

Section 913.4 Valve supervision

Section 913.4 is amended to read:

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a constant attended location.
3. Locking valves open.
4. Sealing of valves and approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.

Section 914.3.8 Fire fighter air replenishment systems

Section 914.3.8 is added to Section 914.3 High-rise buildings, to read:

914.3.8 Fire fighter air replenishment systems. A fire fighter air replenishment system shall be provided in all new high-rise buildings of ten (10) or more stories in height. The fire fighter breathing air system installation and maintenance shall comply with Appendix L. Inspection records shall be kept on site and shall be readily available to the fire code official.

Section [BE] 1023.9.1 Signage requirements

Section [BE] 1023.9.1 is amended to read:

[BE] 1023.9.1 Signage requirements. Stairway identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).
2. The letters designating the identification of the interior exit stairway and ramp shall be not less than 1 ½ inches (38 mm) in height.
3. The number designating the floor level shall be not less than 5 inches (127 mm) in height and located in the center of the sign.
4. Other lettering and numbers shall be not less than 1 inch (25 mm) in height.
5. Characters and their background shall have a non-glare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
6. Where signs required by Section 1023.9 are installed in the interior exit stairways and ramps of buildings subject to Section 1025, the signs shall be made of the same materials as required by Section 1025.4.
7. The background color of the sign shall be green if roof access is available from the signed stairway. The background color of the signs shall be red if roof access is not available from the signed stairway.

Section 3903.2 Prohibited occupancies

Section 3903.2 is amended to read:

3903.2 Prohibited occupancies. Extraction processes utilizing flammable gases or flammable ~~cryogenic~~ fluids shall not be located in a building containing a Group A, E, I or R occupancy.

Section 3903.3 Location

Section 3903.3 is amended to read:

3903.3 Location. The extraction equipment and extraction processes utilizing hydrocarbon solvents shall be located in a room or area dedicated to extraction. For other than CO₂ and nonhazardous extraction process, all marijuana extraction equipment and process shall be located in a room of noncombustible construction dedicated to the extraction process and the room shall not be used for any other purpose.

Section 3903.5 Use of flammable and combustible liquids

Section 3903.5 is amended to read:

3903.5 Use of flammable and combustible liquids. ~~The use of flammable and combustible liquids for liquid extraction processes where the liquid is boiled, distilled or evaporated shall be located within a hazardous exhaust fume hood, rated for exhausting flammable vapors.~~ Extraction and post oil processing operations, including dispensing of flammable liquids between containers, shall be performed in one of the following locations:

1. A chemical fume hood in accordance with Chapter of NFPA 45.
2. A room with an approved exhaust system installed in accordance with the International Mechanical Code or Uniform Mechanical Code.

Electrical equipment used within the hazardous exhaust fume hood shall be rated for use in flammable atmospheres. Heating of flammable or combustible liquids over an open flame is prohibited.

Exception 1: The use of a heating element not rated for flammable atmospheres, where documentation from the manufacture, or approved testing laboratory indicates the element is rated for heating of flammable liquids.

Exception 2: Unheated processes at atmospheric pressure using less than 16 oz. (473 ml) of flammable liquids shall not be required to comply with 3903.5(1) or 3903.5(2).

Section 3903.5.1 Electrical components

Section 3903.5.1 is added to Section 3903.5 Use of flammable and combustible liquids, to read:

3903.5.1 Electrical components. All electrical components within the chemical fume hood or exhausted enclosure shall be approved permanent wiring, interlocked such that the exhaust system shall be in operation for lighting and components to be used.

Section 3903.6 Liquefied petroleum gas

Section 3903.6 is amended to read:

3903.6 Liquefied petroleum gas. Liquefied petroleum gases (LPG) shall not be released to the atmosphere except where released in accordance with Section 7.3 of NFPA 58. LPG liquid piping systems shall be in compliance with NFPA 58.

Sections 3903.6.1 Exhaust

Section 3903.6.1 is added to Section 3903.6 Liquefied petroleum gas, to read:

3903.6.1 Exhaust. An approved exhaust system shall be provided for LPG extractions.

Section 3903.6.1.1 Installation

Section 3903.6.1.1 is added to Section 3903.6 Liquefied petroleum gas, to read:

3903.6.1.1 Installation. The exhaust systems shall be installed and maintained in accordance with the International Mechanical Code or Uniform Mechanical Code as adopted by the Authority Having Jurisdiction.

Section 3903.6.1.2 Processes

Section 3903.6.1.2 is added to Section 3903.6 Liquefied petroleum gas, to read:

3903.6.1.2 Processes. All LPG extraction operations, including processes for off-gassing spent plant material and oil retrieval, shall be conducted within a chemical fume hood, enclosure, or room in compliance with the International or Uniform Mechanical Code as adopted by the Authority Having Jurisdiction.

Section 3903.6.2 Electrical bonding and grounding

Section 3903.6.2 is added to Section 3903.6 Liquefied petroleum gas, to read:

3903.6.2 Electrical bonding and grounding. All conductive equipment and conductive objects within the exhaust room shall be bonded and grounded with a resistance of less than 1.0×10^6 ohms in accordance with NFPA 70.

Section 3903.6.2.1 Classified areas

Section 3903.6.2.1 is added to Section 3903.6.2 Electrical bonding and grounding, to read:

3903.6.2.1 Classified areas. The area within a hood or enclosure used of LPG extractions shall be classified as a Class 1, Division 1 hazardous location in accordance with NFPA 70. Areas adjacent to Class 1, Division 1 locations shall be classified in accordance with NFPA 70.

Section 3903.6.2.2 Interlocks

Section 3903.6.2.2 is added to Section 3903.6.2 Electrical bonding and grounding, to read:

3903.6.2.2 Interlock. All electrical components within the extraction room shall be interlocked with the hazardous exhaust system such that room lighting and other extraction room electrical equipment will only operate when the exhaust system is in operation.

Section 3903.6.2.3 Emergency power

Section 3903.6.2.3 is added to Section 3903.6. Electrical bonding and grounding, to read:

3903.6.2.3 Emergency Power. An automatic emergency power system shall be provided for the following items, when installed:

1. Extraction room lighting
2. Extraction room ventilation system
3. Solvent gas detection system

Section 3903.6.2.4 Gas detection systems

Section 3903.6.2.4 is added to Section 3903.6.2 Electrical bonding and grounding, to read:

3903.6.2.4 Gas detection systems. Gas detection systems shall be provided with constant non-interlocked power.

Section 3903.7 Carbon dioxide extraction

Section 3903.7 is added to Section 3903 Processing and Extraction, to read:

3903.7 Carbon dioxide extraction. Carbon Dioxide extraction shall comply with sections 3903.7.1, 3903.7.2, and 3903.7.3

Section 3903.7.1 Storage and handling

Section 3903.7.1 is added to Section 3903.7 Carbon dioxide extraction, to read:

3903.7.1 Storage and handling. All CO₂ compressed gas cylinders shall be secured using an approved method to prevent falling.

Section 3903.7.2 CO₂ gas detection

Section 3903.7.2 is added to Section 3903.7 Carbon dioxide extraction, to read:

3903.7.2 CO₂ Gas Detection. An approved, listed CO₂ detection system complying with 5307.4.3 shall be installed in the CO₂ extraction room. Auto-calibrating and self-zeroing devices or detectors shall be prohibited.

Section 3903.7.3 CO₂ discharge

Section 3903.7.3 is added to Section 3903.7 Carbon dioxide extraction, to read:

3903.7.3 CO₂ discharge. The extraction equipment pressure relief devices and blow-off valves shall be piped to the exterior of the building.

Section 3903.8 Means of egress

Section 3903.8 is added to Section 3903 Processing and Extraction, to read:

3903.8 Means of Egress. For extraction rooms using hazardous materials, each room shall be provided with at least one exit access door complying with the following:

1. The door shall swing in the direction of egress travel.
2. The door shall be provided with a self-closing or automatic closing device.
3. The door shall be equipped with panic or fire exit hardware.
4. The exit access travel distance cannot be increased as allowed in Section 1017.2.2 for extraction/cultivation facilities.

Section 3903.9 Signage

Section 3903.9 is added to Section 3903 Processing and Extraction, to read:

3903.9. Signage. The NFPA 704 hazard rating diamond sign, minimum 10" in size, and no smoking signs shall be posted on the exterior of the extraction room door.

Section 3903.9.1 Safety data sheets

Section 3903.9.1 is added to Section 3903.9 Signage, to read:

3903.9.1 Safety data sheets. All applicable safety data sheets (SDS) shall be posted in the approved location.

Section 3903.9.2 Warning signage

Section 3903.9.2 is added to Section 3903.9 Signage, to read:

3903.9.2 Warning signage. Applicable hazard warning signage shall be posted throughout the facility as applicable for emergency equipment.

Section 3904.4 Site inspection

Section 3904.4 is amended to read:

3904.4 Site inspection. Prior to the operation of the extraction equipment, ~~where required by the fire code official~~, the engineer of record or *approved* professional, as *approved* in Section 3904.2, shall inspect the site of the extraction process once equipment has been installed for compliance with the technical report and the building analysis. The engineer of record or *approved* professional shall provide a report of findings to the *fire code official* prior to the approval of the extraction process. The field inspection report authored by the engineer of record shall include the serial number of the equipment used in the process and shall confirm that the equipment installed is the same model and type of equipment identified in the technical report.

Section 3904.5 Change of extraction medium

Section 3904.5 is added to Section 3904 Systems and Equipment, to read:

3904.5 Change of Extraction Medium. Where the medium of extraction or solvent is changed from the material indicated in the technical report or as required by the manufacturer, the technical report shall be revised at the cost of the facility owner and submitted for review and approval by the fire code official prior to the use of the equipment with the new medium or solvent.

Section 5601.1.3 Fireworks

Amend Section 5601.1.3 to read:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for fireworks displays as allowed in Section 5608.

Section 5601.1.6 Exploding targets

Section 5601.1.6 is added to Section 5601.1 Scope, to read:

5601.1.6 Exploding targets. The possession, manufacture, sale, and use of exploding targets, including binary exploding targets, are prohibited.

Section 6101.1 Scope

Section 6101.1 is amended to read:

6101.1 Scope. Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter and NFPA 58. Properties of LP-gases shall be determined in accordance with Appendix B of NFPA 58. In the event of a conflict between any provision in this chapter and the regulations of the Board for the Regulation of Liquefied Petroleum Gas, the regulations of the Board take precedence.

APPENDIX A, E, F, G, H, I, J, K, L and M ADOPTED IN THEIR ENTIRETY WITH NO AMENDMENTS.

APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS AMENDMENTS

Appendix B is adopted in whole in accordance with 2018 Edition of the International Fire Code Section 101.2.

Section B102 Definitions

The following definition is added in Section B102 Definitions to read:

Special Fire Protection Problem Facilities. Special Fire Protection Problem Facilities are those facilities that consist of uses similar to fires that may result in large size fires or fires with high heat release such as bulk flammable liquid storage, bulk flammable gas storage, large varnish and paint factories, some plastics manufacturing and storage, aircraft hangars, distilleries, refineries, lumberyards, grain elevators, chemical plants, coal mines, tunnels, subterranean structures, storage facilities, and warehouses using high rack/piled storage for flammables or pressurized aerosols.

Section B103.3 Areas without water supply systems

Section B103.3 is amended to read:

B103.3 Areas without water supply systems. For information regarding water supplies for fire-fighting purposes in rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize the International Wildland-Urban Interface Code or NFPA 1142 where the site is not considered as a "special fire protection problem" as defined in Section B102.

Table B105.2 Required Fire Flow for Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses

Table B105.2 of Appendix B Fire-Flow Requirements for Buildings is amended to read as follows:

TABLE B105.2

REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY

DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

| <u>AUTOMATIC SPRINKLER SYSTEM</u> <u>(DESIGN STANDARD)</u> | <u>MINIMUM FIRE FLOW</u> <u>(gallons per minute)</u> | <u>FLOW DURATION</u> <u>(hours)</u> |
|---|---|---|
| <u>No auto sprinkler system</u> | <u>Value in Table B105.1(2)</u> | <u>Duration in Table B105.1(2)</u> |
| <u>Section 903.3.1.1 of the International Fire Code</u> | <u>25 50 % of the value in Table B105.1(2)^{ab}</u> | <u>Duration in Table B105.1(2) at the reduced flow rate</u> |
| <u>Section 903.3.1.2 of the International Fire Code</u> | <u>25 50 % of the value in Table B105.1(2)^b</u> | <u>Duration in Table B105.1(2) at the reduced flow rate</u> |

For SI: 1 gallon per minute = 3.785 L/m.

The reduced flow rate shall be not less than 1,500 gallons per minute.

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION AMENDMENTS

Appendix C is adopted in whole in accordance with 2018 Edition of the International Fire Code Section 101.2.1.

Section C102.2 Distance to a Fire Department Connection (FDC)

Section C102.2 is added to Section C102 Number of Fire Hydrants for a building to read:

C102.2 Distance to a Fire Department Connection (FDC). The maximum distance from a fire hydrant to a fire department connection (FDC) supplying fire sprinklers and/or standpipes shall not exceed 100 feet, or as determined by the fire code official.

APPENDIX D FIRE APPARATUS ROADS AMENDMENTS

Appendix D is adopted in whole in accordance with 2018 Edition of the International Fire Code Section 101.2.1.

- SECTION 2:** All ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.
- SECTION 3:** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, the invalidity, unenforceability or unconstitutionality of such section, paragraph, clause or provision shall not affect any remaining provisions of this Ordinance.
- SECTION 4:** That adoption, the City Clerk of the City of Elko is hereby directed to have this Ordinance published, by title only, together with the Councilmen voting for or against its passage, in the Elko Daily Free Press newspaper, a newspaper printed and published in the City of Elko, for at least one publication.
- SECTION 5:** This Ordinance shall be effective upon the publication mentioned in Section 4 and shall be enforced on July 1, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019 by the following vote of the Elko City Council.

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this ____ day of _____, 2019.

CITY OF ELKO

By: _____
REECE KEENER, Mayor

ATTEST:

Kelly Wooldridge, City Clerk