

STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

10/16/2018 10:00 A.M.

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

AGENDA

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

JACK MCGUFFEY
VICE-CHAIRMAN

LANCE GILMAN
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

Members of the Board of County Commissioners also serve as the Board of Fire Commissioners for the Storey County Fire Protection District, Storey County Brothel License Board, Storey County Water and Sewer System Board and the Storey County Liquor and Gaming Board and during this meeting may convene as any of those boards as indicated on this or a separately posted agenda.

All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Pursuant to NRS 241.020 (2)(d)(6) Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

1. **CALL TO ORDER REGULAR MEETING AT 10:00 A.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Agenda for October 16, 2018.

4. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Minutes for September 18, 2018.

5. **DISCUSSION/POSSIBLE ACTION:**

Approval of the Minutes for October 2, 2018.

6. **CONSENT AGENDA**

- I For possible action, approval of business license first readings:
 - A. OXFORD INSTRUMENTS AMERICA INC - Gen/ 300 Baker Ave ~ Concord, MA
 - B. CALIBER HOME LOANS INC - General / 1525 S. Belt Line Rd ~ Coppell, TX
 - C. COMPLETE CONCRETE - Contractor / 7481 Deveron Dr ~ Reno, NV
 - D. ENLIGHTED INC - General / 930 Benecia Ave ~ Sunnyvale, CA
 - E. JAG BROADCAST VIDEO - General / 2051 Canal Rd ~ Sparks, NV
 - F. FREEDOM HOME HEALTH LLC - General / 3680 Grant Dr ~ Reno, NV
- II For possible action, approval of resolution 18-514, a resolution to direct the County Assessor to prepare a list of all the taxpayers on the secured roll in the County pursuant to NRS 361.300(3).
- III For possible action, approval of claims in the amount of, payroll \$522,207.85 and accounts payable in the amount of \$287,012.01.
- IV For possible action, approval of Resolution no. 18-499, granting Historic Fourth Ward School Foundation a sum not to exceed \$120,000.00 for the purpose of preserving the Fourth Ward School Building and promoting the history of the Comstock and Storey County history.
- V For possible action, approval of Resolution no. 18-500, granting Community Chest Inc., a sum not to exceed \$234,492.00 for the purpose of funding health and human services programs.
- VI For possible action, approval of Resolution no. 18-504, granting Liberty Engine Company No. 1 Inc. a sum not to exceed \$10,000.00 for the purpose of preserving the Comstock Firemen's Museum and its historic contents.
- VII For possible action, approval of Resolution no. 18-505, granting the Mark Twain Community Center a sum not to exceed \$25,000.00 for the purpose of preserving the Mark Twain Community Center and for community outreach and improvement.
- VIII For possible action, approval of Resolution no. 18-506, granting the Nevada Rural Counties RSVP Program Inc., a sum not to exceed \$7,050.00 for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers.
- IX For possible action, approval of Resolution no. 18-507, granting the Storey County Senior Citizens Center the sum of \$135,000.00 for the purpose of maintaining the

Storey County Senior Center for providing programs and serviced to seniors to promote independent and healthy lifestyles.

- X For possible action, approval of Resolution no. 18-508, granting the St. Mary's Art Center, a non-profit entity, a sum not to exceed \$60,000.00 for the purpose of preserving the St. Mary's Art Center, a County-owned building and supporting arts and culture through education and cultural offerings.

7. **DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports**

8. **BOARD COMMENT (No Action - No Public Comment)**

9. **DISCUSSION/POSSIBLE ACTION:**

Approval of Resolution 18-513 approving Notice of Completion and Acceptance of the Virginia City Sewer Improvement Project.

10. **DISCUSSION/POSSIBLE ACTION:**

Discussion and possible action on Bill 102, the second reading of Ordinance No. 18-293, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

11. **RECESS TO CONVENE AS THE 474 FIRE DISTRICT BOARD**

12. **DISCUSSION/POSSIBLE ACTION:**

Discussion and possible action on Resolution No. 18-515 adopting regulations consistent with ordinance 18-293 amending chapter 15.04 Buildings and Construction to adopt the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

13. **AJOURN TO RECONVENE AS THE STOREY COUNTY BOARD OF COMMISSIONERS**

14. **DISCUSSION/POSSIBLE ACTION:**

Consideration and possible approval of agreement issuing license to Switch Business Solutions LLC (Switch) by which the County authorizes Switch to install a data communications line in the County's right of way within a portion of the Tahoe Reno Industrial Center.

15. **DISCUSSION/POSSIBLE ACTION:**

2018-036 Special Use Permit by applicant Dylan Li. The applicant requests a Special Use Permit to operate an outdoor establishment promoting tourism and local activities. The establishment will consist of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.

16. DISCUSSION/POSSIBLE ACTION:

Variance 2018-037 request to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.

17. DISCUSSION/POSSIBLE ACTION:

Special Use Permit 2018-038 is a request by the applicant to allow for an accessory dwelling unit on an existing developed residential property. The applicant requests an accessory dwelling unit be approved within a previously constructed garage. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.

18. DISCUSSION ONLY (No Action):

Outline tentative process to select the next County Manager.

19. DISCUSSION/POSSIBLE ACTION:

Approval of business license second readings:

A. HERITAGE CONSTRUCTION & DEVELOPMENT - Contractor / 2351 Sunset Blvd ~ Rocklin, CA

B. UNITED HERITAGE FINANCIAL GROUP, INC - General/707 E. United Heritage Ct ~ Meridian, ID

C. AXINE USA INC - General / 108-2386 East Mall ~ Vancouver, Canada

D. LIBERTY INTERACTIVE CORP, dba: ZULILY - General / 2555 USA Pkwy ~ McCarran, NV

20. CORRESPONDENCE:

Denial of agenda item request from Druscilla Thyssen.

21. PUBLIC COMMENT (No Action)

22. ADJOURNMENT

NOTICE:

- Anyone interested may request personal notice of the meetings.

- Agenda items must be received in writing by 12:00 noon on the Monday of the week preceding the regular meeting. For information call (775) 847-0969.
- Items may not necessarily be heard in the order that they appear.
- Public Comment will be allowed at the end of each meeting (this comment should be limited to matters not on the agenda). Public Comment will also be allowed during each item upon which action will be taken on the agenda (this comment should be limited to the item on the agenda). Time limits on Public Comment will be at the discretion of the Chairman of the Board. Please limit your comments to three minutes.
- Storey County recognizes the needs and civil rights of all persons regardless of race, color, religion, gender, disability, family status, or nation origin.
- Pursuant to NRS 241.020(c) a member of the public may request the supporting material for the meeting from Vanessa Stephens, Storey County Clerk, at (775) 847-0969. Additionally, the supporting materials may be found at www.storeycounty.org.
- In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Commissioners' Office in writing at PO Box 176, Virginia City, Nevada 89440.

CERTIFICATION OF POSTING

I, Vanessa Stephens , Clerk to the Board of Commissioners, do hereby certify that I posted, or caused to be posted, a copy of this agenda at the following locations on or before 10/10/2018; Virginia City Post Office at 132 S C St, Virginia City, NV, the Storey County Courthouse located at 26 S B St, Virginia City, NV, the Virginia City Fire Department located at 145 N C St, Virginia City, NV, the Virginia City Highlands Fire Department located a 2610 Cartwright Rd, VC Highlands, NV and Lockwood Fire Department located at 431 Canyon Way, Lockwood, NV.

By Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
Agenda Item Type: Regular Agenda

Estimate of Time Required: 0-5 min.

1. **Title:** Approval of the minutes for September 18, 2018.

2. **Recommended motion:** Approve as submitted.

3. **Prepared by:** Vanessa Stephens

Department: Clerk

Contact Number: 775.847.0969

4. **Staff Summary:** Minutes are attached.

5. **Supporting Materials:** See attached

6. **Fiscal Impact:** 0

7. **Legal review required:** No

8. **Reviewed by:**

VB Department Head

Department Name: Clerk

____ County Manager

Other Agency Review: _____

9. **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, SEPTEMBER 18, 2018 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

ROLL CALL: Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, County Manager Pat Whitten, Clerk/Treasurer Vanessa Stephens, Deputy District Attorney Keith Loomis, Fire Chief Jeff Nevin, Planning Director/ Administrative Officer Austin Osborne, Public Works Director Jason Weizrbicki, Fire Marshal Martin Azevedo, Emergency Management Director Joe Curtis, Project Coordinator Mike Northan, Chief Deputy Tony Dosen, Community Relations Director Cherie Nevin, Community Development Director Gary Hames, Tourism Director Deny Dotson, Wastewater Project Manager Mike Nevin

1. CALL TO ORDER REGULAR MEETING AT 10:00 A.M.

Meeting was called to order by Chairman McBride at 10:00 A.M.

2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for September 18, 2018.

County Manager Whitten asked that the following items under the Consent Agenda items III, IV, V, VI, VII, VIII and IX be continued to a date not set; item 11 to be continued to a date not set. Items 12, 14, and 15 will be heard but no action will be taken.

Public Comment:

None

Motion: Approve Agenda for September 18, 2018 with changes noted above, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

4. DISCUSSION/POSSIBLE ACTION: Approval of the minutes for August 7, 2018.

Public Comment:

None

Motion: Approve Minutes for August 7, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3)**

5. DISCUSSION/POSSIBLE ACTION: Approval of the minutes for August 21, 2018.

Public Comment:

None

Motion: Approve Minutes for August 21, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3)**

6. CONSENT AGENDA:

I. For possible action, approval of business license first readings:

- A. COLEMAN ELECTRICAL CO / Contractor - 2665 Billys Rd ~ Minden, NV
- B. NW HOLDING & RECOVERY, LLC / General - 4900 Meadows Rd ~ Lake Oswego, OR
- C. GLOBAL RISK CONSULTANTS CORP / General - 100 Walnut Ave ~ Clark, NJ
- D. SAVANAH LEE, DBA: ACCESS TRANSFORMATION / MT - 4255 Wedekind Rd ~ Sparks, NV
- E. MEN WIELDING FIRE INC / General - 1485 W. 4th St. ~ Reno, NV
- F. ZUNESIS INC / General - 8375 S. Willow St ~ Lonetree, Co
- G. LARSON DESIGN GROUP, INC / General - 1000 Commerce Park Dr ~ Williamsport, P

II For possible action, approval of payroll claims in the amount of \$566,375.43 and accounts payable claims in the amount of \$278,382.93.

III For possible action, consideration and possible approval of resolution no. 18-499 granting Historic Fourth Ward School Foundation \$120,000.00 for the purpose of preserving the Fourth Ward School Building and promoting the history of the Comstock and Storey County history. **CONTINUED**

IV For possible action, consideration and possible approval of resolution no. 18-500 granting Community Chest, Inc \$234,492.00 for the purpose of funding health and human services programs. **CONTINUED**

V For possible action, consideration and possible approval of resolution no. 18-504 granting Liberty Engine Company No. 1 Inc. the sum of \$10,000.00 for the pupose of preserving the Comstock Fireman's Museum and its historic contents. **CONTINUED**

VI For possible action, consideration and possible approval of resolution no. 18-505 granting the Mark Twain Community Center the sum of \$25,000.00 for the purpose of preserving the Mark Twain Community Center for the community outreach and improvement. **CONTINUED**

VII For possible action, consideration and possible approval of resolution no. 18-506 granting the Nevada Rural Counties RSVP Program Inc. the sum of \$7,050.00 for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers. **CONTINUED**

VIII For possible action, consideration and possible approval of resolution no. 18-507 granting the Storey County Senior Citizens Center the of sum of \$135,000.00 for the purpose of maintaining the Storey County Senior Center and for providing programs and services to seniors to promote independent and healthy lifestyles. **CONTINUED**

Public Comment:

None

Motion: Approve Consent Agenda for September 18, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

7. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports

Mike Northan, Project Coordinator:

- All 2017 flood event repair work has been completed.
- The traffic signal at USA Parkway and Electric Avenue has been installed and is working well.
- An application has been made and accepted for attachment to NVEnergy poles behind the Courthouse enabling data connection from the Courthouse to Pipers.
- A universal car charger has been installed at the Courthouse parking lot.

Stacey Gilbert, Senior Center Director:

- Work has begun on a strategic plan for all of the Storey County Senior Centers. This should help in applications for grant funding and foundation money.
- Lasagna Cookoff will be held Friday, October 5th at 6PM at the Senior Center.
- The transportation grant funded program is up and running providing transportation for seniors 60 and over.

Erik Schoen, Community Chest/Library Director:

- The "before and after school program" has been extended to Hillside. We are working with the School District to have a counselor in every school at least one day a week to partner with the school counselors.
- The 6th annual statewide Thrive Conference was held at the Community Center last Friday. The center was full with attendees from all over Nevada.
- The annual Halloween show - "No Brainer Zombie Bash" - will be held Friday, October 26th, at Pipers featuring Lydia Pence and Cold Blood.

Deny Dotson, VCTC Director:

- During special events and with the new fairgrounds, there are always congested areas. We are working with Public Works to address these issues, including "no parking" signs in the congested areas.

- The camel races last weekend were very successful. The traffic pattern with the train was almost flawless. Having I Street as egress from the fairgrounds was beneficial.
- Demolition of the Black & Howell building north wall will begin in the fall, after Street Vibrations.
- A merchant/resident workshop will be held October 18th at Pipers. Results of a survey being sent to residents will be discussed. The intent is to work towards a 2019 event calendar that is beneficial to everyone.

Cherie Nevin, Community Relations Director:

- Ophir Grade Road will be closed until further notice due to construction on the Five Mile Reservoir. Heavy equipment will be working and there will be open trenches. Project signage will be posted this week.
- Open House will be held at the Slammer/County Museum on October 4th, 5 to 7 PM, to showcase the mural. Refreshments will be served and there will be a scavenger hunt.
- Flu shot clinics are set for October 17 - 10am to 12pm, at Mark Twain Community Center, and 4:30pm to 6pm at the Virginia Highlands Fire Station.
- Busy with grants. We received notification of an emergency, back-up generator for the high school that had been applied for.
- September is National Preparedness Month. A time to look at everything - insurance, etc. Go to ready.gov for more information.
- The Thrive Conference was well attended. Senior Center Director Stacey Gilbert was awarded the Social Justice Super Hero award. She has made a huge difference in the two years at the Senior Center.

Joe Curtis, Emergency Management Director:

- October is Earthquake Awareness Month. October 18th at 10:18 AM the County will participate in an earthquake exercise.
- Storey County's Hazardous Materials exercise will be held on October 6th, at Aqua Metals in TRI.
- Local Emergency Planning Committee meeting is October 10th at the VCCC.

Jeff Nevin, Fire Chief:

- The fire last week in the Industrial Park was 800 acres, smaller than reported by news agencies. There was no threat to buildings and no impact to businesses.

Martin Azevedo, Fire Marshal:

- Two inspectors are in Denver updating their training.

Mike Nevin, Project Manager:

- Ophir Grade Road is being graded, prep work, and clean-up is being done. Pipe for the project is scheduled for delivery next week. The road will be closed from the sewer plant to the top of the summit. It may be difficult at times for fire and emergency services - the best access will be through Gold Hill, through the mine, and up the back side. The closed section is about 2.3 miles in length.
- Signs will be posted regarding the closure.
- The Gold Hill septic project is in regulatory review by NDEP and USEPA.
- The wastewater project is 100% complete by pipe with over 53,000 linear feet of pipe.

- There has been some savings with the original contract and contingencies.
- Total contractor amount to date is \$11,213,021. There are some contingent funds remaining and USDA has approved use of those funds to purchase updated equipment for Public Works. This includes new GPS equipment, trailer mounted vacuum suction unit, and locating equipment. Some funds will go toward billing from Broadbent (archaeological company).
- A sub-contractor is working on raising manhole covers.
- 95% of the punch list has been done before substantial completion.
- Substantial completion should be one month early - the final will coincide with that date.

Hugh Gallagher, Comptroller:

- Recently attended the County Fiscal Officers Association convention along with the County Clerk and County Recorder. Discussions were held regarding the up-coming Legislation.
- County Recorder Jen Chapman and County Clerk Vanessa Stephens were both selected as officers of the CFOA.
- The County's new Tyler software infrastructure will be in place in about 40 days. Departments will go through a lot of in-user training.

Austin Osborne, Administrative Officer/Planning Director:

- A satellite dish will be installed on the mono-pine in the Highlands in about a week. This should go live in mid-October.
- People are asking whether or not to switch to AT&T - it probably would not be recommended at this at this point until it the tree is "live" and everyone is comfortable that it is okay.
- AT&T does consider this an emergency management priority connection to that neighborhood.

Pat Whitten, County Manager:

- Thank you to the entire team working on the wastewater project has been amazing and great to work with.
- Thank you to Cherie Nevin for all of the detailed accounting and working with all agencies on this project. Thank you to Jason Weizrbicki for taking care of changes and always being at meetings.

8. BOARD COMMENT (No Action-No Public Comment):

Chairman McBride: Longtime resident and former District Attorney Harold Swafford recently passed away.

9. DISCUSSION ONLY: Candace Wheeler with the Comstock Cemetery Foundation - Update on Cemetery Projects and other matters properly related.

Ms. Wheeler, Executive Director for Comstock Cemetery Foundation, explained she is here to recognize Cherie Nevin. Ms. Nevin recently helped the Foundation in obtaining a grant for a new porch and stairway. Ms. Wheeler presented Ms. Nevin with a letter and certificate of recognition.

10. DISCUSSION ONLY (No Action): Representatives from Fourth Ward School, St. Mary's Art Center, Community Chest, and the Storey County Senior Center provide an update on planning and marketing efforts on behalf of Storey County nonprofits.

Stacey Gilbert, Director of Fourth Ward School, said these groups got to together to form a Storey County non-profit group - the non-profits working together.

Erik Schoen explained this resulted in a draft brochure that can be used to explain what is being done by these non-profits. The groups are open to all feedback and suggestions.

11. DISCUSSION ONLY (No Action): Honorable United States Congressman Mark Amodei discussing updates on federal matters of interest in general and specific to Storey County. This item continued.

12. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of resolution 18-512 approving the form of the financing agreement among the County, TRI General Improvement District and all owners of assessable property in Storey County Special Assessment District No. 01 (Tahoe-Reno Industrial Center).

Commissioner Gilman recused himself due to a pecuniary interest.

Chairman McBride reminded this will be discussion only.

County Manager Whitten explained there will be no action due to difficulty obtaining consistent and acceptable documents based on the number of participants and attorneys involved in this issue. There is no presentation - hopefully there will be approval on October 2nd. The same goes for items 14 and 15.

Public Comment:

Nicole Barde, Storey County resident read this statement into the record:

I would like to once again ask that you not go forward to the conclusion of this process and approve the diverting of future TRI tax revenue from the general fund in order to fund and purchase a private pipeline which will then be given to private parties.

In the capitalist system, people and companies are free to promote their business ideas, invest their funds and take the risk of failure for the possibility of future profits. The state of Nevada and Storey County have already invested in future "profits" and tax revenues thru the incentives and abatements given to many of the companies at TRI. One day this investment will pay off big....just not today.

I think that residents understand that the use of public funds for the incentives and abatements is a cost of doing business and are willing to do that in order to secure future county revenues. The expectation, however, is that once those companies are here they need to fund their own development and expansion

I don't think that residents are willing to continue to forego receiving needed services today or in the future for the sake of continuing to "help" big business. Our own C street merchants use their own money and bear the full weight of risk as they run and expand their businesses. They don't ask for, nor do they expect, handouts from the County.

Why would they approve of your handing out public money to other businesses?

In going door to door in our communities in the last several weeks people are expressing concern and opposition to giving away our future revenues for these private companies when they see needs going unmet in their community.

Why would they approve of your putting the needs of big business before their needs?

Lockwood points to portions of their roads and easements that need repair, they point to the 180 onramp that needs reconfiguring, and they cite continuing water issues for some of its residents. Mark Twain needs flood and speeding mitigation on many of their roads, a couple of 4 way stop signs, and some street lighting for safety. The Highlands is still waiting for a community center. Virginia City residents wait for their water and sewer bills to go back down and some flood mitigation on their roads to be done after this years "big dig".

We have current and future needs in the county that are going unaddressed today while you think about giving away future revenues. \$60 million dollars of future revenues, \$60 million dollars of debt.

You are thinking of giving away future revenues and taking on debt at a time when the abatements are still in force and at a time when we still have to pay Roger Norman 35% of TRI revenues in order to repay our \$47 million infrastructure debt to him.

While the economy is booming now, given how long it has been roaring wouldn't it be more prudent to look at preserving our future revenue streams for the eventual and obligatory slow down that always follows rapid growth? Now is not the time to take on more debt.

The Pipeline is needed by the 6 companies at TRI and our residents understand thatlet us help those companies get the pipeline by selling the bond at the reduced cost for them to finance it , let's have them pay us back thru the SAD.

But thats it. Enough is enough.

Mr. Whitten commented 100 signatures - in part obtained on misinformation. Statements like "this is a private pipeline being given to private companies" are false. When built, the pipeline will be dedicated to the TRI GID, a local government.

Ms. Barde said she will correct that.

13. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of agreement between Storey County and TRI Center LLC (TRI) by which should County have to utilize the uncommitted portion of its general fund to make payments on the bond secured by the Storey County Special Assessment District No. 01 (SAD) TRI agrees that the amounts so provided will be credited against the vouchers issued by County to reimburse TRI for the costs of providing public infrastructure at the rate of 1.5 to 1.

Commissioner Gilman recused himself due to a pecuniary interest.

Deputy District Attorney Keith Loomis reviewed the County's obligation to cover payments on the bonds if the initial sources of revenue were not available. There are several sources, the final source would be the County's general fund - a fairly remote risk. This agreement provides for the amount of any funds used out of the general fund to be credited against the vouchers owed to TRIC, LLC at a rate of 1.5 to 1. The principle of TRIC, Roger Norman, will hold off signing this agreement until the SAD and TIA are created.

Mr. Whitten commented that recommendation for approval of anything will be withheld unless this agreement is executed.

Public Comment:
None

Motion: I make a motion to continue this item to October 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

14. DISCUSSION/POSSIBLE ACTION: Second reading of ordinance 18-289 creating Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center); ordering a water project within Storey County, Nevada

Commissioner Gilman recused himself due to a pecuniary interest.

County Manager Whitten: There are certain core documents to be agreed to which are being discussed and worked on. It is recommended to continue this item to October 2nd.

Public Comment:
None

Motion: I make a motion to move this item to October 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

15. DISCUSSION/POSSIBLE ACTION: Second reading of ordinance 18-290 concerning Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center) and assessing the cost of local improvements against the assessable property benefited by the local improvements.

Commissioner Gilman recused himself due to a pecuniary interest.

Mr. Whitten said this is the same situation as the previous items. The actual language in the ordinance has not changed, however key documents integrated into this are still in review. This item is also recommended to be continued to October 2nd.

Public Comment:
None

Motion: move to approve this item to October 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Chairman McBride, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

16. DISCUSSION ONLY (No Action): Carson Water Subconservancy District (CWSD) Director Ed James to provide input and receive comments from the Board of Storey County Commissioners regarding CWSD submitting an amicus brief opposing the use of the public trust doctrine to be applied to water rights already adjudicated and settled under the doctrine of prior appropriation.

Ed James, Director of Carson Water Subconservancy District discussed the public trust doctrine and the impact it would have on Nevada law. CWSD has been asked to participate in an amicus brief regarding the public trust doctrine dealing with the prior appropriation of water rights. Comments from the various counties will be provided to the CWSD Board prior to submission of the brief. This case is currently being heard before the 9th Circuit Court of Appeals.

Mr. James reviewed the background of the case and questions being raised by the Court. He explained the public trust doctrine and the concerns and effects if use of the public trust doctrine was approved. Mr. James discussed the situation at Walker Lake.

Based on the concerns expressed, CWSD will be filing an amicus brief opposing the use of the public trust doctrine.

Chair McBride asked Mr. James what he is asking from this Board.

Mr. James said the County may want their attorney to look at this and/or may want to file its own amicus brief or join with other counties. This is something that should be considered - if it goes through it could affect the Truckee River and groundwater rights.

Commissioner Gilman asked if the State Water Master had taken a position.

Mr. James: Not at this point. But they may be discussing this internally looking at concerns.

Commissioner Gilman: What about the Federal Water Master? TMWA?

Mr. James: They (Federal Water Master) have not taken a position and does not know where TMWA stands. Lyon County is participating and Carson/Truckee Irrigation District is filing an amicus brief. Douglas County is considering it. This presentation will be given to Churchill County and Carson City.

Vice Chairman McGuffey: Will bring this up at the next NACO meeting.

Mr. Loomis said this is more of a legislative solution - is this being pursued through legislation?

Mr. James: Right now, this is before the Courts and depending on the ruling, something may go to the Legislature. There are already programs in place. If this was a situation where they could use the public trust, that program would be thrown out. This is a "taking", and if so, who will end up paying for it?

Public Comment:
None

17. DISCUSSION/POSSIBLE ACTION: A presentation of a Flood Insurance Assessment for Storey County. The base information has been provided by FEMA to give an overview of the flood insurance coverage present in the County. This presentation is a part of the information prepared by Storey County for the Community Rating System (CRS) audit conducted by FEMA.

Planner Kathy Canfield explained this item is brought to the Board as part of the FEMA audit. There are 214 (insurance) policies, most located in the Lockwood area. These are only policies in effect through the NFIP (National Flood Insurance Program) located in the Flood Hazard Areas. Ms. Canfield reviewed the policies.

Vice Chairman McGuffey: Asked if someone purchasing a home is advised if they need flood insurance? Surprised there is only 214 policies - there are over 800 homes in the area.

Ms. Canfield: Lenders will normally advise the need for flood insurance if the property is in a flood hazard area. The FEMA representative has been very helpful in reviewing this (audit) information. The whole area is not in the flood plain. There could be one policy covering more than one building. The audit talks about discounts received with the different ratings. Storey County is currently rated "8" meaning the people included are getting an average \$51 rebate per year. Rebates are higher for lower ratings.

Mr. Whitten thanked and complimented Ms. Canfield. The community rating system and the audit is a huge undertaking with high quality staff work.

Ms. Canfield commented that belonging to this program also helps the community -not just those in the flood plain - with any flooding disasters, in that we are eligible for some disaster relief funds.

Public Comment:
None

18. DISCUSSION/POSSIBLE ACTION: Action on Bill No. 102, first reading of Ordinance No. 18-293, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

Deputy District Attorney Loomis said this a periodic update adopting new Codes developed by the International Code Commission.

Gary Hames explained we are on the same process and schedule as the State, who has agreed to skip every other code iteration. Mr. Hames reviewed the process. After first reading, this goes out for a 30 day public review period. It is proposed that companies can submit under the previous (2012) ordinance or the revised 2018 as some companies have been in planning stages for the last year or so. Mr. Hames discussed a few of the changes.

Chairman McBride: In the past, every code was not adopted as some may have been problematic.

Mr. Hames said that was primarily in the Fire Code residential fire sprinkler sections. It is again proposed not to adopt that section.

The amendments have been sent out to all licensed contractors and design professionals in the County for suggestion. Most of them have set on technical committees and provided input. This was vetted through and heard by the Builders Association of Northern Nevada.

Mr. Loomis read the title: Ordinance No. 18-293, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

Vice Chairman McGuffey: Do "old" and "new" have to comply?

Mr. Hames replied if it was a remodel with substantial improvements, or change to residential or commercial building - yes, the most current codes and amendments must be complied with.

Motion: I make a motion to approve first reading of Ordinance No. 18-293, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

19. RECESS TO CONVENE AS THE 474 FIRE PROTECTION DISTRICT BOARD

Chairman McBride called for recess at 11:44 A.M.

Meeting reconvened at 11:56 A.M. as the 474 Fire Protection District Board

20. DISCUSSION/POSSIBLE ACTION: Action on Bill No. 103, first reading of Ordinance No. 18-294, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

Mr. Loomis said this is same as the previous item but applies to the Fire Code Provisions.

Fire Marshal Martin Azevedo asked if there were any questions. None.

Mr. Loomis read the title: Ordinance No. 18-294, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

Public Comment:

None

Motion: I make a motion to approve the first reading of Ordinance No. 18-294, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

21. ADJOURN TO RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

22. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of interlocal agreement with NDOT regarding maintenance and repairs of traffic signal at Electric Avenue and State Route 439.

Mr. Loomis said this agreement with NDOT is for maintenance and repairs of the referenced traffic signal. Currently, Carson City is contracted for the maintenance/repairs. Carson City will bill the County - in turn, the County will bill NDOT.

Public Comment:

None

Motion: I, Commissioner Jack McGuffey, move to approve interlocal agreement between Storey County and NDOT regarding maintenance and repairs of traffic signal at Electric Avenue and SR 439 and approve the Public Works Director to sign, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3)**

23. DISCUSSION/POSSIBLE ACTION: Board of County Commissioners (board) to appoint two members of the board to serve on the Storey County Regional Transportation Commission (RTC) in accordance with Storey County Codes 2.44 and 3.80. The term will be until December 31 of the next even numbered year, that being 2020.

Mr. Osborne indicated that at the last meeting the Board approved an Ordinance establishing the Storey County Regional Transportation Commission (RTC). This is the first action in putting the Commission together. There will be three members - two Board Commissioners, and one "community at large" member. There will be a posting for the third Commissioner. Two terms will be concurrent, one will be alternating.

Public Comment:

Sam Toll: What is the function of this Board?

Chairman McBride: Since this is the beginning of the Board, this probably cannot be answered yet.

Mr. Toll said he has heard talk of a light-rail system being planned from Sparks to the industrial park.

Chair McBride: Let's hold off until the Board is formed.

Motion: I, Commissioner Gilman, nominate Commissioner Marshall McBride to serve on the Storey County Regional Transportation Commission as Commissioner No.1, for a term lasting until December 31, 2020, **Action:** Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Vice Chairman McGuffey, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=2)**

Motion: I, Commissioner Jack McGuffey, nominate Commissioner Lance Gilman to serve on the Storey County Regional Transportation Commission as Commissioner No.2, for a term lasting until

December 31, 2020, **Action:** Approve, **Moved by:** Commissioner Gilman, **Seconded by:** Vice Chairman McGuffey, **Vote:** Motion carried by unanimous vote, (**Summary:** Yes=2)

Mr. Osborne: Staff will proceed with posting per policy for the third Commissioner. Anyone in Storey County that is eligible would be able to apply - it does not have to be from any particular precinct or district.

24. DISCUSSION/POSSIBLE ACTION: Abandonment Request 2018-032, a request to abandon a portion of K Street right-of-way, located within Virginia City. The right-of-way abandonment would be approximately 16-feet wide by approximately 140 linear feet south of the Union Street right-of-way. The right-of-way abandonment is located adjacent to a vacant parcel owned by the applicant at 25 South K Street, the southeast corner of Union and K Street, Virginia City, Storey County, Nevada and borders Assessor's Parcel Number (APN) 001-243-05.

Chairman McBride will abstain from voting as the applicant is a family member.

Planner Kathy Canfield reviewed the description of this property and the area requested to be abandoned - which has been landscaped and fenced since the mid-80's. This area is not paved and is not used as an access way. County departments were contacted and expressed no concerns in needing the area as a roadway. Neighbors did not object. At the Planning Commission, one community member had an objection. If the abandonment is approved, it is recommended that a public utility easement still remain in the area, including the abandoned portion.

Vice Chairman McGuffey asked for clarification on the photos of the area in question and where K Street would go through if it ever went through.

Ms. Canfield: The area is steep and to put in a road would require significant engineering.

Public Comment:

Nick Lazzarino: Suggested the road be abandoned. The homeowner has utilized the property for a number of years making significant improvements to the property and is not usable for anything else.

Sam Toll: Submitted a letter opposing the motion which is in the packet. This effort benefits a single person at the expense of future use for citizens. There is no financial transaction, a give-away, setting a dangerous precedent. Mr. Toll questioned the width of the abandonment and whether or not there would be enough right-of-way left if the County ever wanted to put the road through.

Ms. Canfield said with the abandonment, there would be 44 feet of right-of-way left. The County's minimum (road) width requirement is 24 feet.

Mr. Toll: Reviewed a similar situation on Sutton Street. This sets a dangerous precedent allowing others the footing to do the same thing. Mr. Toll recommends that this not be approved.

Nicole Barde: Why isn't (applicant) paying for this? How does this serve the best interests of residents? Who gives away land where it's worth something - assess it to get value.

Vice Chairman McGuffey asked if this becomes the property of the owner? Will there be additional tax? I understand this is pretty much unusable land.

County Manager Whitten believes this will put it back on the tax roll – going from public to private ownership.

Ms. Barde commented that she would have to pay if she went into a neighbor's lot-why give public land to a private person. The land given to TRI had a token \$10 payment.

Chairman McBride: The County has historically abandoned streets with no money exchanged. Some of the old streets were unusable and would never be utilized. It was better for the County to abandon them and put them on the tax rolls. Chair McBride reviewed many properties that were abandoned with the same process. The K Street property map shows the street going through – in 90 years it has not gone through. With the 44 feet the street could still go through – it would be an awkward, very steep street. Chair McBride reviewed locations of other houses on K Street.

Ms. Barde: Where in our ordinance, the Master Plan, is there authorization giving it away without compensation. Where is the authority as a Board to give land away – no money.

Commissioner Gilman: When this was heard at the Planning Commission, it was understood the (owner) was allowed to use the property for years – plant it and improve it. This was not a surprise. The Planning Commission voted to approve it.

Ms. Barde: Still asking the question – where is the authority to give away land? In an ordinance, NRS, or a Master Plan? Understands abandonment – but how are we authorized to give away public land?

Mr. Loomis: NRS 278.480 has a provision for abandonment or vacating a street. Subsection 7 states, "in the event of a partial vacation of a street where the vacated portion is separated from the property in which it was acquired by the un-vacated portion of it, the governing body may sell the vacated portion upon such terms and conditions as it deems desirable, and in the best interests of the city or county". It is discretionary whether or not an abandoned piece of property will be sold or given away.

Mr. Whitten: Having ordered many appraisals and having knowledge of the area, as a layman and owning land in Storey County – the cost of an appraisal would far exceed the value of property being given up.

Austin Osborne as said on many applications in the past, Virginia City is very unique. Unlike the Highlands where roads were intentionally, and with logic, set out – in Virginia City that wasn't the case. A lot of the roads were platted and never developed or otherwise. Whether an abandonment or variance, the findings have looked at the uniqueness of the community in the above regard, to support things that may not be supported in other communities. Mr. Osborne requests this finding to be included.

Ms. Canfield read the Findings:

The following Findings of Fact are the minimum to be cited for a recommendation of approval or approval with conditions. The following Findings are evident with regard to the requested Abandonment when the recommended conditions in Section 4 are applied. At a minimum, an approval or conditional approval must be based on the following Findings:

This approval is to abandon a portion of K Street right-of-way, located within Virginia City. The right-of-way abandonment is approximately 16-feet wide by approximately 140 linear feet south of the Union Street right-of-way. The right-of-way abandonment is located adjacent to a vacant parcel owned by the applicant at 25 South K Street, the southeast corner of Union and K Street, Virginia City, Storey County, Nevada and borders Assessor's Parcel Number (APN) 001-243-05.

The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.

The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.

The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

The Abandonment will not cause the public to be materially injured by the proposed abandonment.

The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provision - Access and Right-of-Ways, or any other Federal, State, or County regulations.

Motion: In accordance with the recommendation by staff and the Planning Commission, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I Commissioner Jack McGuffey, hereby move to approve the abandonment of a portion of K Street right-of-way, located within Virginia City. The right-of-way abandonment is approximately 16-feet wide by approximately 140 linear feet south of the Union Street right-of-way. The right-of-way abandonment is located adjacent to a vacant parcel owned by the applicant at 25 South K Street, the southeast corner of Union and K Street, Virginia City, Storey County, Nevada and borders Assessor's Parcel Number (APN) 001-243-05, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=2)

Mr. Osborne commented if the (Board) finds his previous statement to be useful as a finding, he recommends it be included in the motion as a finding.

Mr. Osborne: In this case, the Commission would also find:

"Under the unique circumstances of the Virginia City community, in which case this road was never developed, or known to have been developed, and under the topographic and other geographic situation of the area being abandoned, this will be another reason to abandon this portion of the roadway and right-of-way".

25. DISCUSSION/POSSIBLE ACTION: Approval of business license second readings:

A. CHEEK CONSTRUCTION, LLC / Contractor - 3303 Reno Hwy ~ Fallon, NV

B. LASCO PROCESS SYSTEMS, LLC / Contractor - 18601 LBJ Fwy ~ Mesquite, TX
C. MCA MECHANICAL, INC / Contractor - 2190 Fish Springs Rd ~ Gardnerville, NV
D. MOBILE TRUCK WASH LLC / General - 75 Bank St #8 ~ Sparks, NV
E. FTM CORPORATION / Contractor - 460 N. Geneva Rd ~ Lindon, UT
F. VERDI ENERGY INC / General - 2104 Lytham Ct ~ Wilmington, NC
G. ROTO-ROOTER / Contractor - 200 B Coney Island Dr ~ Sparks, NV
H. KINETIC SAFETY LLC, DBA: 3M SAFETY TRAINING / General - 3M Center Bldg. ~ St Paul, MN

On behalf of Community Development, County Manager Whitten, recommends approval of all items A. through H.

Public Comment:
None

Motion: I move to approve Items A. through H., **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

26. PUBLIC COMMENT (No Action)

Sam Toll: Urged the Commissioners to include Public Comment at the beginning and end of meeting. Has been at other public meetings where the public can speak at a reasonable time.

Mr. Toll provided feedback regarding the Special Assessment District - the pipeline is important to future growth. However, the Tax Increment Area will divert \$61 million of future tax revenue which would otherwise be enjoyed by the residents. Mr. Toll has gone door-to-door in Mark Twain and not one person is excited about the use/diversion of future tax revenue to reimburse these global companies. The notion that this is a good idea is not shared by the residents in Mark Twain.

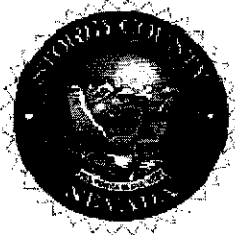
Mr. Whitten: Once again, we're being informed of people's feelings when there is a certain level of miscommunication. For the record, the County and this Commission, did not approve the Special Assessment District today- it was continued. Also, for the record, there was no action other than accepting public input on assessing the costs of the local improvements against the assessable property. The only accurate statement is we did not do anything with the Tax Increment Area.

27. ADJOURNMENT

Chairman McBride adjourned the meeting at 12:36 P.M.

Respectfully submitted,

By: Vanessa Stephens
Vanessa Stephens Clerk-Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
Agenda Item Type: Regular Agenda

Estimate of Time Required: 0-5 min.

1. **Title:** Approval of the Minutes for October 2, 2018.

2. **Recommended motion:** Approve as submitted.

3. **Prepared by:** Vanessa Stephens

Department: Clerk

Contact Number: 775.847.0969


4. **Staff Summary:** Minutes are attached.

5. **Supporting Materials:** See attached

6. **Fiscal Impact:** 0

7. **Legal review required:** No

8. **Reviewed by:**

 Department Head

Department Name: Clerk

____ County Manager

Other Agency Review: _____

9. **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued



STOREY COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

TUESDAY, OCTOBER 2, 2018 10:00 A.M.

DISTRICT COURTROOM
26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

MARSHALL MCBRIDE
CHAIRMAN

ANNE LANGER
DISTRICT ATTORNEY

LANCE GILMAN
VICE-CHAIRMAN

JACK MCGUFFEY
COMMISSIONER

VANESSA STEPHENS
CLERK-TREASURER

ROLL CALL: Chairman McBride, Vice-Chairman McGuffey, Commissioner Gilman, County Manager Pat Whitten, Clerk/Treasurer Vanessa Stephens, Comptroller Hugh Gallagher, District Attorney Anne Langer, Sheriff Gerald Antinoro, Project Manager Mike Northan, Building Inspector Pete Renaud, Community Relations Director Cherie Nevin

1. CALL TO ORDER MEETING AT 10:00 A.M.

Meeting was called to order by Chairman McBride at 10:00 A.M.

2. PLEDGE OF ALLEGIANCE

Chairman McBride led those present in the Pledge of Allegiance.

3. DISCUSSION/POSSIBLE ACTION: Approval of Agenda for October 2, 2018.

County Manager Whitten: Staff recommends combining items 12-21, there will be no presentation and no action taken.

Public Comment:

None

Motion: Approve Agenda for October 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary: Yes=3)**

4. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for September 4, 2018.

Public Comment:

None

Motion: Approve Minutes for September 4, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

5. DISCUSSION/POSSIBLE ACTION: Approval of Minutes for September 6, 2018.

Public Comment:

None

Motion: Approve Minutes for September 6, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

6. CONSENT AGENDA

I For possible action, approval of payroll claims in the amount of \$629,867.24 and accounts payable claims in the amount of \$2,489,987.18.

II For possible action, approval of assessor's recommended corrections to secured and unsecured tax rolls for errors.

III For possible action, approval of business license first readings:

A. HERITAGE CONSTRUCTION & DEVELOPMENT - Contractor / 2351 Sunset Blvd ~ Rocklin, CA

B. UNITED HERITAGE FINANCIAL GROUP, INC - General/707 E. United Heritage Ct ~ Meridian, ID

C. AXINE USA INC - General / 108-2386 East Mall ~ Vancouver, Canada

D. LIBERTY INTERACTIVE CORP, dba: ZULILY - General / 2555 USA Pkwy ~ McCarran, NV

Motion: Approve Consent Agenda for October 2, 2018, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

7. DISCUSSION ONLY (No Action - No Public Comment): Committee/Staff Reports
Sheriff Antinoro:

- Street Vibrations was uneventful and successful. There were four arrests and one crash.
- One of the new vehicles ordered has been received, a transport van - and a patrol vehicle is coming. There was a glitch with the dealer and we are still trying to find three vehicles.

Congressman Jon Porter, for the Porter Group:

- Reported on local, State, and Federal races for the November election.
- His team's goal is to make it work no matter who wins.
- Discussed how many people are eligible to vote but are not registered.
- Partisanship is at an all-time high.
- The new County zip code is coming any day.
- Working close with the Senate to make sure the Lands Bill gets done.
- Paying close attention to the new Opportunity Zones.
- Willing to help with RTC transportation issues.

Mike Northan, Operations/Project Coordinator:

- Slurry seal is currently being done on streets throughout the town - weather permitting.
- The parking lot at the Highlands mailboxes will be paved October 23, also weather permitting.
- Work is on-going on storm drains.

Pete Renaud, Building Inspector:

- Along with Building Inspector Ashley Mead, attended training for electrical, plumbing, and mechanical certifications.
- Community Development conducted 252 inspections last month.
- 88 permits were issued for the (Tesla) gigafactory.
- 19 plan reviews were done last month.

Cherie Nevin, Community Relations Director:

- Ophir Grade Road is still closed for construction of the Five Mile Waterline Replacement Project. Groundbreaking for this project will be held October 3rd at the water treatment plant.
- Open House will be held at the County Museum on Thursday, October 6th, to showcase the mural.
- Flu shot clinics will be held October 17th at the Mark Twain Community Center, 10AM to 12 PM; and at Virginia City Highlands Fire Station, 4:30 PM to 6PM.
- USDA Rural Development did a walk-through for substantial completion of the sewer project. Closing documents will be presented to the Board at the October 16th meeting.

8. BOARD COMMENT (No Action-No Public Comment):

Vice Chairman McGuffey:

- Attended recent NACO meeting. Next year's State Convention will be on September 25th. NACO will not take a position on Ballot Question 3 on this year's election. Supreme Court Justice Hardy was present to discuss "evidence based pre-trial release" issue.

Chairman McBride:

- Last weekend was Street Vibrations - Virginia City is a sponsor of this event. There was a lot of people in town. Hats off to the Sheriff's Office and staff for a fantastic job of traffic and crowd control, there were no incidents or fights. Saturday is the largest day of the year in Virginia City - it is good for the economy.

9. DISCUSSION ONLY (No Action): Presentation from Ben Sehy with Moreton Asset Management, regarding Storey County's investment portfolio.

Mr. Sehy reviewed the County's investment portfolio. A copy of the presentation report is attached. Mr. Sehy said that items such as the low unemployment rates, increase in full-time employment, and high consumer confidence are strong. Rising interest rates mean the County's returns go up. Mr. Sehy commented that he is satisfied with the County's portfolio. Currently the portfolio is over 2% and they are working to get it between 2 and 3%.

Mr. Sehy thanked County staff - Vanessa Stephens, Dore Nevin, and Hugh Gallagher.

Mr. Whitten also complimented the staff, Vanesa Stephens, and Mr. Sehy for the very progressive but conservative approach regarding reimbursements to Tesla.

Public Comment:

None

10. DISCUSSION/POSSIBLE ACTION: Approval and acceptance of a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant award for \$73,489.00 to assist the Storey County School District with an Emergency Backup Generator at the Virginia City High School.

Community Relations Director Cherie Nevin said the County applied for and received a FEMA Hazard Mitigation Grant to assist the School District with an emergency backup generator for the high school, which is a sheltering location. The \$73,489 grant has a \$24,496 match from the School District. Highland Electric provided the lowest quote for the project. The work should be able to be done while children are out of school for winter break.

Ms. Nevin commented that working with Todd Hess has been great, they work really well together on opportunities such as this that come up. The "single point of entry" at the schools is another they worked on together. Ms. Nevin foresees more opportunities in the future and is working with the District Attorney's Office on a MOU to have in place for these grant opportunities.

Public Comment:

None

Motion: I move to approve and accept the Emergency Management Agency, known as FEMA, Hazard Mitigation Grant administered through the State of Nevada, Department of Public Safety Division of Emergency Management in the amount of \$73,489.000 to assist the Storey County School District with an Emergency Backup Generator at The Virginia City High School and authorization for Cherie Nevin and/or Pat Whitten to sign all associated grant documentation, **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, **(Summary:** Yes=3)

11. DISCUSSION/POSSIBLE ACTION: Review and Possible Approval of Agreed-Upon Procedures presented by Grant Thornton LLP Certified Public Accounting Firm pertaining to audit engagement with Tesla.

Comptroller Hugh Gallagher said this is an agreement between Tesla and Grant Thornton CPA's, who audit the sales taxes remittances from Tesla to the State - basically stating Grant Thornton CPA's have no liability. Mr. Gallagher read portions of the agreement and explained the procedures.

Mr. Whitten said this is a three-party agreement between the State, the County, and Tesla.

Public Comment:

Steve Ayer, Virginia City resident: Asked if Grant Thornton, CPA's are verifying everything that Tesla has agreed to - the number of Nevada residents hired, that sort of thing.

Mr. Gallagher: All they are doing is sales tax numbers.

Mr. Whitten: The Governor's office (GOED) verifies the numbers (residents hired, etc.).

Motion: I hereby approve the Agreed-Upon Procedures presented by Grant Thorton, LLP, with regard to sales tax audits of Tesla for reimbursement by Storey County to Tesla and allow the Comptroller of Storey County to sign such document , **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

12. DISCUSSION/POSSIBLE ACTION: Consideration and possible action on first reading of ordinance no. 18-295 creating the Tahoe-Reno Industrial Center Tax Increment Area pursuant to Nevada Revised Statutes Chapter 278C; ordering an undertaking relating to the tax increment area; creating the tax increment account for the undertaking; and ratifying action taken by County officers toward the undertaking and the tax increment area.

Commissioner Gilman holding a pecuniary interest, recused himself from items 12-21.

Mr. Whitten read the following statement:

Late last week one of the 6 participants withdrew from the financing structure. This significantly changes the proposal on many levels and there are now a multitude of questions needing to be answered.

Accordingly, we are heading back to square one and everything will need to be restructured and redone IF this project is going to move forward. Again, at this point with so many questions outstanding, staff will not be able to provide much detail.

However, with that being said, we will still allow for public comment as some of the audience may have come today specifically for these items.

Chairman McBride: Until the stakeholders come back to the County with a new or revised plan, these items are taken off (the agenda) with no action.

Public Comment:

None

13. DISCUSSION/POSSIBLE ACTION: Discussion and possible action on second reading of ordinance 18-289 creating Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center); ordering a water project, within Storey County, Nevada

No action taken.

14. DISCUSSION/POSSIBLE ACTION: Consideration and possible adoption of Ordinance No. 18 - 289A, as if on an emergency basis, creating Storey County, Nevada Special Assessment District No. 01 (Tahoe Reno Industrial Center) ordering a water project, i.e., an effluent pipeline from Truckee Meadows Reclamation Facility to the Tahoe Reno Industrial Center in Storey County , Nevada.

No action taken.

15. DISCUSSION/POSSIBLE ACTION: Discussion and possible action on second reading of ordinance 18-290 concerning Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center) and assessing the cost of local improvements against the assessable property benefited by the local improvements.

No action taken.

16. DISCUSSION/POSSIBLE ACTION: Discussion and possible adoption of Ordinance No. 18-290A, as if on an emergency basis, concerning Storey County, Nevada Special Assessment District No. 01 (Tahoe Reno Industrial Center) levying the assessment of the cost of building the off-site portion of the effluent pipeline from the Truckee Meadows Water Reclamation Facility to the Tahoe Reno Industrial Center against the assessable property benefitted by the pipeline.
No Action taken.

17. DISCUSSION/POSSIBLE ACTION: Discussion and possible action on resolution 18-510 directing the engineer of behalf of Storey County, Nevada to prepare and file with the County Clerk preliminary plans and an assessment plat in connection with a proposed water project in Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center).

No action taken.

18. DISCUSSION/POSSIBLE ACTION: Discussion and possible action on resolution 18-511 directing the county's engineer to prepare preliminary plans, cost estimates and related items to reimburse the costs of an undertaking for a tax increment area formed pursuant to Nevada Revised Statutes chapter 278C.

No action taken.

19. DISCUSSION/POSSIBLE ACTION: Consideration and and possible approval of resolution 18-512 approving the form of the financing agreement among the County, TRI General Improvement District and all owners of assessable property in Storey County Special Assessment District No. 01 (Tahoe-Reno Industrial Center).

No action taken.

20. DISCUSSION/POSSIBLE ACTION: Discussion and possible action on resolution 18-513 provisionally ordering an undertaking for a tax increment area formed pursuant to Nevada Revised Statutes chapter 278C; setting a time and place for a hearing on the undertaking; and providing other matters related thereto.

No action taken.

21. DISCUSSION/POSSIBLE ACTION: Consideration and possible approval of agreement between Storey County and TRI Center LLC (TRI) by which, should County have to utilize the uncommitted portion of its general fund to make payments on the bond secured by the Storey County Special Assessment District No. 01 (SAD), TRI agrees that the amounts so provided will be credited against the vouchers issued by County to reimburse TRI for the costs of providing public infrastructure at the rate of 1.5 to 1.

No action taken.

22. DISCUSSION/POSSIBLE ACTION: Approval of business license second readings:

- A. COLEMAN ELECTRICAL CO / Contractor - 2665 Billys Rd ~ Minden, NV
 - B. NW HOLDING & RECOVERY, LLC / General - 4900 Meadows Rd ~ Lake Oswego, OR
 - C. GLOBAL RISK CONSULTANTS CORP / General - 100 Walnut Ave ~ Clark, NJ
 - D. SAVANAH LEE, DBA: ACCESS TRANSFORMATION / MT - 4255 Wedekind Rd ~ Sparks, NV
 - E. MEN WIELDING FIRE INC / General - 1485 W. 4th St. ~ Reno, NV
 - F. ZUNESIS INC / General - 8375 S. Willow St ~ Lonetree, Co
 - G. LARSON DESIGN GROUP, INC / General - 1000 Commerce Park Dr ~ Williamsport, PA
 - H. SNVRE, INC / General - 440 USA Pkwy ~ McCarran, NV
 - I. CEMEX CONSTRUCTION MATERIALS PACIFIC / General - 1000 Peru Dr ~ Sparks, NV
- County Manager Whitten, on behalf of Community Development, recommended approval of items A Through I.

Motion: Approve Items A. through I., **Action:** Approve, **Moved by:** Vice Chairman McGuffey, **Seconded by:** Commissioner Gilman, **Vote:** Motion carried by unanimous vote, (Summary: Yes=3)

23. PUBLIC COMMENT (No Action)

Pat Whitten: The Open House in the Slammer, announced earlier, set for Thursday afternoon, will be rescheduled to another date due to the unavailability of one of the artists.

24. ADJOURNMENT

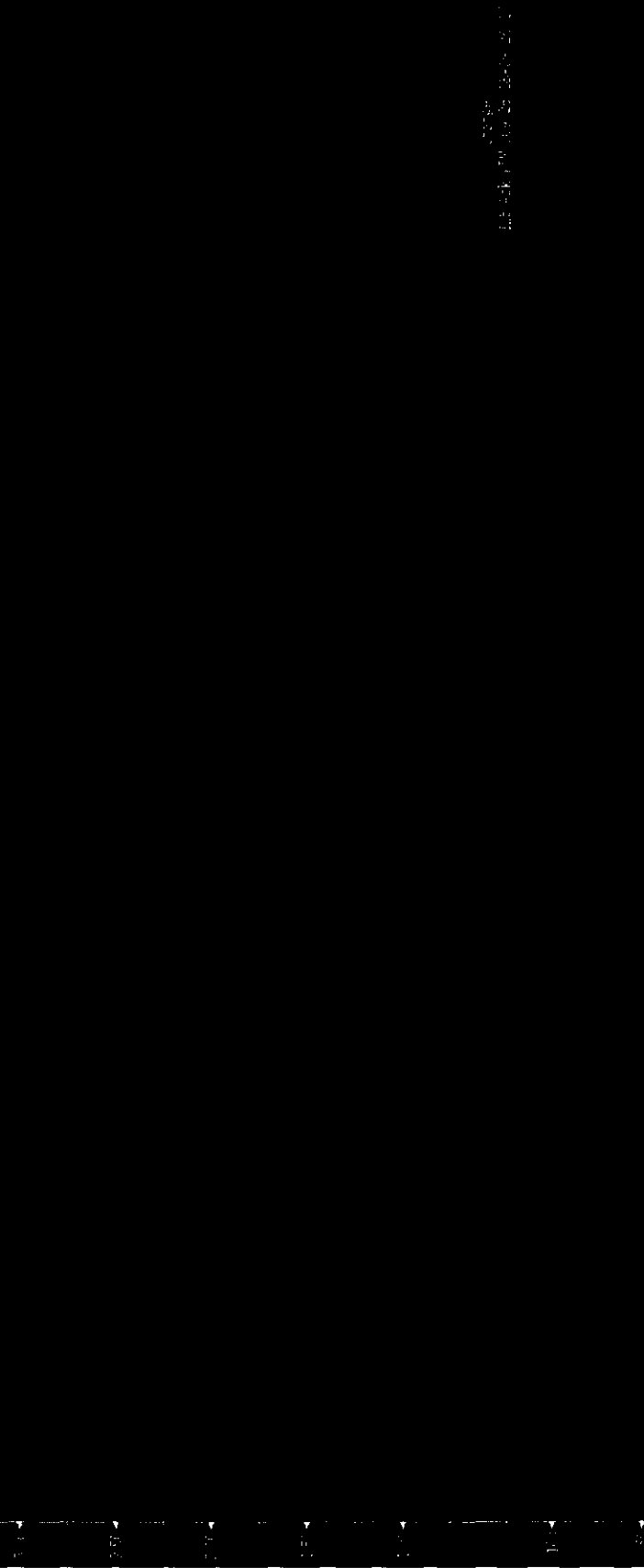
Chairman McBride adjourned the meeting at 11:00 A.M.

Respectfully submitted,

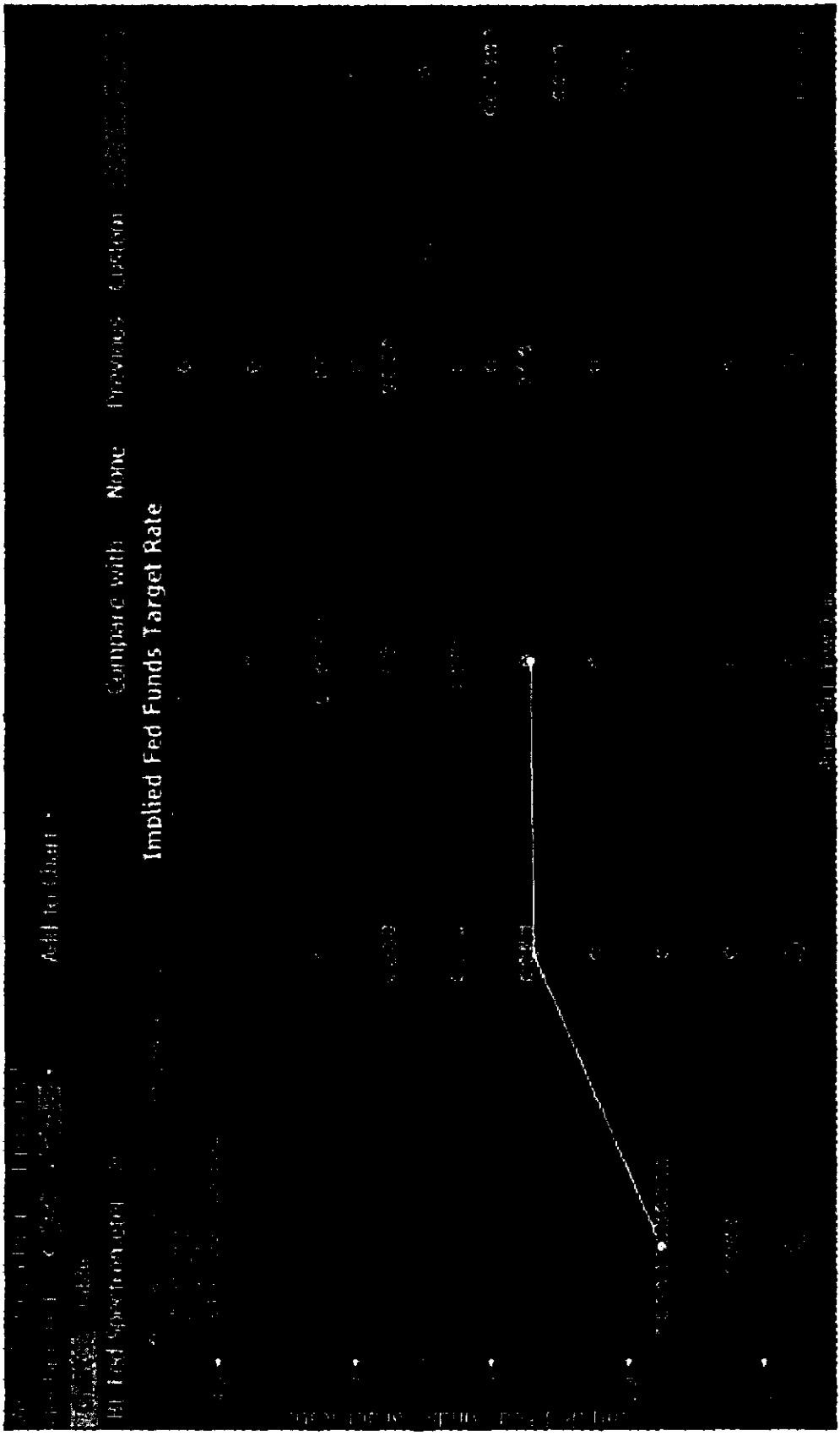
By:


Vanessa Stephens Clerk-Treasurer

U.S. Treasury Securities (Source: U.S. Treasury)



Yield (%)



Base Risk Summary 1

08/15/2017 - 09/26/2018

Moreton-Storey County Agg (103765)

Dated: 09/26/2018

Balance Sheet

Book Value + Accrued	16,989,535.98
Net Unrealized Gain/Loss	-137,140.42
Market Value + Accrued	16,852,395.56

Cash and Fixed Income Summary

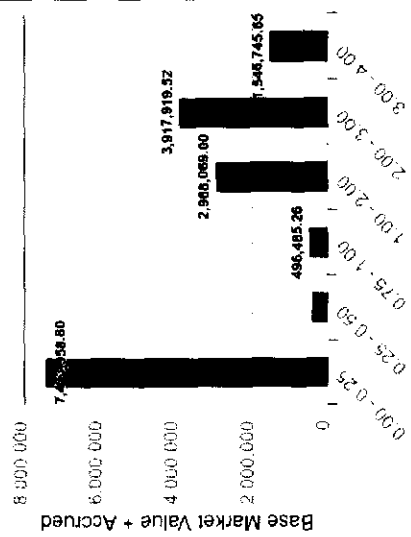
Risk Metric	Value
Cash	-175,655.72
MMF-und	6,174,313.75
Fixed Income	10,853,737.51
Duration	1,216
Convexity	-0.050
WAL	1,428
Years to Final Maturity	1,439
Years to Effective Maturity	1,424
Yield	2.313
Book Yield	2.036
Avg Credit Rating	AA/Aa2/AA

Issuer Concentration

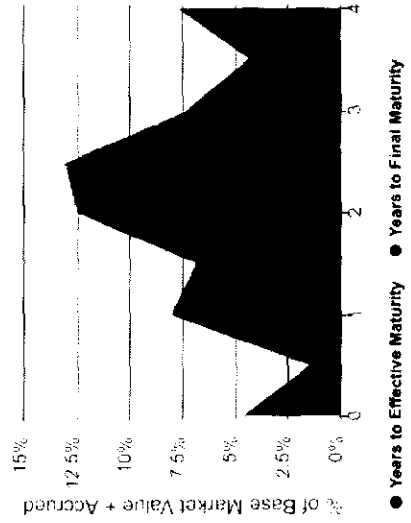
Issuer Concentration	% of Base Market Value + Accrued
Short-Term Investments Trust	34.440%
Other	32.647%
Federal National Mortgage Association, Inc.	8.741%
Federal Home Loan Mortgage Corporation	6.965%
Council of Federal Home Loan Banks	6.209%
Morgan Stanley	4.683%
Federal Farm Credit Banks Funding Corporation	4.349%
Goldman Sachs Trust	1.966%

100.000%

Duration



Time To Maturity



Security Type

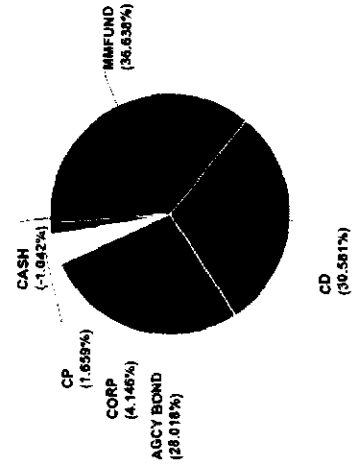


Chart calculated by: Base Market Value + Accrued

Balance Sheet

Balance Sheet

As of:

	Morelton-Stoney County Agg		Morelton-Stoney County Econ Dis		Morelton-Stoney County Invests		Morelton-Stoney County NV	
	08/14/2017	08/26/2018	08/14/2017	08/26/2018	08/14/2017	08/26/2018	08/14/2017	08/26/2018
Book Value	0.00	16,927,601.76	0.00	6,050,497.22	0.00	5,795,974.73	0.00	5,081,129.83
Accrued Balance	0.00	61,834.20	0.00	34,507.58	0.00	7,960.99	0.00	19,465.62
Book Value + Accrued	0.00	16,989,535.96	0.00	6,085,004.80	0.00	5,803,935.72	0.00	5,100,595.45
Net Unrealized Gain/Loss	0.00		0.00	-75,655.31	0.00	0.68	0.00	-61,485.79
Market Value + Accrued	0.00	16,852,395.56	0.00	6,009,349.49	0.00	5,803,936.40	0.00	5,039,109.66

Income Statement

	08/15/2017 09/26/2018	08/15/2017 09/26/2018	08/15/2017 09/26/2018	08/15/2017 09/26/2018	08/15/2017 09/26/2018
	Begin Date End Date	Begin Date End Date	Begin Date End Date	Begin Date End Date	Begin Date End Date
Net Amortization/Accretion Income					
Interest Income	303,171.16	14,384.52	132,604.45	63,139.06	107,427.64
Dividend Income	0.00		0.00	0.00	0.00
Foreign Tax Withheld Expense	0.00		0.00	0.00	0.00
Misc Income	0.01		0.01	0.00	0.00
Allowance Expense	0.00		0.00	0.00	0.00
Income Subtotal		303,171.16	132,604.46	63,139.06	107,427.64
Net Realized Gain/Loss	-3,725.37		-3,725.37	0.00	0.00
Net Holding Gain/Loss	0.08		0.08	0.00	0.00
Impairment Loss	0.00		0.00	0.00	0.00
Net Gain/Loss		-3,725.30	-3,725.30	0.00	0.00
Expense	-16,867.76		-8,576.50	0.00	-8,291.26
Net Income		286,972.62	133,238.11	63,139.06	100,595.45
Transfers In/Out					
Change in Unrealized Gain/Loss		16,692,563.43	5,951,766.77	5,740,796.66	5,000,000.00
		-137,140.50	-75,655.39	0.68	-81,485.79

Statement of Cash Flows

Statement of Cash Flows

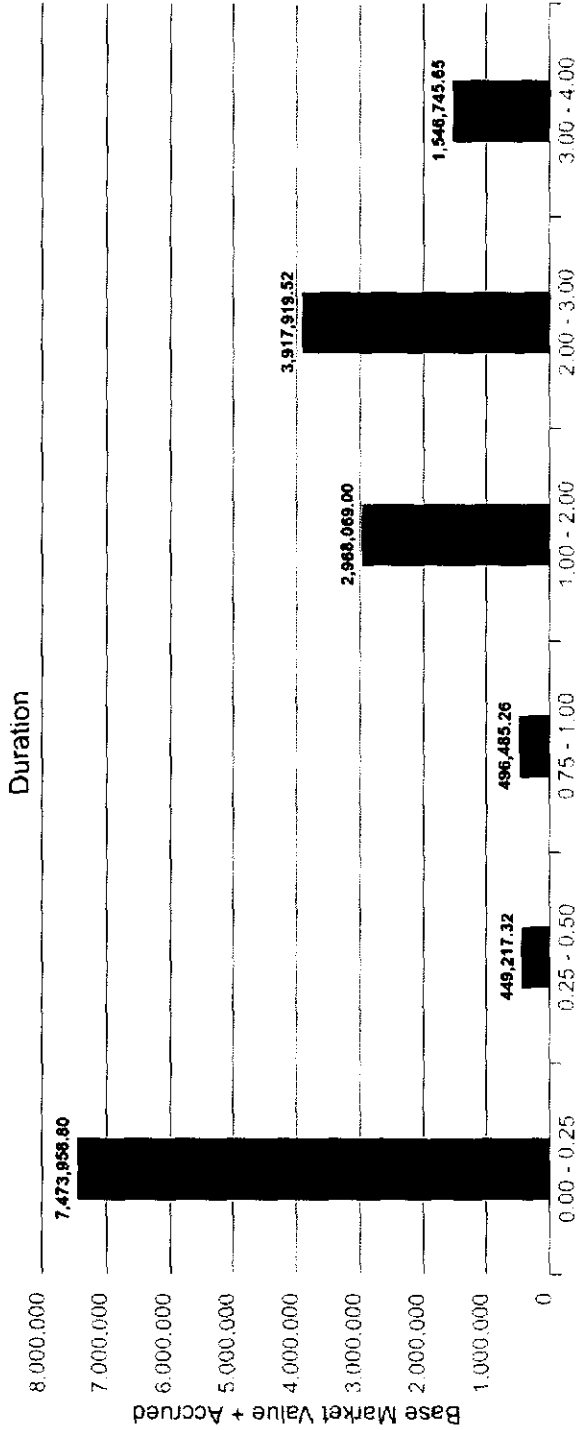
	Moreton-Storrey County Agg			Moreton-Storrey County Econ Dis			Moreton-Storrey County Invesco			Moreton-Storrey County NV						
	Begin Date	08/15/2017	09/26/2018	296,972.62	Begin Date	08/15/2017	09/26/2018	133,238.11	Begin Date	08/15/2017	09/26/2018	63,139.06	Begin Date	08/15/2017	09/26/2018	100,595.45
Net Income																
Amortization/Accretion on MS		-10,511.88				-9,271.56				0.00		63,139.06		-1,240.32		
Change in Accrued on MS		-39,943.51				-29,701.32				0.00				-10,242.19		
Net Gain/Loss on MS		1,723.54				1,723.54				0.00				0.00		
Change in Unrealized G/L on CE		-354.95				-355.62				0.68				0.00		
Subtotal				-49,088.79		-37,604.96		0.68		0.00				0.00		-11,482.51
Purchase of MS		-13,633,541.02				-8,187,838.69				0.00				-5,445,702.33		
Purchased Accrued of MS		-13,500.82				-4,291.63				0.00				-9,209.29		
Sales of MS		1,489,895.00				1,489,895.00				0.00				0.00		
Sold Accrued of MS		0.00				0.00				0.00				0.00		
Maturities of MS		1,215,000.00				985,000.00				0.00				220,000.00		
Net Purchases/Sales				-10,942,146.84		-5,707,235.22				0.00						-5,234,911.62
Transfers of Cash & CE				16,692,583.43		5,951,766.77				5,740,796.66				5,000,000.00		5,000,000.00
Total Change in Cash & CE				5,998,302.42		340,164.70				5,803,936.40				-145,798.68		-145,798.68
Beginning Cash & CE				0.00		0.00				0.00				0.00		0.00
Ending Cash & CE				5,998,658.04		340,520.32				5,803,936.40				-145,798.68		-145,798.68

Base Exposure - Duration

Base Currency: USD As of 09/26/2018

Moreton-Storey County Agg (103765)

Dated: 09/26/2018



Duration	Account	Identifier	Description	Base Current Units	Currency	Final Maturity	Security Type	Market Price	Yield	Duration	Convexity	Rating	Base Market Value + Accrued	% of Base Market Value + Accrued
0.00 - 0.25	---	---	---	7,446,068.97	USD	11/28/2018	---	20.6495	2.060	0.013	0.000	AA	7,473,958.80	44.350%
0.25 - 0.50	---	---	---	448,000.00	USD	11/18/2019	CD	100.0000	1.834	0.354	0.002	NA	449,217.32	2.688%
0.75 - 1.00	Moreton-Storey County NV	---	---	496,000.00	USD	08/30/2019	CD	99.9539	1.774	0.911	0.013	A+	496,485.26	2.946%
1.00 - 2.00	---	---	---	2,968,000.00	USD	05/15/2020	---	99.8303	2.055	1.571	0.001	AA-	2,968,069.00	17.612%
2.00 - 3.00	---	---	---	3,993,000.00	USD	07/28/2021	---	97.5659	2.923	2.479	-0.186	AAA	3,917,919.52	23.248%
3.00 - 4.00	---	---	---	1,573,000.00	USD	08/22/2022	---	97.9491	2.802	3.485	-0.082	AAA	1,546,745.65	9.178%
---	---	---	---	15,924,068.97	USD	03/05/2020	---	83.9878	2.313	1.216	-0.050	AA	16,852,395.56	100.000%

* Grouped by: Duration. * Groups Sorted by: Duration. * Weighted by: Base Market Value + Accrued.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 10-16-18

Estimate of time required: 0 - 5

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Business License First Readings -- Approval
2. **Recommended motion:** None required (if approved as part of the Consent Agenda) I move to approve all first readings (if removed from consent agenda by request).
3. **Prepared by:** Melissa Field

Department: Community Development **Telephone:** 847-0966
4. **Staff summary:** First readings of submitted business license applications are normally approved on the consent agenda. The applications are then submitted at the next Commissioners' meeting for approval.
5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:**

_____ District Attorney

8. **Reviewed by:**

☒ Department Head

☐ County Manager

Department Name:

Other agency review:

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 6 I

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • mfield@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

October 3, 2018
Via email

Fr: Melissa Field

Please add the following item(s) to the **October 16, 2018**, COMMISSIONERS Consent Agenda:

LICENSING BOARD

FIRST READINGS:

- A. OXFORD INSTRUMENTS AMERICA INC** – General / 300 Baker Ave ~ Concord, MA
- B. CALIBER HOME LOANS INC** – General / 1525 S. Belt Line Rd ~ Coppell, TX
- C. COMPLETE CONCRETE** – Contractor / 7481 Deveron Dr ~ Reno, NV
- D. ENLIGHTED INC** – General / 930 Benecia Ave ~ Sunnyvale, CA
- E. JAG BROADCAST VIDEO** – General / 2051 Canal Rd ~ Sparks, NV
- F. FREEDOM HOME HEALTH LLC** – General / 3680 Grant Dr ~ Reno, NV

Ec: Community Development
Commissioners' Office

Planning Department
Comptroller's Office

Sheriff's Office



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 5 minutes

Agenda: Consent ☒ Regular agenda ☐ Public hearing required ☐

1. **Title:** Approval of Resolution 18-514, a resolution to direct the County Assessor to prepare a list of all the taxpayers on the secured roll in the County pursuant to NRS 361.300 (3)

2. **Recommended motion** - Approval

3. **Prepared by:** Tobi Whitten

Department: Assessor's Office

Telephone: 847-0961

4. **Staff summary:** Please see attached proposed resolution. There are significant cost savings in providing the tax roll per NRS 361.300(3) via an internet website vs. publication of the list in a local newspaper or mailing the list to each taxpayer in the County.

5. **Supporting materials:** NRS 361.300 Time and manner for completion of secured tax roll; list of taxpayers and valuations; notice of assessed valuation.

6. **Fiscal impact:**

Funds Available:

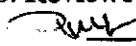
Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head
FOR J. SEDDON

Department Name: Assessor's Office

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 6 II

RESOLUTION 18-514

A RESOLUTION REQUIRING THE COUNTY ASSESSOR TO PREPARE A LIST OF ALL TAXPAYERS ON THE SECURED ROLL IN STOREY COUNTY AND THE TOTAL VALUATION OF PROPERTY ON WHICH THEY SEVERALLY PAY TAXES

WHEREAS, pursuant to NRS 361.300, each board of county commissioners shall by resolution, before December 1 of any fiscal year in which assessment is made, require the county assessor to prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and direct the county assessor to cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be: printed and delivered by the county assessor or mailed by him or her to each taxpayer in the county; or published once in a newspaper of general circulation in the county; or published on an internet website that is maintained by the county assessor or, if the county assessor does not maintain an internet website, on an internet website that is maintained by the county; and to cause such list and valuations to be posted in a public area of the public libraries and branch libraries located in the county, to be posted at the office of the county assessor; and, if the list and valuations are printed and delivered or mailed to each taxpayer in the county or published in a newspaper of general circulation in the county, then the list and valuations must be published on an internet website that is maintained by the county assessor or, if the county assessor does not maintain an internet website, on an internet website that is maintained by the county. The county assessor shall further be directed, in a county whose population is less than 100,000, to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the county for at least 60 days after the date on which the list and valuations are made available to the public as provided above; and if the county assessor publishes the list and valuations on an internet website that is maintained by the county assessor or the county, to provide notice in a newspaper of general circulation in the county, which:

1. Indicates that the list and valuations have been made available to the public on the Internet website maintained by the county assessor or the county;
2. Provides the address of the internet website on which the list and valuations may be accessed or retrieved; and
3. Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Storey County as follows: That the County Assessor prepare a list of all taxpayers on the secured roll in the County and the total valuation of property on which they severally pay taxes and cause such list and valuations to be printed and delivered by the County Assessor or mailed by her on or before January 1, 2018, to each taxpayer in the County; or published once on or before January 1, 2018, in a newspaper of general circulation in the County; or published on the Storey County website; and to cause such list and valuations to be posted in a public area of the public libraries and branch libraries located in Storey County, to be posted at the office of the County Assessor; and if the list and valuations are printed and delivered or mailed or published in a newspaper of general circulation, to be published on the Storey County website. The Assessor is further directed to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the County, i.e., the Storey County Courthouse located at 26 S. B Street in Virginia City, Nevada for at least 60 days after the date on which the list and valuations are made available to the public; and if the county assessor

publishes the list and valuations on the Storey County website, to provide notice in a newspaper of general circulation in the County, on or before January 1, 2019 which:

1. Indicates that the list and valuations have been made available to the public on the Internet website maintained by Storey County;
2. Provides the address of the Internet website on which the list and valuations may be accessed or retrieved; and
3. Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

ADOPTED this _____ day of _____, 2018

BOARD OF COMMISSIONERS OF STOREY COUNTY

By: _____
Marshall McBride, Chairman

ATTEST:

Vanessa Stephens, County Clerk/Treasurer

NRS 361.300 Time and manner for completion of secured tax roll; list of taxpayers and valuations; notice of assessed valuation.

1. On or before January 1 of each year, the county assessor shall transmit to the county clerk, post at the front door of the courthouse and publish in a newspaper published in the county a notice to the effect that the secured tax roll is completed and open for inspection by interested persons of the county. A notice issued pursuant to this subsection must include a statement that the secured tax roll is available for inspection as specified in paragraph (b) of subsection 3. The statement published in the newspaper must be displayed in the format used for advertisements and printed in at least 10-point bold type or font.

2. If the county assessor fails to complete the assessment roll in the manner and at the time specified in this section, the board of county commissioners shall not allow the county assessor a salary or other compensation for any day after January 1 during which the roll is not completed, unless excused by the board of county commissioners.

3. Except as otherwise provided in subsection 4, each board of county commissioners shall by resolution, before December 1 of any fiscal year in which assessment is made, require the county assessor to prepare a list of all the taxpayers on the secured roll in the county and the total valuation of property on which they severally pay taxes and direct the county assessor:

(a) To cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be:

- (1) Printed and delivered by the county assessor or mailed by him or her to each taxpayer in the county;
- (2) Published once in a newspaper of general circulation in the county; or
- (3) Published on an Internet website that is maintained by the county assessor or, if the county assessor does not maintain an Internet website, on an Internet website that is maintained by the county; and

(b) To cause, on or before January 1 of the fiscal year in which assessment is made, such list and valuations to be:

- (1) Posted in a public area of the public libraries and branch libraries located in the county;
- (2) Posted at the office of the county assessor; and
- (3) If the list and valuations are printed and delivered or mailed pursuant to subparagraph (1) of paragraph (a) or published in a newspaper of general circulation pursuant to subparagraph (2) of paragraph (a), published on an Internet website that is maintained by the county assessor or, if the county assessor does not maintain an Internet website, on an Internet website that is maintained by the county;

(c) In a county whose population is less than 100,000, to make not fewer than 10 copies of such list and valuations available to the public free of charge during normal business hours at the main administrative office of the county for at least 60 days after the date on which the list and valuations are made available to the public pursuant to paragraph (b); and

(d) If the county assessor publishes the list and valuations on an Internet website that is maintained by the county assessor or the county pursuant to subparagraph (3) of paragraph (a), to provide notice in a newspaper of general circulation in the county, on or before January 1 of the fiscal year in which assessment is made, which:

(1) Indicates that the list and valuations have been made available to the public on the Internet website maintained by the county assessor or the county;

(2) Provides the address of the Internet website on which the list and valuations may be accessed or retrieved;

and

(3) Is displayed in the format used for advertisements and printed in at least 10-point bold type or font.

4. A board of county commissioners may, in the resolution required by subsection 3, authorize the county assessor not to deliver or mail the list, as provided in subparagraph (1) of paragraph (a) of subsection 3, to taxpayers whose property is assessed at \$1,000 or less and direct the county assessor to mail to each such taxpayer a statement of the amount of his or her assessment. Failure by a taxpayer to receive such a mailed statement does not invalidate any assessment.

5. The several boards of county commissioners in the State may allow the bill contracted with their approval by the county assessor under this section on a claim to be allowed and paid as are other claims against the county.

6. Whenever:

(a) Any property on the secured tax roll is appraised or reappraised pursuant to NRS 361.260, the county assessor shall, on or before December 18 of the fiscal year in which the appraisal or reappraisal is made, deliver or mail to each owner of such property a written notice stating the assessed valuation of the property as determined from the appraisal or reappraisal. A notice issued pursuant to this paragraph must include a statement that the secured tax roll will be available for inspection on or before January 1 as specified in paragraph (b) of subsection 3 and subparagraph (3) of paragraph (a) of subsection 3, if applicable, and must specify the locations at which the secured tax roll will be available for inspection, including the address of the Internet website on which the secured tax roll may be accessed or retrieved. If such a statement is published in a newspaper, the statement must be displayed in the format used for advertisements and printed in at least 10-point bold type or font.

(b) Any personal property billed on the unsecured tax roll is appraised or reappraised pursuant to NRS 361.260, the delivery or mailing to the owner of such property of an individual tax bill or individual tax notice for the property shall be deemed to constitute adequate notice to the owner of the assessed valuation of the property as determined from the appraisal or reappraisal.

7. If the secured tax roll is changed pursuant to NRS 361.310, the county assessor shall mail an amended notice of assessed valuation to each affected taxpayer. The notice must include:

- (a) The information set forth in subsection 6 for the new assessed valuation.
- (b) The dates for appealing the new assessed valuation.

8. Failure by the taxpayer to receive a notice required by this section does not invalidate the appraisal or reappraisal.

9. In addition to complying with subsections 6 and 7, a county assessor shall:

- (a) Provide without charge a copy of a notice of assessed valuation to the owner of the property upon request.
- (b) Post the information included in a notice of assessed valuation on a website or other Internet site, if any, that is operated or administered by or on behalf of the county or the county assessor.

[13:344:1953; A 1955, 327] — (NRS A 1967, 957; 1975, 67; 1981, 791; 1991, 1425; 2003, 2762; 2005, 1506; 2009, 1218; 2011, 3522; 2015, 2711, 2714)




Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
Agenda Item Type: Consent Agenda

Estimate of Time Required: 0-5 min.

1. **Title:** For possible action, approval of claims in the amount of, payroll \$522,207.85 and accounts payable \$287,012.01.
2. **Recommended motion:** Approve as part of the Consent Agenda.
3. **Prepared by:** Vanessa Stephens
4. **Staff Summary:** Claims are attached.
5. **Supporting Materials:** See attached
6. **Fiscal Impact:** 0
7. **Legal review required:** No
8. **Reviewed by:**

 Department Head

Department Name: Treasurer

____ County Manager

Other Agency Review: _____

9. **Board Action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modification
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

6 III

Payroll Type: Regular Check Date: 10/05/18 Period-end Date: 09/30/18
Payroll Groups: 1 2 3 4 5 6 7 8 9

Check/ DD #	Emp #/ Ded #	Payee	Amount
----------------	-----------------	-------	--------

Total User Transfer for EFTPS:			55,874.35
Total Deductor Checks:			133,974.52
Total Employee Checks:			859.48
Total Employee Direct Deposit:			312,042.17
Total Employee Deds Xferd on Dir Dep File:			15,662.93
Total User Transfer to Deductor:			3,794.40
Total Disbursed:			522,207.85

Approved by the Storey County Board of Commissioners: _____

CHAIRMAN	COMMISSIONER	COMMISSIONER
COMPTROLLER		
TREASURER		

146 WELLS ONE COMMERCIAL CARD

FUND-DEPT INVOICE #

DESCRIPTION

DATE

TRANS#

AMOUNT

PAYMENT

ANTINORO- SCSSO

LOGGING FOR CONF

9/28/18

1538

96.05

BOTCHA CALOOPS

PRZ PLQ REIMBURSED BY

9/28/18

1536

115.00

BREV- OFFICE DEPOT

SUPPLIES

9/28/18

1530

69.03

BREV- UPS

CRYPTO SHIPPING

9/28/18

1530

69.88

C.NEVIN- ROADPOST

SAT PHONE EM AND DISPA

9/28/18

1535

121.56

C.NEVIN- USPS

MAIL TO SHPO OFFICE

9/28/18

1535

2.05

C.NEVIN- WINNERS

CAR WASH EX62268

9/28/18

1535

7.00

CANFIELD

POSTAGE FOR CRS AUDIT

9/28/18

1534

9.90

CFOA ROOMS

STEPHENS AND NEVIN CVI

9/28/18

1537

535.62

CURTIS

KEYS COPIES

9/28/18

1544

7.96

CURTIS/SARAH TRAINING

TEST RESIDENTIAL MECHANIC

9/28/18

1544

200.00

D.SNYDER 09/12

BOOKS 4 ZNING/PRTY/NE

9/28/18

1544

576.84

FIELD/MEAD

REPAIR FROM ARC FIRE

9/28/18

1540

106.54

FOLIO #RCV10P554

ROOM OVR CHRGD/CRDT CM

9/28/18

1544

125.97

GAVENDA- SCSSO

CHAPMAN LODGING CFOA

9/28/18

1545

267.81

HOME DEPOT

FBINAA/NVSCA CONF

9/28/18

1538

250.00

J.CURTIS-SUBWAY

LEICA LASER MEASURER

9/28/18

1536

199.00

J.LONCAR 09/20

ARC FIRE FOOD FOR CREW

9/28/18

1535

299.50

JASONW- SAC STATE

BATTERIES

9/28/18

1540

37.00

JEFFH- BULLEMAN

BOYER DIST 1

9/28/18

1530

612.00

JEFFH- HARBOR FREIGH

BULBS

9/28/18

1530

2.28

JEFFH- HD

FLOOR MATS

9/28/18

1530

37.96

JEFFH- HD

LW SUB- SCREENS

9/28/18

1530

33.75

JEFFH- HD

GAS TORCH KIT 1/2

9/28/18

1530

27.49

JEFFH- HD

GAS TORCH KIT 1/2

9/28/18

1530

27.48

XD AMAZON

ST 71- LIGHT FIXTURE

9/28/18

1530

79.97

KD SILVERLAND INN

LICHTHULBS VISITOR CTR

9/28/18

1541

37.98

KD VISTAPRINT

JOURNALIST LODGING

9/28/18

1541

301.40

M.DIXON 09/19

COG MAGNETS VISTOR CT

9/28/18

1541

55.07

MEAD

FLMB/ELEC TRAINING FOO

9/28/18

1544

1,800.00

MEAD

WINTER JACKET

9/28/18

1544

82.75

PW ROASTING HOUSE

INDEX CARDS

9/28/18

1545

19.14

RENAUD

RES ELEC TRNING FOOD

9/28/18

1539

30.00

SKRETTA- HD

SAFETY SULLPIES

9/28/18

1544

101.22

SKRETTA- HD

TOOL SET

9/28/18

1530

135.85

SKRETTA- NORTHERN TO

TOOLS

9/28/18

1530

999.00

SKRETTA- TRACTOR SUP

AIR COMPRESSOR

9/28/18

1530

5,983.76

STARNES

NUISANCE LTR

9/28/18

1530

1,999.99

T.PIERETTI 09/07

WINTER JACKET

9/28/18

1544

13.40

WB ATT HILL PAY

POSTAGE

9/28/18

1540

8.04

00003419

INTERNET SERVICE

9/28/18

1542

40.43

048825

CARSON CITY STORAGE UN

9/28/18

1543

139.95

053100

USPS TRACKING ITL CHEC

9/28/18

1543

6.20

053100

MIKE NORTHAN MONITOR

9/28/18

1543

259.99

053100

SEWER MONITOR (SPLIT)

9/28/18

1543

129.99

09112018

WATER MONITOR (SPLIT)

9/28/18

1543

130.00

3179240-1167-7

LOCKWOOD GOTO MYPC RENE

9/28/18

1543

229.92

350-P5805401

SMAC WASTE MANAGEMENT

9/28/18

1543

201.47

433342929611

IT STOCK

9/28/18

1543

54.90

4754240

TIM TRAINING HOTEL CHA

9/28/18

1543

201.82

5237MYW9F03GZWX

SMAC NVENERGY BILL

9/28/18

1543

58.11

AT&T VCCC DSL INTERNET

9/28/18

1543

86.68

STOREY COUNTY
PURCHASE CARD REGISTER

PC NUMBER	VENDOR	FUND-DEPT	INVOICE #	DESCRIPTION	DATE	TRANS#	AMOUNT	CARD TOTAL
			5237MYW9F03H5MJ	AT&T COMDEV DSL INTERN	9/28/18	1543	101.84	
			5267MYW9I03Q4WN	AT&T VCSO DSL INTERNET	9/28/18	1543	98.22	
			6582989	PAINT ROLLERS AND BRUS	9/28/18	1543	9.82	
			735819426	DOUG LINKEDIN TRAINING	9/28/18	1543	29.99	
								17,834.03
								17,834.03

Card Total

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

DATE

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER

Report No: PB1315
Run Date : 09/27/18

STOREY COUNTY
CHECK REGISTER 9/28/18

Page 1

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93249	ALLISON, MACKENZIE, LTD	INDEPENDENT INVESTIGATION		9/28/18	86171	3,450.00	3,450.00
93250	ALPINE SIGNS INC	PRINTED WANTED POSTERS		9/28/18	86202	250.00	
93251	ALSCO INC	WIND SIGN/FLAGS		9/28/18	86202	300.00	550.00
		ST 71 LAUNDRY		9/28/18	86141	13.80	
		ST 72 LAUNDRY		9/28/18	86141	8.77	
		SHOP		9/28/18	86085	82.13	
		SHOP		9/28/18	86085	82.13	
		CH		9/28/18	86085	46.50	233.33
93252	ARC HEALTH AND WELLNESS	PSYCH EVAL FOR COONS		9/28/18	86131	275.00	
93253	AT&T MOBILITY II LLC	RAMIREZ PRE EMP PHYS		9/28/18	86131	288.09	563.09
93254	AT&T TELECONFERENCE SERVI	WIRELESS X5		9/28/18	86218	114.20	114.20
93255	AXON ENTERPRISE, INC	TELECONFERENCE SERVICES		9/28/18	86079	23.28	23.28
93256	BARKDULL-SPENCER, ELAINE	BATTERY PACKS		9/28/18	86132	310.00	310.00
		DEPOT SUPPLIES		9/28/18	86206	63.45	
		LUNCH WITH COMMISSIONERS		9/28/18	86206	33.87	
		PLANT FOR DEPOT PROJECTS		9/28/18	86206	324.85	
		RETURNED MAINT ITEM		9/28/18	86206	10.82	
		ICE FOR EVENT TRAIN		9/28/18	86206	9.16	
		DRINKS FOR EVENT TRAIN		9/28/18	86206	54.97	
		DRINK CUPS FOR TRAIN		9/28/18	86206	10.36	
		SOUVENIERS FOR VIP GUESTS		9/28/18	86206	26.97	
		GENERAL LABOR		9/28/18	86206	260.00	772.81
93257	BATTERIES PLUS (RENO)	12V BATTERIES		9/28/18	86123	99.00	99.00
93258	BATTLE BORN CONSULTING SE	COMM DEVELOP OVERSIGHT		9/28/18	86083	11,354.00	11,354.00
93259	BEAN, JAMES	NIGHT TIME SECURITY		9/28/18	86211	300.00	
		MAINTENANCE&SUPPLIES		9/28/18	86211	480.00	
		MELODRAMA TRAIN LABOR		9/28/18	86211	569.99	
		COWBOY COMEDY PRODUCTION		9/28/18	86211	237.98	1,587.97
93260	BENDER, DEBORAH	9/7/18 - 9/20/18		9/28/18	86149	45.00	45.00
93261	BOB BARKER COMPANY INC	ANTACIDS		9/28/18	86133	6.70	6.70
93262	BRIGGS ELECTRIC, INC	POWER TO TEMPORARY MOU		9/28/18	86082	2,087.48	2,087.48
93263	BURRELL, SCOTT LEWIS	9/7/18 - 9/20/18		9/28/18	86150	22.50	
93264	BURTON'S FIRE INC	T-75 VALVE KIT		9/28/18	86150	420.00	442.50
		T-75 VALVE KIT		9/28/18	86087	55.17	
		E171/T75 GSXT		9/28/18	86087	55.17	
93265	CALIFORNIA INDUSTRIAL	FRGRNDS- HOSE NOZZLE		9/28/18	86100	36.80	158.34
93266	CAPITAL SANITATION CO			9/28/18	86220	10.00	36.80

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93267	CAPITOL REPORTERS			9/28/18	86181	500.00	10.00
93268	CARSON CITY PLAZA, LLC			9/28/18	86181	302.80	802.80
93269	CARSON WATER SUBCONSERVAN	CATERING FOR EVENT TRAIN		9/28/18	86210	2,070.00	2,070.00
93270	CELLCO PARTNERSHIP	AGREEMENT #2018-5		9/28/18	86223	15,000.00	15,000.00
		772263062-00001		9/28/18	86225	40.41	
		772263062-00001		9/28/18	86225	40.41	
		772263062-00001		9/28/18	86225	227.02	
		772263062-00001		9/28/18	86225	104.54	
		772263062-00001		9/28/18	86225	90.80	
		772263062-00001		9/28/18	86225	45.40	
		772263062-00001		9/28/18	86225	406.96	
		772263062-00001		9/28/18	86225	366.55	
		772263062-00001		9/28/18	86225	106.12	
		772263062-00001		9/28/18	86225	106.32	
		772263062-00001		9/28/18	86225	92.37	
		772263062-00001		9/28/18	86225	92.37	
		772263062-00001		9/28/18	86225	40.41	
		772263062-00001		9/28/18	86225	40.41	
		772263062-00001		9/28/18	86225	489.82	
		772263062-00001		9/28/18	86225	458.23	
		772263062-00001		9/28/18	86225	199.20	
		772263062-00001		9/28/18	86225	200.17	
		772263062-00001		9/28/18	86225	131.14	
		772263062-00001		9/28/18	86225	131.14	
		772263062-00001		9/28/18	86225	170.26	
		772263062-00001		9/28/18	86225	92.37	
		772263062-00001		9/28/18	86225	156.78	
		772263062-00001		9/28/18	86225	247.49	
		772263062-00001		9/28/18	86225	92.37	
		772263062-00001		9/28/18	86225	65.57	
		772263062-00001		9/28/18	86225	65.57	
		772263062-00001		9/28/18	86225	92.37	
		772263062-00001		9/28/18	86225	92.37	
93271	CINTAS CORPORATION NO. 2	FIST AID KIT SERV		9/28/18	86088	34.45	4,587.31
93272	CITY OF CARSON CITY	WATER AT EAST GATE DEPOT		9/28/18	86213	113.34	34.45
93273	CITY OF CARSON CITY	PERMIT FOR WORK AT DEPOT		9/28/18	86214	445.00	113.34
93274	CMC TIRE INC	TIRES		9/28/18	86089	771.76	445.00
93275	COLLECTION SERVICE OF NEW	SO66000- TIRE		9/28/18	86089	127.75	899.51
		GARNISHMENT DISBURSED		9/28/18	86135	299.39	
		GARNISHMENT DISBURSED		9/28/18	86135	299.39	
		GARNISHMENT DISBURSED		9/28/18	86135	295.64	
		GARNISHMENT DISBURSED		9/28/18	86135	322.39	
93276	COMSTOCK CEMETERY FOUNDAT	240 BOTTLES		9/28/18	86151	240.00	1,216.81
93277	COMSTOCK GOLD MILL LLC	9/7/18 - 9/20/18		9/28/18	86152	90.00	240.00

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93278	DASH MEDICAL GLOVES INC	XLARGE GLOVES		9/28/18	86152	12.00	102.00
93279	DISH DBS CORPORATION	LOCKWOOD CENTER 800PERI		9/28/18	86136	121.80	121.80
93280	DUNCAN, CANDY L	GROC. OUTLET WINE FOR TRA		9/28/18	86122	97.03	97.03
93281	ELLIOTT AUTO SUPPLY INC	RADAR TRLR- M29MF		9/28/18	86204	289.87	289.87
		SO62212 FILTERS		9/28/18	86090	359.07	
		B172 AIR FILTER		9/28/18	86090	39.82	
		SC54234 AIR COND		9/28/18	86090	93.96	
		SC54234 AIR COND		9/28/18	86090	300.49	
		SERV56405 - BRAKES		9/28/18	86090	40.44	
		SO62212 HUB, PADS		9/28/18	86090	608.46	
		C702 MASS AIR FLOW		9/28/18	86090	314.32	
		SO62212 WTR PUMP, FILTERS		9/28/18	86090	113.55	
		SO62212 SWAY BAR LINK		9/28/18	86090	156.33	
		SO62212 LUBE FILTER		9/28/18	86090	9.06	
		SO- BALL JOINT, ARM		9/28/18	86090	11.55	
		SO62212 BRAKE CLEAN		9/28/18	86090	98.91	
		SO BRAKE ROTOR		9/28/18	86090	30.24	
		FR 51-844 AIR FILTER		9/28/18	86090	80.86	
		SO62212 BLADES		9/28/18	86090	42.39	
		SO62212 STRUT ASSY		9/28/18	86090	22.35	
		SO62212 BLADES		9/28/18	86090	238.62	
		SO62212 BALL JOINT, ARM		9/28/18	86090	44.70	
		B172 AIR FILTER		9/28/18	86090	197.82	
		SO62214 ROTOR		9/28/18	86090	46.98	
		IT28155 AIR COND		9/28/18	86090	76.82	
		SO62212 POWER STEERING		9/28/18	86090	148.45	
		SO62212 MOTOR MOUNT		9/28/18	86090	114.31	
				9/28/18	86090	75.32	1,688.36
93282	ENGLERT FORENSIC CONSULTS	FORENSIC SVCS SEP 2018		9/28/18	86195	4,475.50	4,475.50
93283	ERICKSON THORPE & SWAINST	SCDA ADMIN		9/28/18	86197	1,567.50	1,567.50
93284	EWING IRRIGATION PRODUCTS	1705 PERU- IRRIG		9/28/18	86091	61.60	
		1705 PERU IRRIG		9/28/18	86091	20.85	82.45
93285	FASTENAL COMPANY	ROADS-EYEWEAR		9/28/18	86092	18.90	18.90
93286	FERGUSON ENTERPRISES INC	HIWAY LINE REPAIR		9/28/18	86093	457.66	
		HIWAY LINE REPAIR		9/28/18	86093	1,217.08	
		HIWAY LINE REPAIR		9/28/18	86093	1,217.08	
		HIWAY LINE REPAIR		9/28/18	86093	457.66	
		READER LID		9/28/18	86093	26.46	26.46
93287	FIDELITY SEC LIFE INS CO	OCT RETIREE VISION ADMIN		9/28/18	86118	222.13	222.13
93288	GLADDING, EDWARD A.	DD		9/28/18	86076	6,060.00	6,060.00
93289	GOLDEN GATE/SET PETROLEUM	LW UNL 440/ DSL 300		9/28/18	86095	1,979.11	
		TRI UNL 332 / DSL 323		9/28/18	86095	1,748.03	3,727.14
93290	GRAINGER	SOAP DISPENSER		9/28/18	86094	76.80	

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93291	GRANSBERRY, TOM	JANITORIAL SUPPLIES		9/28/18	86094	1,212.27	1,289.07
		4 X \$45		9/28/18	86215	180.00	
93292	GRIMM, JUSTIN LEIGH	2.5 X \$45		9/28/18	86215	112.50	292.50
93293	HAT, LTD	CHECK REISSUE		9/28/18	86205	200.48	200.48
93294	HD SUPPLY FACIL MAINT LTD	ROADS		9/28/18	86096	1,357.44	2,714.88
93295	HERRINGTON, EILEEN	ROADS		9/28/18	86096	1,357.44	
93296	HISTORIC FOURTH WARD SCHO	SEWER- TEST KITS		9/28/18	86104	252.50	252.50
		AND MIGN		9/28/18	86186	150.00	150.00
93297	HOME DEPOT CREDIT SERVICE	9/7/18-9/20/18					
93298	HOMETOWN HEALTH	ST72 LOCKING NETWORK RACK		9/28/18	86153	9.00	
		TOWER EQUIP & AIR CART		9/28/18	86153	10.00	
93299	HOSE & FITTINGS ETC	1609041-00053		9/28/18	86153	396.00	415.00
93300	HOT SPOT BROADBAND INC	1609041-00053		9/28/18	86192	128.61	
93301	HYDRAULIC INDUSTRIAL SERV	T75- BRASS FITTINGS		9/28/18	86192	163.91	292.52
93302	INST. ENV HEALTH INC.	ST72 INTERNET SERVICE		9/28/18	86114	10,430.57	15,296.23
93303	IRON MOUNTAIN INFO MGT IN	VACTOR- HOSE END		9/28/18	86114	4,865.66	
		CRYPTO TESTING		9/28/18	86097	52.04	52.04
93304	IT1 SOURCE LLC	SHRED BIN CONSOLE 1/2		9/28/18	86193	82.50	82.50
		NT147/STOREY SEP 18		9/28/18	86098	39.78	39.78
		NT147/STOREY CLOSING		9/28/18	86086	365.00	365.00
		SHRED BIN CONSOLE 1/2		9/28/18	86155	115.47	
		SHRED BIN CONSOLE 1/2		9/28/18	86222	259.10	
		BLANK ID CARDS		9/28/18	86155	87.03	
		IT RACK WATCHDOG MONITOR		9/28/18	86155	115.46	
		PALO ALTO RACK		9/28/18	86155	380.84	957.90
		IT DYMO LABELER		9/28/18	86137	67.71	
		IT VMWARE RENEWAL		9/28/18	86196	680.58	
		ALBERT SERVER EQUIP		9/28/18	86196	387.36	
		IT RACK		9/28/18	86196	62.96	
		ALBERT SERVER EQUIP		9/28/18	86196	3,946.36	
		WATER OFFICE (SPLIT)		9/28/18	86196	8,168.57	
		MIKE NORTON OFFICE		9/28/18	86196	456.84	
		CLERK TONER CARTRIDGE		9/28/18	86196	47.20	
		IT STOCK VIDEO ADAPTER		9/28/18	86196	387.35	
93305	JEP LLC	PR63568 FITTING,BUSHING		9/28/18	86196	203.14	
93306	JULIE LOZADA OCAMPO			9/28/18	86196	154.32	14,949.74
93307	KANSAS CITY LIFE INS CO			9/28/18	86099	93.52	93.52
		RETIREE LIFE ADMIN		9/28/18	86175	120.00	120.00
				9/28/18	86119	15.92	15.92

Report No: P81315
Run Date : 09/27/18

STOREY COUNTY
CHECK REGISTER 9/28/18

CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93308	KENNETH L DORR JR SOLE M	ENGINEERING SERVICES		9/28/18	86201	600.00	15.92
93309	L N CURTIS & SONS	ENGINEERING SERVICES		9/28/18	86201	1,659.75	2,259.75
93310	LANGUAGE LINE SERVICES IN	PPE		9/28/18	86148	9,500.00	9,500.00
93311	LEND A CHEK	8		9/28/18	86187	26.71	26.71
93312	LIFE-ASSIST INC	GARNISHMENT DISBURSED		9/28/18	86138	642.75	642.75
93313	LIQUID BLUE EVENTS LLC	AMB SUPPLIES		9/28/18	86173	975.00	1,211.52
		AMB SUPPLIES		9/28/18	86173	236.52	
		MONTHLY RETAINER		9/28/18	86154	2,300.00	
		OUTHOUSE EXPENSES		9/28/18	86154	16,300.00	
		OUTHOUSE BANK		9/28/18	86154	2,000.00	
		REDRUN SPONSORSHIP		9/28/18	86154	2,000.00	22,600.00
93314	MACKAY MANSION	9/7/18 - 9/20/18		9/28/18	86156	682.00	
				9/28/18	86156	11.00	
				9/28/18	86156	10.50	703.50
93315	MANHARD CONSULTING	ADMINISTRATIVE FEES		9/28/18	86208	120.00	120.00
93316	HENRY SCHEIN	AMB SUPPLIES		9/28/18	86172	29.50	29.50
93317	MCNUTT, BRITTANI			9/28/18	86182	32.00	32.00
93318	MEAD, ASHLEY			9/28/18	86217	9.99	9.99
93319	METRO OFFICE SOLUTIONS IN	FOOD @ MECH/PLUM TRNG DEN		9/28/18	86185	112.56	
				9/28/18	86185	6.62	
				9/28/18	86139	55.66	
		STAPLERS & FOLDERS		9/28/18	86077	217.92	
		SUPPLIES		9/28/18	86128	85.31	478.07
93320	MICHAEL HOHL MOTOR CO	COMDEV65585- LAMPS		9/28/18	86101	1,153.28	1,153.28
93321	MIGAN, TAWARA			9/28/18	86183	32.00	32.00
93322	NELMS, GLENDA			9/28/18	86129	144.10	144.10
93323	NEV DEPT HUMAN RESOURCES	PMT ID#48527914 9/14		9/28/18	86102	2,725.07	
		AUG COUNTY MATCH		9/28/18	86102	3,456.03	6,181.10
		JUNE 2019 PROJECTED		9/28/18	86127	1,616.66	1,616.66
93324	NEV DEPT OF PUBLIC SAFETY	PSI PRODUCTION		9/28/18	86121	1,931.25	1,931.25
93325	NEV HUMAN RESOURCES, LV	2ND QTR CHINA SPRINGS		9/28/18	86130	20,465.00	20,465.00
93326	NEV PUBLIC DEFENDER	PD FEES		9/28/18	86224	15,235.00	
93327	NEVADA BLUE LTD (RNO)	OCE PLOTWAVE 365 PRINTER		9/28/18	86219	100.00	15,335.00
		DPS MONTHLY PORTAL		9/28/18	86125	149.19	
93328	NEVADA UPLANDS	OVERPAYMENT PROPERTY TAX		9/28/18	86125	172.97	
		OVERPAYMENT PROPERTY TAX		9/28/18	86125		

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93329	NOCITA, ANTHONY JOSEPH	OVERPAYMENT PROPERTY TAX		9/28/18	86125	111.78	433.94
93330	O'REILLY AUTO ENTERPRISES			9/28/18	86194	35.00	35.00
		BACKHOE- FUEL FILTER		9/28/18	86103	17.39	
		SHOP AIR REEL		9/28/18	86103	399.98	
		TRANSPORT- FLAG BANNERS		9/28/18	86103	34.95	
		PW74668 ASSORTMENT		9/28/18	86103	9.99	
		IT28155- P/B BOOSTER		9/28/18	86103	110.66	
		PW74668 WIRE LOOM		9/28/18	86103	30.50	
		FR42553- SPRAY PAINT		9/28/18	86103	29.16	
		FR49743 WPIER ARM		9/28/18	86103	32.46	
		PW74668 WIRE CLAMPS		9/28/18	86103	12.90	
		R72- PAGOIL46		9/28/18	86103	28.32	
		SO66023 R134A-30		9/28/18	86103	129.99	836.30
93331	OFFICE DEPOT INC	CHAIR FLOOR MAT		9/28/18	86189	34.99	34.99
93332	OFFSITE DATA DEPOT, LLC	CLERK OFFICE		9/28/18	86110	212.97	
		DELIVERY, RECORD ADDED		9/28/18	86110	37.31	250.28
93333	ON THE SIDE GRAPHICS & SI	SNIPES OUTHOUSES		9/28/18	86157	100.00	100.00
93334	OPTUMINSIGHT INC	CUST 735660 3.75 EACH		9/28/18	86112	300.00	300.00
93335	PETRINI, ANGELO D	9/7/18 - 9/20/18		9/28/18	86159	339.50	339.50
93336	PIPER'S OPERA HOUSE	31 LINENS		9/28/18	86199	13.00	13.00
93337	PITNEY BOWES INC	EQUIPMENT RENTAL		9/28/18	86191	90.00	
		POSTAGE MACHINE LEASE		9/28/18	86140	105.00	195.00
93338	PROTECTION DEVICES INC	FIRE RADIO AND INSTALL		9/28/18	86158	719.00	719.00
93339	RAY MORGAN CO INC (CA)	DISPATCH CANON PRINTER		9/28/18	86198	28.25	
		IT CANON PRINTER		9/28/18	86198	24.02	52.27
93340	REDWOOD TOXICOLOGY LAB, IN			9/28/18	86184	211.79	
				9/28/18	86184	10.50	222.29
93341	RENAUD, PETE	GAS ELECTRCL TRAINING/DEN		9/28/18	86216	28.52	28.52
93342	REPORTING SYSTEMS, INC	OCT SUPPORT		9/28/18	86203	618.00	618.00
93343	ROBERTS, BOBBI JEAN	GARNISHMENT DISBURSED		9/28/18	86134	250.49	250.49
93344	SAFEGUARD WEB & GRAPHICS	LAPEL PINS		9/28/18	86162	1,314.54	
		TIN MUG ENGRAVING		9/28/18	86162	58.50	1,373.04
93345	SBC GLOBAL SERVICES INC	5555144400 ROUTER LCKWOOD		9/28/18	86212	1,014.60	1,014.60
93346	SES NEVADA, LLC	AUG. 25 WINE TRAIN FOOD		9/28/18	86221	1,289.59	
		SEPT. 22 WINE TRAIN FOOD		9/28/18	86221	1,203.61	2,493.20
93347	SHERMARK DISTRIBUTORS INC	INNATE MILK		9/28/18	86142	112.00	
		INNATE MILK		9/28/18	86142	84.00	84.00

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CHECK NUMBER	VENDOR	INVOICE DESCRIPTION	P/O #	DATE	TRANS#	AMOUNT	CHECK TOTAL
93352	SIERRA PEST CONTROL INC	PEST CONTROL LOCKWOOD		9/28/18	86143	50.00	12,032.91
93353	SOUTHERN GLAZERS WINE & S	2 CASES CEMTERY GIN		9/28/18	86163	825.40	
		1 CASE CEMTERY GIN		9/28/18	86163	412.70	1,238.10
93354	SPALLONE, DOMINIC J III	CLEANING SUPPLIES		9/28/18	86178	182.40	
93355	ST CO PUBLIC WORKS	06		9/28/18	86176	100.00	182.40
93356	ST CO SHERIFF	BACKGROUND CHECKS		9/28/18	86177	70.00	
		BACKGROUND		9/28/18	86174	370.00	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
		BACKGROUND		9/28/18	86078	46.25	
93357	ST. CLAIR, DANIEL	RECEIPT 07/30/18-07/2020		9/28/18	86179	100.00	856.25
93358	SUN PEAK ENTERPRISES			9/28/18	86164		100.00
		9/7/18 - 9/20/18		9/28/18	86164	987.00	
				9/28/18	86164	28.00	
				9/28/18	86164	280.00	
				9/28/18	86164	24.00	1,319.00
93359	SUNBELT PUBLICATIONS, INC	BOOKS FOR VISITOR CENTER		9/28/18	86165	425.18	
93360	SUPERIOR EQUIPMENT	FR42553 COOLING FAN		9/28/18	86108	162.53	425.18
93361	SUPERIOR POOL PRODUCTS	POOL- WINTER CHEMS		9/28/18	86109	422.37	162.53
93362	SUTTON HAGUE LAW CORP	CBA-FLSA CORRECTION		9/28/18	86081	3,186.50	422.37
93363	TERRY, SHIRLEY			9/28/18	86166	720.00	3,186.50
		9/7/18 - 9/20/18		9/28/18	86166	28.00	
93364	THE DUBE' GROUP INC			9/28/18	86120	2,220.00	748.00
93365	THE ROASTING HOUSE			9/28/18	86160	48.09	
93366	THE TOMBSTONE COWBOYS LLC			9/28/18	86167	756.00	48.09
		9/7/18 - 9/20/18		9/28/18	86167	48.00	
93367	THERMATEMP	TOILET IN CONTROL ROOM		9/28/18	86144	323.36	804.00
93368	THOMAS PETROLEUM LLC	PW- REG 610 / DSL 140		9/28/18	86113	2,070.12	323.36
		PW- REG 400 / DSL 700		9/28/18	86113	3,035.28	
		VCH- REG 67 / DSL 94		9/28/18	86113	468.55	
93369	UNITED FINANCE INDUSTRIAL	GARNISHMENT DISBURSED		9/28/18	86145	1,099.57	5,573.95
93370	UNITEDHEALTHCARE INS CO	RETIREE DENTAL ADMIN		9/28/18	86117	1,142.71	1,099.57

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93371	US POSTOFFICE (VC)	PERMIT #1		9/28/18	86180	225.00	1,142.71
93372	USA CASH SERVICES MGT INC	GARNISHMENT DISBURSED		9/28/18	86145	232.50	225.00
93373	VCIC	D EWING 9/19/18		9/28/18	86169	100.00	232.50
93374	VIRGINIA & TRUCKEE RR CO			9/28/18	86168	198.00	100.00
				9/28/18	86168	2,816.00	
		9/7/18 - 9/20/18		9/28/18	86168	18.00	
				9/28/18	86168	30.00	
		TRAINS 9/15 & 9/16		9/28/18	86168	117.00	
				9/28/18	86200	12,230.00	15,409.00
93375	VIRGINIA CITY TOURS INC			9/28/18	86170	72.00	
		9/7/18 - 9/20/18		9/28/18	86170	16.00	88.00
93376	WALKER & ASSOCIATES	LOBBYIST SERVICES		9/28/18	86080	2,167.00	2,167.00
93377	WASHOE CO CORONER	TOX-STRATTON, CURLS, ALVA		9/28/18	86147	3,665.40	3,665.40
93378	WASHOE COUNTY SENIOR SERV	LOCKWOOD MEALS AUGUST2018		9/28/18	86188	1,510.84	1,510.84
93379	WATERS SEPTIC TANK SV DBA	GH DEPTIC 4000 GALS		9/28/18	86124	986.67	986.67
93380	WESTERN NEVADA SUPPLY CO	1705 PERU IRRIG		9/28/18	86115	20.52	
		1705 PERU IRRIG		9/28/18	86115	1,496.43	1,516.95
93381	WHITE, NATHAN	PER AGREEMENT		9/28/18	86116	150.00	150.00
93382	WILLAMAN, GABRIEL	TRACK INSPECTION SERVICES		9/28/18	86209	5,645.00	
		TRACK MAINTENANCE		9/28/18	86209	7,344.00	12,989.00
		CHECKS TOTAL				269,177.98	

ACKNOWLEDGEMENT OF REVIEW AND AUTHORIZATION

CHECKS TOTAL 269,177.98 CHECK DATE 9/28/18

COMPTROLLER

TREASURER

CHAIRMAN

COMMISSIONER

COMMISSIONER



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-499 granting Historic Fourth Ward School Foundation a sum not to exceed \$120,000 for the purpose of preserving the Fourth Ward School Building and promoting the history of the Comstock and Storey County history.
- 2.
2. **Recommended motion:** I move to approve Resolution 18-499 granting the Historic Fourth Ward School Foundation a sum not to exceed \$120,000 for preservation of the Fourth Ward School Building and to promote the history of the Comstock and Storey County.
3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute
5. **Supporting materials:** Grant Application of Historic Fourth Ward School Foundation; Resolution No. 18-499; NRS 244.1505 NRS 372.3261
6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

6IV

RESOLUTION NO. 18-499

RESOLUTION Authorizing Grant of Money to the HISTORIC FOURTH WARD SCHOOL FOUNDATION for the purpose of preserving the Fourth Ward School Building and for promoting the history of the Comstock and Storey County.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization qualifies as an organization for educational purposes if the sole or primary purpose of the organization is to (1) provide athletic, cultural or social activities for children, (2) provide displays or performances of the visual or performing arts to members of the general public, or (3) provide instruction and disseminate information on subjects beneficial to the community; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes or for educational purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5); and,

WHEREAS, the HISTORIC FOURTH WARD SCHOOL FOUNDATION is a Nevada domestic non-profit corporation operating in the State of Nevada which qualifies as a charitable and/or educational organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, the HISTORIC FOURTH WARD SCHOOL FOUNDATION desires to obtain a grant from Storey County in the amount of ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) for the purpose of preserving the Fourth Ward School Building, a County-owned building, and for promoting the history of the Comstock and Storey County; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the HISTORIC FOURTH WARD SCHOOL FOUNDATION does provide cultural or social activities for children, does provide displays of visual arts to members of the general public and does provide instruction and information on subjects beneficial to the community, and

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to the Historic Fourth Ward School Foundation a sum not to exceed ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) to be expended for the specific purpose of preserving the Fourth Ward School Building and for promoting the history of the Comstock and Storey County.

ADOPTED this 18 day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

4TH WARD SCHOOL

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

- (a) The sole or primary purpose of the organization is to:
 - (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;
 - (2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: Historic Fourth Ward School Foundation

Place of Incorporation: Storey County, Nevada

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

Built in 1876, the doors to this 24,000 square foot school opened to the first class in January of 1877. The Fourth Ward School was Virginia City's gift to Nevada in celebration of America's centennial. Eager to rebuild Virginia City after the great fire of 1875, residents chose the fashionable Second Empire architectural style that conveyed permanence, dignity, and prosperity. State-of-the-art for its time, the school included indoor flush toilets, a drinking fountain on each floor, forced-air heat, interior gas lights and a fire suppression system. The Fourth Ward School is home to the first two graduates from a Nevada school, Anna Herrullben and Mary O'Farrell, in the class of 1878. Built to accommodate 1,000 students, the four story, 16 classroom building had a high count of approximately 860 students in the early 1880s. A diploma from the Fourth Ward High School Department was a commodity, and its graduates were sought after for teaching positions throughout northern Nevada and California.

Due to the decline of the population in Virginia City and new federal regulations governing the construction of school buildings, the school closed in 1936. Although attempts at restoration began in the 1960s, the building remained vacant and deteriorating until it became a museum in 1986. The Fourth Ward School building has been recognized by the state and local community as a significant historic site. Over the past 30 years, over 4 million dollars in local, state, and federal funds including a Save Americas Treasures grant, has allowed for extensive stabilization and restoration of the building bringing it back to its original grand appearance. In 2004, the National Trust for Historic Preservation awarded the Historic Fourth Ward School the National Preservation Honor Award for its restoration and recognized it as a Distinctive Destination. Since becoming a non-profit 501(c)3 foundation in 2000, we have hosted over 300,000 visitors. The Fourth Ward School Museum has also become a destination for school children as part of 4th and 7th grade Nevada history curriculum.

The mission of the Historic Fourth Ward School Foundation is to connect people to the relevance and importance of the Comstock story through its authentic preservation, interactive exhibits, interpretive programs and archival resources. The current collections and records held in the Historic Fourth Ward School Museum & Archives document life on the Comstock from 1875 to current day. The collection includes photos, correspondence, maps, business records and three dimensional artifacts significant to the Fourth Ward School, life on the Comstock and their relationship to the nation. The story of the Fourth Ward School, its role as a public school in the west, its closure, the years of neglect and the public process of its preservation are records that are vital to the heritage of Nevada and to all that visit and want to learn about the west.

Identify the amount of grant funds you are requesting. One hundred and Twenty Thousand Dollars (\$120,000.)

Explain the purposes for which you will use the grant funds if awarded.

In addition to securing monies for the preservation of the county's building, we have also been successful in finding support for our programs and exhibits. During our 2017 season, we hosted over 1,800 school children, over 9,000 museum visitors and 4 facility rentals. Our membership base of 148 members highlights our broad support. Our first annual "Steppin' Back in Time" fundraising event was a huge success in both raising funds and bringing new visitors to the Fourth Ward School Museum. Our Archives & Research Center collection continues to grow with wonderful donations including over 2,000 digital photographs of the Comstock and surrounding areas, five guest books from the 1940s and 1950 that belonged to the Storey County Justice of the Peace, three wall maps that are original to the Fourth Ward School, and six original letters from teachers in the 1870s and 1880s.

During the calendar year of 2017, we secured grants and donations which will assist in the installation of seventeen (17) roof anchors around the perimeter of the upper main roof. These anchors will accomplish two main goals. First, the anchors will allow workers to safely tie-off and work around the mansard part of the roof. This section of the building requires almost constant repair work. Second, the anchors will allow work to be done without the expense of installing and removing scaffolding each time a project is done on this area. Storey County owns the Fourth Ward School building. The Foundation has a lease with Storey County, which specifies the county will provide for the maintenance of the building. In return, the Foundation will continue the restoration and use of the building, including the museum and archives.

The building and the security of everyone's investment, now totaling over 4.5 million dollars, requires the county's continued support as specified in the lease. We could not meet the requirements of our lease without Storey County fulfilling its part.

During calendar year 2017, the Foundation administered the county's support (\$95,000) for the following: Repaired and installed drainage to the north/east corner of the parking lot, replaced and repaired wiring to the fire alarm system in the north tower, replaced the roof hatch and repaired damage to the roof when the old roof hatch blew off during a wind storm. Serviced both heating boilers and replaced relief valve and tested the glycol in the boiler that heats the Wiegand Room. Replaced parts in the emergency exit signs, installed new toilet fill valves, installed a temporary drainage system at the north side of the building, replaced a damaged cover in the floor of the Historic Classroom, continued with the replacement of all building lights with LED lighting and replaced damaged boards in the boardwalk.

Ongoing repairs and maintenance included maintenance and inspection of the elevator, fire and security systems; painting and staining of balconies, doors, boardwalks, railings; oiling all wooden interior surfaces; servicing museum models; general cleaning; desk repairs; maintaining portable heaters, ceiling fans, storm windows, kitchen appliances, roller shades, toilets; application of window sill preservatives; striping parking lot; scraping and painting of shingles, exterior trim, and siding. These expenses are some of the basic operating expenses, not including

staffing the museum while open to the public.

We are now faced with repainting and restoring the exterior siding of the entire building. It was last completely painted in 1999. At that time, instead of replacing the rotting wooden siding, a bonding substance was used to hold the siding together. Now, that bonding is pulling the wood it was adhered to off and/or more rotting is occurring behind that "fix." In addition, there are numerous leaks on the third and fourth floors. During rain or snowmelt, water runs through the wall and into the interior of one of the windows in the north/west third floor classroom. Because of the multiple angles of the mansard roof, there are several leaks in the fourth floor. The gaps in the roof are substantial enough to allow snow to blow inside the building. Because part of the fix for the interior leaks will be done with the restoration of the exterior of the building, the repairs are being considered as one project. A minimum of three estimates will be sought. However, the first estimate for the entirety of the work is for \$548,763.60 from Reyman Bros. Construction. Because of the extensive cost for this restoration, I am requesting perspective contractors to provide an estimate for the work to be done in stages. The most efficient method appears to be in quarters, one side of the building at a time.

The railing on the interior staircases is pulling away from the stairs. The interior finishes throughout the building require re-shellacking, especially the windowsills and frames. Because of the historical status of the building, the Secretary of Interior's Standards restrict and guide how the shellacking must be conducted. A prior verbal estimate for repair of the interior stairs was \$40,000 and a prior verbal estimate for the interior shellacking was \$60,000.

Storey County currently grants the Historic Fourth Ward School \$95,000 per year (\$23,750.00 per quarter.) We are requesting an increase in support for the next year with an annual request of \$120,000 (\$30,000 per quarter.)

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

ARTICLES OF INCORPORATION
OF
HISTORIC FOURTH WARD SCHOOL FOUNDATION
A NON-PROFIT CORPORATION

FILED # C145162-00

MAY 24 2000

IN THE OFFICE OF
DEAN HELLER SECRETARY OF STATE

The undersigned incorporator(s), in order to form a non-profit corporation under the laws of the state of Nevada, adopt the following Articles of Incorporation:

ONE: The name of this corporation is The Historic Fourth Ward School Foundation.

TWO: The name and address of the registered agent of this corporation are:

Darlene Cobbey, President

537 South C Street, P. O. Box 4

Virginia City, Nevada 89440

THREE: The specific purposes for which this corporation is organized and operated are to financially support the Historic Fourth Ward School including the restoration of the building, administration, programs, events, or activities reasonably related thereto, all within the purview of Section 501(c)(3) of the Internal Revenue of 1954 as it may be amended from time to time.

- a. The general purpose for which this corporation is formed is to operate exclusively for general, charitable, and educational purposes.
- b. This corporation shall have and exercise all rights and powers conferred on corporations under the laws of the State of Nevada, provided, however, that this corporation is not empowered to engage in any activity which, in itself, is not in furtherance of its purposes as set forth in sub-paragraphs a and b of this Article Three.
- c. No part of the net earnings, properties, or assets of this corporation, on dissolution or otherwise, shall inure to the benefit of any private person and individual or any member or director of this corporation and, on liquidation or dissolution, all properties and assets of this corporation remaining after paying or providing for all debts and obligations shall be distributed and paid over to such fund, foundation, or corporation organized and operated for charitable or educational purposes as defined in the Internal Revenue Code of 1954, as amended, as the Foundation shall determine, or, in the event of their failure to do so, to such fund, foundation, or corporation as determined by Decree of the District Courts of the State of Nevada in and for the County of Carson City, upon petition of any member or director.
- d. As a substantial part of its activities, this corporation shall not carry on propaganda or otherwise attempt to influence legislation. This corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.
- e. This corporation shall not engage, at any time, in any activities which shall violate the Internal Revenue Code of 1954, Sections 4941 through 4945, as they may exist from time to time.

FOUR: This corporation is organized pursuant to the General Non-profit Corporation Laws of the State of Nevada and, specifically, the Charitable Corporation Act of 1971.

53700
5400-7353
3510

FIVE:

- a. The powers of this corporation shall be exercised, its properties controlled, and its affairs conducted by a board to be known as the Board of Directors. The number of Directors herein provided for may be changed by a By-Law duly adopted by the members. Until so change, there shall be five (5) Directors. The method of selection of the Directors shall be set forth in the By-Laws. Directors, other than the first and second year Directors, shall serve for a term of three (3) years provided in the By-Laws.
- b. The names and addresses of the persons who are appointed to act as the first Directors for the first year are:

Darlene Cobbey, P.O. Box 13, Silver City, NV 89428
Ed Gladding, 530 California Ave, Reno, NV 89509
Pete Leonard, P.O. Box 348, Virginia City, NV 89440
Joe Curtis, P.O. Box 543, Virginia City, NV 89440
Peggy Whitten, P.O. Box 846, Virginia City, NV 89440

- c. The Board of Directors may, by two-thirds vote of that body, appoint as honorary, non-voting directors as the Board may see fit provided, however, that such honorary trustees shall be of prominent status in their community or possess a high degree of expertise in an area deemed important by the Board.

IN WITNESS WHEREOF, for the purpose of forming this non-profit corporation under the laws of the State of Nevada, we, the undersigned, constituting the incorporators of this corporation and including all of the persons named herein as the first Directors, have executed these Articles of Incorporation this 23 day of May, 2000.

STATE OF NEVADA)
) SS.
CARSON CITY)

ON THIS _____ day of _____, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared <names of trustees>, known to me to be the persons described in and who executed the foregoing instrument, and they acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year hereinabove written.

NOTARY PUBLIC (SEAL)

SIX: The period of duration of this corporation is perpetual.

SEVEN: The classes, rights, privileges, qualifications, and obligations of members of this corporation are as follows:

This corporation shall have one class of membership. Any person shall be qualified to become a member upon payment of the initial dues, if any, fixed by the board of directors and shall continue as a member upon paying the annual dues, if any, fixed by the board of directors. The method and time of payment of dues shall be determined, and may be changed, from time to time, by the board of directors. Additional provisions specifying the rights and obligations of members shall be contained in the Bylaws of this corporation pursuant to, and in accordance with, the laws of this state.

EIGHT: Any additional provisions for the operation of the corporation are as follows:

Upon the dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

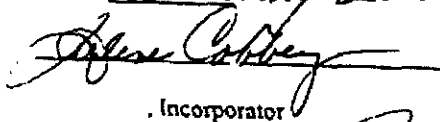
No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that this corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these Articles.

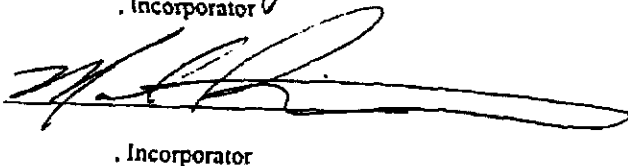
Notwithstanding any other provision of these Articles, this corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (2) by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

In any taxable year in which this corporation is a private foundation as described in Section 509(a) of the Internal Revenue Code, the corporation 1) shall distribute its income for said period at such time and manner as not to subject it to tax under Section 4942 of the Internal Revenue Code; 2) shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code; 3) shall not retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code; 4) shall not make any investments in such manner as to subject the corporation to tax under Section 4944 of the Internal Revenue Code; and 5) shall not make any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code.

The undersigned incorporators hereby declare under penalty of perjury that the statements made in the foregoing Articles of Incorporation are true.

Dated: 23 May 2010


Incorporator


Incorporator



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-500 granting Community Chest Inc., a sum not to exceed \$234,492.00 for the purpose of funding health and human services programs.
- 2.
2. **Recommended motion:** I move to approve Resolution 18-500 granting Community Chest Inc. a sum not to exceed \$234,492.00 for health and human services programs.
3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute

5. **Supporting materials:** Grant Application of Community Chest Inc.; Resolution No. 18-500; NRS 244.1505; NRS 372.3261

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL ____ District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name: _____
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

6V

RESOLUTION NO. 18-500

RESOLUTION Authorizing Grant of Money to COMMUNITY CHEST INC. for the purpose of funding health and human services programs.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

(d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,

(e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

See NRS 372.3261(5); and,

WHEREAS, COMMUNITY CHEST INC. is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, COMMUNITY CHEST INC. desires to obtain a grant from Storey County in the amount of TWO HUNDRED THIRTY FOUR THOUSAND FOUR HUNDRED NINETY TWO DOLLARS (\$234,492.000) for the purpose of funding health and human services programs ; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to COMMUNITY CHEST INC. a sum not to exceed TWO HUNDRED THIRTY FOUR THOUSAND FOUR HUNDRED NINETY TWO DOLLARS (\$234,492.00) for the specific purpose of funding health and human services programs.

ADOPTED this 18 day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-504 granting Liberty Engine Company No. 1 Inc. a sum not to exceed \$10,000.00 for the purpose of preserving the Comstock Firemen's Museum. and its historic contents.

2. **Recommended motion:** I move to approve Resolution 18-504 granting the Liberty Engine Company No. 1 Inc., a sum not to exceed \$10,000.00 for the purpose of preserving the Comstock Fireman's Museum. and its historic contents.

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute

3. **5. Supporting materials:** Grant Application of Liberty Engine Company No. 1 Inc.; Resolution No. 18-504; NRS 244.1505 NRS 372.3261

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

6 VI

RESOLUTION NO. 18-504

RESOLUTION Authorizing Grant of Money to LIBERTY ENGINE COMPANY NO 1 INC. for the purpose of preserving the Comstock Firemen's Museum, county owned building while protecting, preserving and displaying the original fire-fighting equipment of Virginia City and Storey County.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

See NRS 372.3261(5); and,

WHEREAS, LIBERTY ENGINE COMPANY NO 1 INC. is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, LIBERTY ENGINE COMPANY NO 1 INC. desires to obtain a grant from Storey County in the amount of TEN THOUSAND DOLLARS (\$10,000.00) for the purpose of preserving the Comstock Firemen's Museum, a county owned building while protecting, preserving and displaying the original fire-fighting equipment of Virginia City and Storey County.; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to LIBERTY ENGINE COMPANY NO 1 INC. a sum not to exceed TEN THOUSAND DOLLARS (\$10,000.00) for

the specific purpose preserving the Comstock Firemen's Museum and for the purpose of protecting, preserving and displaying the original fire-fighting equipment of Virginia City and Storey County.

ADOPTED this 18th day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

LIBERTY ENGINE COMPANY NO. 1 INC.

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

- (a) The sole or primary purpose of the organization is to:
 - (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;

(2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established

by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: Liberty Eng. Co. No. 1 / Comstock Firemen's Museum

Place of Incorporation: Nevada, 501c3

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

The Comstock Firemen's Museum was founded to protect, preserve and display the original fire-fighting equipment of Virginia City. It was rescued from a burning county building in 1976. The Fire Museum, since 1976, has collected and preserved general Comstock fire history of Storey County and Virginia City. The building housing the museum is owned by Storey County and leased to the Museum. We conduct visits for school children and off historical lectures on the subjects. It is a 501c3 non-profit, Nevada Corporation. It was founded as a sub-corp. of the Storey County Volunteer Fire Department. There are no paid administrative staff that oversee the Museum. We do hire part-time persons in the summer open months to keep the museum open for visits and to sell our fire related gifts to help fund the continued operation of the museum. There is a nine member board of directors that oversees the museum and a volunteer staff of two that do maintenance and bookkeeping.

Identify the amount of grant funds you are requesting. \$10,000.00

Explain the purposes for which you will use the grant funds if awarded.

Grant funding is used for maintenance and upkeep of the county owned building. We also maintain a building fund in the hope of a future expansion of the structure for additional artifacts and equipment that are currently in storage.

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR 27 1998

Employer Identification Number:
88-0156146

DLN:
318057324

LIBERTY ENGINE COMPANY NO 1 INC
PO BOX 466
VIRGINIA CITY, NV 89440-0466

Contact Person:
PATRICK WHANG
Contact Telephone Number:
(415) 522-6053
Addendum Applies:
Yes

Dear Applicant:

Based on the information you recently submitted, we have classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Internal Revenue Code because you are described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in 501(c)(3) is still in effect.

This classification is based on the assumption that your operations will continue as you have stated. If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status.

This supersedes our letter dated 7/29/97 and 1/28/98.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

You are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. For guidance in determining whether your gross receipts are "normally" more than \$25,000, see the instructions for Form 990. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not

Letter 1078 (DO/CG)

LIBERTY ENGINE COMPANY NO 1 INC

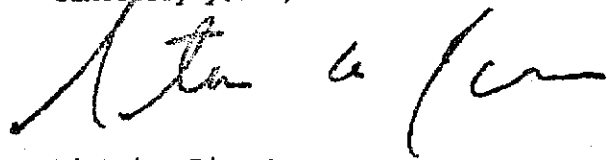
exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Ata A. [unclear]", written in a cursive style.

District Director

LIBERTY ENGINE COMPANY NO 1 INC

We have determined that you are a publicly supported organization of the type described in Section 509(a)(1) and 170(b)(1)(A)(vi) as opposed to Section 509(a)(2) of the Code. This change does not affect your exempt status as an organization described in section 501(c)(3) of the Code, your non-private foundation status, or your filing requirements.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-505 granting the Mark Twain Community Center a sum not to exceed \$25,000.00 for the purpose of preserving the Mark Twain Community Center and for community outreach and improvement.
2. **Recommended motion:** I move to approve Resolution 18-505 granting the Mark Twain Community Center a sum not to exceed \$25,000.00 for the purpose of preserving the Mark Twain Community Center and for community outreach and improvement.
- 3.
3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute
4. **5. Supporting materials:** Grant Application of Mark Twain Community Center; Resolution No. 18-505; NRS 244.1505 NRS 372.3261
6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

RESOLUTION NO. 18-505

RESOLUTION Authorizing Grant of Money to MARK TWAIN COMMUNITY CENTER for the purpose of maintaining the Mark Twain Community Center, a county owned building while providing community outreach and enhancement.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

NRS 372.3261(5); and,

WHEREAS, the MARK TWAIN COMMUNITY CENTER is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, MARK TWAIN COMMUNITY CENTER desires to obtain a grant from Storey County in the amount of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) for the purpose of maintaining the Mark Twain Community Center, a county owned building, while providing community outreach and enhancement ; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to MARK TWAIN COMMUNITY CENTER a sum not to exceed TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) for the specific purpose preserving the Mark Twain Community Center and for community outreach and enhancement.

ADOPTED this 18 day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

MARK TWAIN COMMUNITY CENTER

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

- (a) The sole or primary purpose of the organization is to:
 - (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;

(2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established

by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: Mark Twain Community Center

Place of Incorporation: Mark Twain Estates, Storey County, Nevada

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

The Mark Twain Community Center is a non-profit organization supported by volunteer community members who are dedicated to the enhancement and increase the use and a full functioning center to improve the quality of life for the small community which is distanced from the county center.

Identify the amount of grant funds you are requesting. \$25,000.00

Explain the purposes for which you will use the grant funds if awarded.

The goal of the MTCC is to become a community outreach and a liaison to the county for the purpose of promoting and enhancing the quality of life in Mark Twain. Our distance from Virginia City and Dayton proper, often leads to an isolated pocket for help and services. The goal this year is to make the citizens aware of services and to prepare for an emergency.

Programs we would like to consider:

1. Plan disaster preparedness
2. Health clinic 1 – 2x a month
3. How lunch meal program 3 – 5 days a week to work with the food delivery of Mustang Cares.
4. Dietary and food preparing programs for seniors and children.
5. To have an after school programs for students.
6. Clean up the basketball court for an outdoor program.
7. Clean up the park updating the equipment for the children
8. Continue to have our on-going programs the GS, BS, NA, AA
9. Introduce a senior program
10. Also perhaps introduce a Veterans Program
11. Also to continue maintenance and enhancement our Veterans Memorial.

12. Also improvements to the community center, such as our flooring, and look for mechanical ways to improve the access to the upper level for seniors to expand our programs.

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

March 28, 2014
Contribution Deductible
Yes
Addendum Applying
No

re you that upon review of your appeal
determined that you are exempt from
of the Internal Revenue Code. Code
on 170 of the Code. You are also
a, devised, transfers or otherwise
because this letter could help resolve
status, you should keep it in your p

der section 501(c)(3) of the Code
ies or private foundations. We are
the Code section(s) listed in the

in about your responsibilities



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-506 granting the Nevada Rural Counties RSVP Program Inc. a sum not to exceed \$7,050.00 for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers.
2. **Recommended motion:** I move to approve Resolution 18-506 granting the Nevada Rural Counties RSVP Program Inc. a sum not to exceed \$7,050.00 for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers
- 3.
3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute
4. **5. Supporting materials:** Grant Application of Nevada Rural Counties RSVP Program Inc.; Resolution No. 18-506; NRS 244.1505 NRS 372.3261
6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

RESOLUTION NO. 18-506

RESOLUTION Authorizing Grant of Money to NEVADA RURAL COUNTIES RSVP PROGRAM INC. for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

See NRS 372.3261(5); and,

WHEREAS, the NEVADA RURAL COUNTIES RSVP PROGRAM INC. is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, NEVADA RURAL COUNTIES RSVP PROGRAM INC. desires to obtain a grant from Storey County in the amount of SEVEN THOUSAND FIFTY DOLLARS (\$7,050.00) for the purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to NEVADA RURAL COUNTIES RSVP PROGRAM INC. a sum not to exceed SEVEN THOUSAND AND FIFTY DOLLARS (\$7,050.00) for the specific purpose of providing essential programs for Storey County seniors, veterans, adults with disabilities and caregivers.

ADOPTED this 18th day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

(a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;

(b) The business of the organization is not conducted for profit;

(c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

(d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and

(e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;

(2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established

by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: Nevada Rural Counties RSVP Program, Inc.

Place of Incorporation: Carson City, Nevada

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

The Nevada Rural Counties RSVP Program, Inc. (RSVP) is a self-sponsored 501(c)(3) organization with a volunteer Board of Directors that has been serving rural Nevada counties for over 43 years. RSVP has a demonstrated record of outstanding service which has improved the lives of seniors and strengthened communities through service and volunteering; and helped Nevada's elders remain independent at home where they can age in place, maintain a healthy quality of life, and remain a vital part of their communities.

RSVP's Mission is to help frail, homebound, and low-income seniors remain independent by providing high quality programs which allow them to stay in their homes with dignity. Additionally, RSVP coordinates a volunteer network of seniors who use their skills and talents to provide support to community agencies and address community needs through service.

RSVP's direct service programs are part of a care-partnership with the care recipient at the center of the relationship. The family, volunteers, healthcare professionals and the community all work together to provide for one another in the partnership.

RSVP volunteers are carefully cultivated and supported, and well prepared for their assignments with orientation and ongoing trainings. Services for care recipients include assistance with everyday needs such as escorted door-to-door transportation for medical/dental visits, to pick up prescriptions, socialization activities, or grocery shopping; respite care; companionship; pro-bono legal services; homemakers; access to food pantries, commodity food distribution, and farmer's market coupons; personal emergency response systems; resistance exercise training; veterans assistance; and providing volunteers to assist agencies to achieve their goals.

Identify the amount of grant funds you are requesting. (\$ 7,050).

Explain the purposes for which you will use the grant funds if awarded.

Our funding request of \$7,050 will support the continuation and initiation of essential programs for Storey County seniors, Veterans, adults with disabilities and caregivers who come to us for help.

With the addition of our new Field Rep. in Lockwood/River District we will work to identify and recruit volunteers to assist more elders utilizing the full complement of our available programs.

The Project is a comprehensive and collaborative approach for Storey County seniors which offers essential and life-saving activities, as follows:

(1) Independent Living Programs:

- Home Companion Program - provides essential daily services such as talking to and spending time with seniors. Volunteers provide the emotional support, socialization, and human contact that is necessary for the homebound elderly.
- Lifeline emergency response system – provides an emergency response system that gives immediate access to emergency services.
- Homemaker Services – provides frail homebound seniors assistance with housekeeping such as dusting, kitchen and bathroom cleaning, floor maintenance, laundry and linen changing.
- Respite Care Program - provides 24/7 caregivers who are exhausted, overwhelmed and stressed with regular breaks to provide relief and help them continue the care of their loved ones who are elderly as well as care for adults with a disability. Volunteers provide breaks 2 to 4 hours or more per week.
- Transportation Program - provides escorted door-to-door safe transportation for seniors and disabled persons giving them access to critical services including medical appointments, prescription/pharmacy pick up, grocery shopping, and socialization or wellness events.
- CARE Law Program - provides pro bono legal services for eligible seniors. Areas include estate planning, durable power of attorney, wills, guardianships, Medicare, Medicaid, help with debt problems, probate issues and elder abuse issues.
- Veterans "Volunteers in Partnership" - provides veterans with access to services, RSVP's Independent Living programs, and works with the NV Office of Suicide Prevention for suicide awareness.
- Resistance Exercise Program - provides light weights training; helping to keep seniors active and healthy, improving mobility, cognitive ability, and muscle strength.
- Farmer's Market Nutrition Program - provides free coupons each summer for fresh fruits and vegetables, serving as a nutritional supplement for eligible seniors.

(2) Volunteer Stations:

- Community volunteer stations -- RSVP volunteers provide a variety of services to Federal, State, and local government agencies; non-profits; and health care facilities.
- New volunteers receive orientation and training from Program staff before being placed at a volunteer station. Volunteers attend annual elder abuse and driver's education and safety training. Annual and quarterly training events provide volunteers with engaging speakers and information about how to work with elderly clients on a wide variety of topics ranging from elder abuse, Alzheimer's disease, communication skills, COPD, diabetes, dealing with different personality types, CPR training, legal issues relating to senior citizens, and much more so that volunteers can continue to provide high quality in-home companionship, Respite care, escorted transportation, and Lifeline emergency response telephone system installations and maintenance services to frail, homebound seniors.

RSVP's Independent Living programs assist care recipients (clients) to remain self-sufficient and in their own homes with dignity where they are happiest and healthiest, thus avoiding costly and premature institutionalization. These services contribute to their overall wellbeing and provide access to services that they would otherwise not have access to because of no family supports, and lack of funds to pay for the additional help needed to remain self-sufficient.

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

FILED
THE OFFICE OF THE
SECRETARY OF STATE OF THE
STATE OF NEVADA

JUL 16 1992

ARTICLES OF INCORPORATION
OF THE
NEVADA RURAL COUNTIES RSVP PROGRAM, INC.

JUL A. LAU SECRETARY OF STATE

7656-91 *Chalk* KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, all of whom are citizens and residents of the State of Nevada, have this day voluntarily associated ourselves together for the purpose of organizing a corporation, not formed for pecuniary profit, and without capital stock, under the laws of the State of Nevada, that is, Sections 82.006 to 82.690, inclusive, Nevada Revised Statutes,

AND FURTHER, being desirous of becoming the sponsor required by the federal agency called ACTION to assume the administration and financing of the Nevada Rural Counties RSVP Program now based in Carson City, Nevada,

AND FURTHER, being desirous of coming under the provisions of Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), to obtain federal tax exempt status,

WE DO HEREBY ASSOCIATE OURSELVES, and make, subscribe and agree to the following:

ARTICLE I

a. THE NAME OF THE CORPORATION. The name of the Corporation shall be the Nevada Rural Counties RSVP Program, Inc.

b. PRINCIPAL PLACE OF BUSINESS. The principal place of business shall be located in Carson City, Nevada.

ARTICLE II

RESIDENT AGENT. The name of the natural person or corporation designated as the corporation's resident agent, and the resident agent's street address where it maintains an office for service of process, are as follows:

Janice R. Ayres
801 N. Division St.
Carson City, NV. 89703

ARTICLE III

TYPE OF CORPORATION. That this corporation is a non-profit corporation.

ARTICLE IV

a. GENERAL PURPOSES OF THE CORPORATION. The nature of the business, or objects or purposes proposed to be transacted, promoted or carried on by the corporation, are:

1. To provide the SPONSORING AGENCY authorized and required under TITLE II of the DOMESTIC VOLUNTEER SERVICES ACT OF 1973, AS AMENDED (PUBLIC LAW 93-113), for the benefit of the Nevada Rural Counties RSVP Program, based in Carson City, Nevada.

That the corporation may engage in any lawful activity, subject to any expressed limitations expressed herein, within the objects or purposes of this corporation, and as allowed under the Nonprofit Corporation Law of the State of Nevada.

~~b. FEDERAL ACTION REQUIREMENTS. Said corporation shall have~~
all the powers and responsibilities established by the federal agency ACTION, shall assume administration of, and manage the Nevada Rural Counties RSVP Program in a way that ensures fiscal and programmatic quality controls, compliance with ACTION policies and procedures, and accomplishment of stated goals. This corporation may not delegate or contract this responsibility to another entity without the prior approval of ACTION.

c. FEDERAL INTERNAL REVENUE REQUIREMENTS. Said corporation is organized exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in its Articles of Incorporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal Income Tax under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE V

GOVERNING BOARD. The members of this corporation shall be the officers and members of the Board of Directors, and the business affairs of the corporation shall be managed by the Board of Directors, who shall have the responsibility of establishing policies for the corporation. The Board of Directors shall consist of 5 members.

The number, names and post office addresses, residence or business of the first board of directors, are the following:

1. Katherine MacDonald
1521 Pinto Ct.
Carson City, NV. 89701
2. Jerry Thurman
308 N. Curry, #105
Carson City, NV. 89703
3. Frank Sharp
P.O. Box 2023
Carson City, NV. 89702
4. John Barlow
1182 Kenny Way
Carson City, NV. 89701
5. Charles Daniels
2898 Hwy. 50 East
Carson City, NV. 89701

ARTICLE VI

BY-LAWS. The corporation shall have the power to adopt by-laws prescribing the duties of the officers and agents of the corporation, detailed organization and procedures of the corporation, the time and manner of its meetings, and any and all details incident to its organization and the efficient conduct and management of its affairs. Such by-laws of the corporation shall, thereafter, be amended only by an affirmative vote of the majority of the members of the board of directors.

ARTICLE VII

INCORPORATORS. The names and post office addresses, residence or business, of each of the incorporators signing the articles of incorporation are as follows:

1. Katherine MacDonald
1521 Pinto Ct.
Carson City, NV. 89702
2. Jerry Thurman
308 N. Curry, #105
Carson City, NV. 89703
3. Frank Sharp
P.O. Box 2023
Carson City, NV. 89702
4. John Barlow
1182 Kenny Way
Carson City, NV. 89701
5. Charles Daniels
2898 Hwy. 50 East
Carson City, NV. 89701

ARTICLE VIII

PERPETUAL EXISTENCE. The corporation is to have a perpetual existence.

IN WITNESS WHEREOF, we have hereunto set our hands as Incorporators, this date: July 15, 1992.

<u>Katherine MacDonald</u>	Katherine MAC DONALD
<u>Jerry Thurman</u>	JERRY THURMAN
<u>John Barlow</u>	JOHN BARLOW
<u>Charles Daniels</u>	CHARLES DANIELS
<u>Frank Sharp</u>	FRANK SHARP

STATE OF NEVADA
CARSON CITY

SS

On this date: July 15, 1992, before me,
the undersigned, a Notary Public, personally appeared.

1. Katherine MacDonald
2. Jerry Thurman
3. Frank Sharp
4. John Barlow
5. Charles Daniels

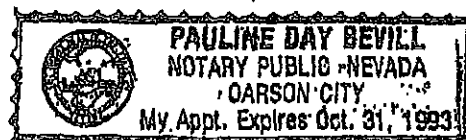
known to me to be the persons described in and who executed the foregoing ARTICLES OF INCORPORATION, and who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS MY HAND AND OFFICIAL SEAL.

Pauline Day Bevil
NOTARY PUBLIC

RECEIVED
JUL 16 1992

SECRETARY OF STATE





Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018
minutes

Estimate of time required: 15

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-507 granting the Storey County Senior Citizens Center the sum of \$135,000.00 for the purpose of maintaining the Storey County Senior Center and for providing programs and services to seniors to promote independent and healthy lifestyles
2. **Recommended motion:** I move to approve Resolution 18-507 granting the Storey County Senior Citizens Center the sum of \$135,000.00 for the purpose of maintaining the Storey County Senior Center and for providing programs and services to seniors to promote independent and healthy lifestyles

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute
3. **5. Supporting materials:** Grant Application of Storey County Senior Citizens Center.; Resolution No. 18-506; NRS 244.1505 NRS 372.3261

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

RESOLUTION NO. 18-507

RESOLUTION Authorizing Grant of Money to the STOREY COUNTY SENIOR CITIZEN'S CENTER for the purpose of maintaining the Storey County Senior Center, a county owned building, while providing programs and services to seniors to promote independent and healthy lifestyles.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

See NRS 372.3261(5); and,

WHEREAS, the STOREY COUNTY SENIOR CITIZEN'S CENTER is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, STOREY COUNTY SENIOR CITIZEN'S CENTER desires to obtain a grant from Storey County in the amount of ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00) *for the purpose of maintaining the Storey County Senior Center, a county owned building, while providing programs and services to seniors to promote independent and healthy lifestyles; and,*

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to STOREY COUNTY SENIOR CITIZEN'S CENTER a sum not to exceed ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00) for the specific purpose of maintaining the Storey County Senior Center, while providing programs and services to seniors to promote independent and healthy lifestyles.

ADOPTED this 18th day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

STOREY COUNTY SENIOR CENTER

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

- (a) The sole or primary purpose of the organization is to:
 - (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;

(2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established

by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: Storey County Senior Center

Place of Incorporation: Virginia City, Nevada

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

The Storey County Senior Center supports and enriches the lives of Storey County seniors by providing programs and services that promote independent and healthy lifestyles. The nutrition program is the only program of its kind in the area.

Identify the amount of grant funds you are requesting. \$135,000.00

Explain the purposes for which you will use the grant funds if awarded.

Any grant funding that is provided will go to things that are needed in the senior center and range from kitchen equipment, vehicles, updating out of date supplies.

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

1 Janet Perry, Secretary, 53 Stewart Street, Virginia City, Nevada 89440
2 Doreen Bacus, Treasurer, 99 Toll Road, Virginia City, Nevada 89440
3 Dorothy Crider, 61 North B Street, Virginia City, Nevada 89440
4 Doris J. Jones, 3250 Cartwright Road, Virginia City Highlands, NV 89521
5 Janice Kincaide, 220 South P Street, Virginia City, Nevada 89440
6 Rose Hessemmer, 21655 Palomino Road, Virginia City Highlands, Nevada 89521

7 ARTICLE 7: The amount which each member shall pay upon admission as a membership
8 fee is the sum of ONE DOLLAR (\$1.00) and each member signing the articles has actually paid such
9 sum.

10 ARTICLE 8: The interest and right of each member in this association shall be equal.

11 ARTICLE 9: The bylaws of this association shall be adopted by the Directors named in the
12 articles of association and by the membership of the association and may thereafter be amended or
13 repealed by any means provided in the bylaws.

14 In witness whereof those persons forming this association have hereunto set their hands, this
15 12th day of May, 2005.

16 Kathryn W. Douglass
KATHRYN W. DOUGLASS

17 Barbara Smith
BARBARA SMITH

18 Janet B. Perry
JANET PERRY

20 Doreen Bacus
DOREEN BACUS

21 NOT AVAILABLE
DOROTHY CRIDER

23 Doris J. Jones
DORIS J. JONES

24 Janice Kincaide
JANICE KINCAIDE

26 NOT AVAILABLE
ROSIE HESSEMER

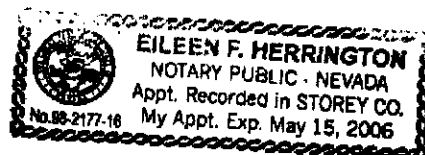
28

1 STATE OF NEVADA)
2 COUNTY OF STOREY) ss,

3 On this 12th day of May, 2005, before me, the undersigned, a notary
4 public in and for the County of Storey, State of Nevada, duly commissioned and sworn, personally
5 appeared Kathryn W. Douglass, Barbara Smith, Janet Perry, Doreen Bacus, Dorothy Crider, Doris
6 J. Jones, and Janice Kincaide, and Rosie Hessemer known to me (or proved to me) to be the persons
7 whose names are subscribed to the within instrument, and acknowledged that they executed the
8 same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the
10 County of Storey, State of Nevada, the day and year of this certificate first written above.

11
12 
13 NOTARY PUBLIC



SECRETARY OF STATE



CORPORATE CHARTER

I, **DEAN HELLER**, the duly elected and qualified Nevada Secretary of State, do hereby certify that **STOREY COUNTY SENIOR CITIZENS CENTER**, did on December 6, 2005, file in this office the original Articles of Incorporation; that said Articles of Incorporation are now on file and of record in the office of the Secretary of State of the State of Nevada, and further, that said Articles contain all the provisions required by the law of said State of Nevada.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on December 15, 2005.

Dean Heller

DEAN HELLER
Secretary of State

By

[Signature]

Certification Clerk



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 5 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Discussion/Possible Action regarding Resolution No. 18-508 granting the St. Mary's Art Center, a non-profit entity, a sum not to exceed \$60,000.00 for the purpose of preserving the St. Mary's Art Center, a County-owned building and supporting arts and culture through education and cultural offerings
2. **Recommended motion:** I move to approve Resolution 18-508 granting the St. Mary's Art Center Inc. a sum not to exceed \$60,000.00 for the purpose of preserving the St. Mary's Art Center, a County-owned building and supporting arts and culture through education and cultural offerings

3. **Prepared by:** Keith Loomis

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:** Under NRS 244.1505 a grant of money to a non-profit organization must be made by resolution of the Board of County Commissioners which specifies the purpose of the grant and any conditions imposed on the expenditure of the granted money. The proposed Resolution meets the requirements of the statute

3. **5. Supporting materials:** Grant Application of St. Mary's Art Center Inc.; Resolution No. 18-508; NRS 244.1505 NRS 372.3261

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ KL District Attorney

8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:
Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

6X

RESOLUTION NO. 18-508

RESOLUTION Authorizing Grant of Money to ST. MARY'S ART CENTER for the purpose of preserving the St. Mary's Art Center, a county owned building, and supporting arts and culture through education and cultural offerings.

WHEREAS, NRS 244.1505 authorizes a Board of County Commissioners to grant money to a nonprofit organization created for religious, charitable or educational purposes to be expended for an authorized purpose; and

WHEREAS, a grant to a non-profit organization must be made by a resolution of the board of county commissioners which must specify the purpose of the grant and any conditions imposed upon the expenditure of the granted moneys; and,

WHEREAS, an organization qualifies as an organization for charitable purposes if the sole or primary purpose of the organization is to advance a public purpose or provide services that are otherwise required to be provided by a local government and the organization is operating in this state, See NRS 372.3261; and,

WHEREAS, an organization that qualifies as an organization for charitable purposes must also meet the requirements that:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;

(d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and,

(e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization.

NRS 372.3261(5); and,

WHEREAS, the ST. MARY'S ART CENTER is a Nevada domestic non-profit corporation operating in the State of Nevada which otherwise qualifies as a charitable organization authorized to receive grants from the County for a public purpose; and,

WHEREAS, ST. MARY'S ART CENTER desires to obtain a grant from Storey County in the amount of SIXTY THOUSAND DOLLARS (\$60,000.00) for the purpose of preserving the St. Mary's Art Center, a county owned building, and supporting arts and culture through education and cultural offerings; and,

WHEREAS, the use of the money for the purposes identified does serve a public purpose; and,

WHEREAS, the Board of County Commissioners of Storey County has previously appropriated funds for the requested grant by approval of the County budget;

NOW THEREFORE IS IT HEREBY RESOLVED AS FOLLOWS;

The Board of County Commissioners of Storey County does hereby grant to ST. MARY'S ART CENTER a sum not to exceed SIXTY THOUSAND DOLLARS (\$60,000.00) for the specific purposes of preserving the St. Mary's Art Center, and supporting arts and culture through education and cultural offerings.

ADOPTED this 18 day of SEPTEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
MARSHALL McBRIDE, Chairman

ATTEST:

VANESSA STEPHENS
Storey County Clerk/Treasurer

APPLICATION FOR GRANT FUNDS

Pursuant to NRS 244.1505, a board of county commissioners is authorized to provide money to non-profit organizations created for religious, charitable or educational purposes. The organizations requesting grant funds must meet the requirements set forth below.

1. REQUIREMENTS FOR ALL ORGANIZATIONS

In order to qualify as a religious, charitable or educational organization authorized to receive moneys from the boards of county commissioners, the organization must meet all of the following requirements:

- (a) No part of the net earnings of any such organization inures to the benefit of a private shareholder, individual or entity;
- (b) The business of the organization is not conducted for profit;
- (c) No substantial part of the business of the organization is devoted to the advocacy of any political principle or the defeat or passage of any state or federal legislation;
- (d) The organization does not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office; and
- (e) Any property sold to the organization for which an exemption is claimed is used by the organization in this State in furtherance of the religious, charitable or educational purposes of the organization. See NRS 372.3261(5).

2. CHARITABLE ORGANIZATIONS

A qualifying **charitable** organization is one for which:

- (a) The sole or primary purpose of the organization is to:
 - (1) Advance a public purpose, donate or render gratuitously or at a reduced rate a substantial portion of its services to the persons who are the subjects of its charitable services, and benefit a substantial and indefinite class of persons who are the legitimate subjects of charity;

(2) Provide services that are otherwise required to be provided by a local government, this State or the Federal Government; or

(3) Operate a hospital or medical facility licensed pursuant to chapter 449 or 450 of NRS; and

(c) The organization is operating in this State.

3. EDUCATIONAL ORGANIZATIONS

A qualifying **educational** organization is one for which:

(a) The sole or primary purpose of the organization is to:

(1) Provide athletic, cultural or social activities for children;

(2) Provide displays or performances of the visual or performing arts to members of the general public;

(3) Provide instruction and disseminate information on subjects beneficial to the community;

(4) Operate a school, college or university located in this State that conducts regular classes and provides courses of study required for accreditation or licensing by the State Board of Education or the Commission on Postsecondary Education, or for membership in the Northwest Association of Schools and of Colleges and Universities;

(5) Serve as a local or state apprenticeship committee to advance programs of apprenticeship in this State; or

(6) Sponsor programs of apprenticeship in this State through a trust created pursuant to 29 U.S.C. § 186.

4. RELIGIOUS ORGANIZATIONS.

A qualifying **religious** organization is one for which:

(a) The sole or primary purpose of the organization is the operation of a church, synagogue or other place of religious worship at which nonprofit religious services and activities are regularly conducted. Such an organization includes, without limitation, an integrated auxiliary or affiliate of the organization, men's, women's or youth groups established

by the organization, a school or mission society operated by the organization, an organization of local units of a church and a convention or association of churches.

APPLICANT INFORMATION:

Name of Organization: *St. Mary's Art Center*

Place of Incorporation: *Storey County*

Attach a copy of your Articles of Incorporation or other document demonstrating compliance with requirements applicable to all organizations.

Explain the purpose of your organization and how it meets the requirements for a charitable, educational or religious purpose.

St. Mary's Art Center is a 501-c3 non-profit with a primary mission to support arts and culture through education and cultural offerings. We are funded through Storey County's consistent and critical annual support, grants, donations, fundraisers, art sales and property rentals for creative groups and special events.

We are proud to have partnered with other local non-profits such as the Historic Fourth Ward School Museum, Senior Center, Cemetery Foundation, Community Chest and Piper's Opera House, among others, to work toward a common goal of collaborating, expanding and expanding our services and programs to the communities and visitors.

We offer creative spaces for children, professional and novice artists to come, stay, learn and create through individual creation, classes, workshops, residencies or retreats. Our facilities include seven art galleries, one historical exhibition (coming in April 2018), sixteen guest rooms, two kitchens, five and a half baths, an art studio, print room and photography dark room.

-
- *Imaginations Children's Art Programs*
 - *Professional Art Classes, Workshops and Retreats*
 - *Art Galleries with Three Rotating Exhibitions per Year*
 - *Permanent Historical Exhibition/Museum Exhibit (opening April 2018)*
 - *Historical and Art Tours*
 - *Art Receptions, Art Talks, Holiday Faire*
 - *Artist Residency Programs*
-

- Community Events & Classes (Easter Egg Hunt, Halloween Trick or Treat with Crafts, Canvas & Cocktails, Culinary Classes with Chef Pete, etc.)
-

OUR MISSION:

"To build upon our art and cultural achievement by nurturing and supporting artists, strengthening existing cultural programs throughout the region and introducing new ventures that will enable us to continue as a vibrant arts destination with strong links to our unique history."

Identify the amount of grant funds you are requesting. *Sixty Thousand Dollars (\$60,000.00).*

Explain the purposes for which you will use the grant funds if awarded.

Our organization is located within the former St. Mary Louise Hospital and Storey County Hospital, owned by Storey County. This four story, 1876 historical building requires a significant amount of ongoing maintenance and restoration to preserve the property.

Additionally, our programs provide a myriad of ways for the community and tourists to enjoy the art center at minimal cost to ensure it is accessible. Our 2018 and onward goals include expanding the programs we offer to those that may need financial support or relief. Art, culture and history are cornerstones in Virginia City and the Comstock and we aim to expand our Imaginations Children's Programs and Artist Residency Program offerings and make them even more accessible.

We request Storey County funding support for the following items:

1) Support operational expenses such as utilities, insurance, building and property maintenance, repairs and other expenses required to keep open, care for and protect this important historical property.

2) Allow us to focus more of our program and donation revenue on program expansions, opening additional opportunities to the community and artists to enjoy the programs mentioned above as well as personnel employment expenses, rather than primarily applying our limited program revenues to repairs and restoration of the building which is owned by Storey County.

2) Address items that will be defined and prioritized through the Limited Structure Report to be generated by Melvin Green & Associates as part of the 2017-2018 SHPO/Storey County Grant.

Examples of Anticipated Items on the Limited Structures Report (not included in the current 2017-2018 SHPO Grant and Storey County Scope of Work), but which will also need to be addressed, even if not included in the Report:

a) Window Repair and Restoration: Several of the windows have broken panes and the frames are deteriorating badly. Significant work needs to be done to ensure these windows are salvaged and in proper working order.

b) Patch and paint the exterior woodwork such as the 4th floor clapboard siding, doors and windows.

c) Re-point weak brick and mortar sections of the building exterior, including brick chimney deterioration and crumbling which has recently begun to come down onto the ground during high winds.

d) Replace and/or repair the original wood kitchen floors (or worst boards) which are no longer able to be refinished and are at extreme risk of breaking through when walked upon. Two boards have broken recently from walking traffic.

e) Repair and improve two of the original bathrooms which have significant plumbing challenges such as unstable fixtures, leaks and exposed piping.

f) Consider additional security equipment measures for specific and regulated card access. This is important as we have valuable assets, multiple guests and visitors throughout the year and for Storey County IT whom is currently occupying space on the 4th floor and has considerable and valuable assets in the building.

3) Address any other critical emergencies or repairs within the building that may not be included in the Limited Structures Historical Report (some mentioned above in #2)

We truly appreciate Storey County's ongoing support of our organization and this incredible historical property.

We thank you in advance for your consideration of continuing this support and allowing us to be stewards of this gemstone in the community. The last year has seen remarkable changes within the property such as the newly paved driveway and landscape improvements and we look forward to continuing with this momentum to bring this treasure to a level that not only emphasizes the beauty and purpose of the property, but allows us to preserve and proactively protect it moving forward.

An award of grant funds must be by the adoption of a resolution of the boards of county commissioners. NRS 244.1505 Attached is a form of such a resolution. Please prepare a

resolution in accordance with the attached form which grants the funds requested and submit the resolution along with this application.

State of Nevada



Department of State

I, WM. D. SWACKHAMER, Secretary of State of the State of Nevada, do hereby certify that

ST. MARY'S ART CENTER

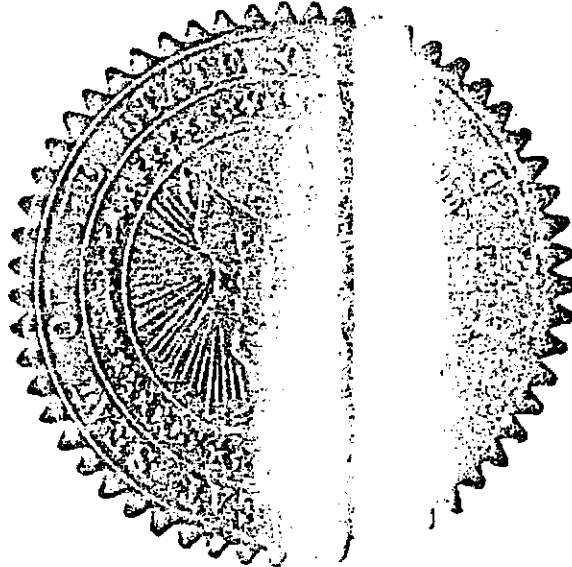
did on the SIXTH day of NOVEMBER, 19 73, file in this office the original Articles of Incorporation; that said Articles are now on file and of record in the office of the Secretary of State of the State of Nevada, and further, that said Articles contain all the statements of facts required by the law of said State of Nevada.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this

SIXTH day of NOVEMBER, A. D. 19 73


Secretary of State

By.....
Deputy



NOV 6 - 1973

ARTICLES OF INCORPORATION

W.M. SWACKHAMPE, SECRETARY OF STATE

-of-

ST. MARY'S ART CENTER
110 3704-73

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, have this day voluntarily associated ourselves together for the purpose of forming a non-profit corporation under the provisions of NRS 81.290 to 81.340, inclusive, AND WE DO HEREBY CERTIFY:

FIRST: The name of this corporation will be the

ST. MARY'S ART CENTER

SECOND: The corporation's principal office for the transaction of business is St. Mary's in the Mountains, Virginia City, Storey County, Nevada, which is located at the corner of E and Taylor Streets, Virginia City, Storey County, Nevada.

THIRD: The purposes of this corporation are:

(a) This art center shall be a non-profit corporation, organized for educational and charitable activities. No officer, trustee or member shall receive any pecuniary gain or profit from the corporation.

(b) The corporation may conduct schools and classes for instruction and training in all of the Arts including, but not limited to, painting, sculpture and any other related activities.

(c) To cultivate harmonious area development in the Arts, to collect and preserve artistic productions, particularly those relating to the Virginia City and Comstock area.

(d) This art center is a non-profit corporation organized solely for educational or general charitable purposes. It does not contemplate pecuniary gain or profit to the members thereof. Upon the winding up and dissolution of this corporation,

the remaining assets shall be distributed to a non-profit fund, foundation or corporation, which is organized and operated exclusively for charitable and educational purposes and which has established its tax exempt status under the applicable provisions of the Internal Revenue Code, being Section 501(c) (3), and Section 501(a), as now enforced or afterwards amended. If this corporation holds any assets in trust, such assets shall be disposed of in such a manner as may be directed by Decree of the District Court of the county in which this corporation's principal office is located, upon petition therefor by the Attorney General or by any person concerned in the liquidation.

FOURTH: This corporation shall have perpetual existence unless dissolved as hereinafter provided.

FIFTH: The Board of Trustees may in the By-Laws of the corporation provide for membership in the corporation and for dues and for selection of the trustees.

SIXTH: The affairs of the corporation shall be conducted by a Board of Trustees consisting of not less than five (5) members as provided by the By-Laws, who shall hold office for one year or until the election of their successors. The First Board of Trustees shall consist of five (5) persons, all of whom shall be members of the corporation and residents or property owners in Storey County, Nevada.

SEVENTH: The Board of Trustees may adopt By-Laws consistent with these Articles for the government of the corporation, and may alter, amend or repeal the same at any regular or special meeting of the Board; except that in the event of amendment of the By-Laws and expansion of the membership, the procedure by the

EIGHTH: The names and places of residence of each of the incorporators and first Board of Trustees are as follows:

NAMES:

Alice Byrne

Louise Curran

Willie Gray

June Page

Paul Meinecke

ADDRESSES:

North C Street
Virginia City, Nevada

W & N Streets
Virginia City, Nevada

145 North B Street
Virginia City, Nevada

Hickey Street
Virginia City, Nevada

St. Mary's in the Mountains
Box 328, Virginia City, Nevada

IN WITNESS WHEREOF, we have hereunto subscribed our names this 30th day of October, 1973.

Alice Byrne

June H. Page

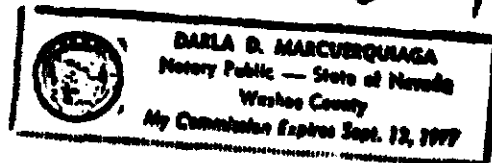
Willie Gray

Louise Curran

Paul Meinecke

On October 30, 1973, personally appeared before me, a Notary Public, ALICE BYRNE, LOUISE CURRAN, ALLETA GRAY, JUNE PAGE and PAUL MEINECKE, known to me to be the persons who subscribed to the within instrument, who acknowledged that they executed the above instrument.

Darla D. Marcuerquaga





Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 30 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Approval of Resolution 18-513 approving Notice of Completion and Acceptance of the Virginia City Sewer Improvement Project.

2. **Recommended motion:** I move to approve Resolution 18-513 Notice of Completion and Acceptance of the Virginia City Sewer Improvement Project.

3. **Prepared by:** Cherie Nevin

Department: Community Relations

Telephone: 847-0986

4. **Staff summary:** In August of 2017, you (County Commission) awarded a bid to Ames Construction Inc. for the construction of the Virginia City Sewer Improvement. Construction on this project began around September 11, 2017. This project is funded with a Loan of \$4,058,000 and a grant for \$8,987,000 from the USDA Rural Development Utilities Program. As of this date, our Farr West Engineering is recommending issuance of acceptance of work and notice of completion for this project.

5. **Supporting materials:** Resolution 18-513
Notice of Acceptability of Work
Certificate of Substantial Completion
USDA Final Inspection Checklist

6. **Fiscal impact:**

Funds Available: YES

Fund: USDA

____ Comptroller

7. **Legal review required:**

LL
____ District Attorney

8. **Reviewed by:**

Q
____ Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 9



Ames Construction

3737 W 2100 South
West Valley City, UT 84120
T 801-977-8012 • F 801-977-8059
Nevada Contactors License # 0023719

October 10th, 2018

Farr West Engineering
5510 Longley Lane
Reno, Nevada 89511

172911-AC-FWE-L002

Attn: Jennifer Heeran

Re: Virginia City Wastewater Improvement Project
Ames Project #172911
Request for Certificate of Substantial Completion

Dear Mrs. Heeran:

This letter is to inform Farr West Engineering and Storey County that Ames Construction considers the work performed for the above referenced project ready for its intended use and is substantially complete. Ames Construction requests that Farr West Engineering issue a certificate of Substantial Completion.

If you have any questions, please contact the undersigned at (801) 910-6040 or Seth Alexander at (775) 384-3941.

Respectfully,

Kaleb Dale
Project Manager

Enclosures: None

Cc: Project File
Seth Alexander

NOTICE OF ACCEPTABILITY OF WORK

PROJECT: Virginia City and Gold Hill Wastewater Improvement Project

OWNER: Storey County

CONTRACTOR: Ames Construction, Inc.

OWNER'S CONSTRUCTION CONTRACT IDENTIFICATION: Virginia City and Gold Hill Wastewater Improvement Project

EFFECTIVE DATE OF THE CONSTRUCTION CONTRACT: August 11, 2017

ENGINEER: Farr West Engineering

NOTICE DATE: October 16, 2018

To: Storey County
Owner

And To: Ames Construction, Inc.
Contractor

From: Farr West Engineering
Engineer

The Engineer hereby gives notice to the above Owner and Contractor that Engineer has recommended final payment of Contractor, and that the Work furnished and performed by Contractor under the above Construction Contract is acceptable, expressly subject to the provisions of the related Contract Documents, the Agreement between Owner and Engineer for Professional Services dated August 11, 2017, and the following terms and conditions of this Notice:

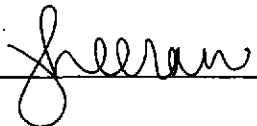
CONDITIONS OF NOTICE OF ACCEPTABILITY OF WORK

The Notice of Acceptability of Work ("Notice") is expressly made subject to the following terms and conditions to which all those who receive said Notice and rely thereon agree:

1. This Notice is given with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.
2. This Notice reflects and is an expression of the Engineer's professional opinion.
3. This Notice is given as to the best of Engineer's knowledge, information, and belief as of the Notice Date.

4. This Notice is based entirely on and expressly limited by the scope of services Engineer has been employed by Owner to perform or furnish during construction of the Project (including observation of the Contractor's work) under Engineer's Agreement with Owner, and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer under such Agreement.
5. This Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract, an acceptance of Work that is not in accordance with the related Contract Documents, including but not limited to defective Work discovered after final inspection, nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Construction Contract Documents, or to otherwise comply with the Construction Contract Documents or the terms of any special guarantees specified therein.
6. This Notice does not relieve Contractor of any surviving obligations under the Construction Contract, and is subject to Owner's reservations of rights with respect to completion and final payment.

7.

By: 

Title: Project Engineer

Dated: 10/16/2018

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: Storey County
Contractor: Ames Construction, Inc.
Engineer: Farr West Engineering
Project: Virginia City and Gold Hill Wastewater Improvement Project

Owner's Contract No.: ST-2017-051
Contractor's Project No.:
Engineer's Project No.: 983
Contract Name: Virginia City and
Gold Hill Wastewater
Improvement Project

This [preliminary] [final] Certificate of Substantial Completion applies to:

☒ All Work

☐ The following specified portions of the Work:

10/16/2018

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows: *[Note: Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.]*

Amendments to Owner's responsibilities:

☐ None

☐ As follows

Amendments to
Contractor's responsibilities:


☐ None

☐ As follows

The following documents are attached to and made a part of this Certificate: None.

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract.

EXECUTED BY ENGINEER:

By: 
(Authorized signature)

By: _____
Owner (Authorized Signature)

RECEIVED:

RECEIVED:

By:
Contractor (Authorized Signature)

Title: Project Engineer

Title: Community Relations

Title: Project Manager

Date: 10/16/18

Date: 10/16/18

Date: 10/16/18

Final Inspection

When all construction has been completed in accordance with the approved plans and specifications and the project is operating as designed, the final inspection and owner's acceptance of the project can occur. The following project representatives (as appropriate) should attend the final inspection: Owner, Engineer, Contractor, Funding Agencies, Utilities (such as county and State agencies), and any other project related parties. At this inspection the items to be submitted/completed include but are not limited to the following:

- ☒ Certification from owner's representative all **equipment operation & maintenance manuals have been delivered** to the owner. All required maintenance bonds, warranties, guaranties, parts catalogs, etc have been delivered to the owner.
- ☒ Copy of **Engineer's certification that the project has been completed** in accordance with the plans and specifications and recommendation for the Owner's acceptance.
- ☒ **Certificate of Substantial Completion (EJCDC C-625)**, signed and dated by the owner, contractor and engineer.
- ☐ **Resolution of Acceptance** by the owner. A copy of the resolution or minutes showing the applicant's acceptance of the project.
- ☒ Establish tentative **warranty/operability inspection date**. This date should occur between the beginning of the 10th and end of 11th month after the date of Substantial Completion.
- ☒ **NA** **Certificate of Occupancy** for the building (if applicable)
- ☐ Letter of acceptance by any appropriate county or state agencies regarding permits, etc. NDEP – NDOT, etc.

FINAL PAYMENT (CONSTRUCTION) see article 14.07 of Standard General Conditions for Final Payment

Final Change order, and amendments to professional services agreements must be Approved.

Need pre-final and final inspections completed.

14.07

Final Payment

A. Application for Payment:

1. After Contractor has, in the opinion of Engineer, satisfactorily completed all corrections identified during the final inspection and has delivered, in accordance with the Contract Documents, all maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance, certificates of inspection, marked-up record documents (as provided in Paragraph 6.12*), and other documents, Contractor may make application for final payment following the procedure for progress payments.
2. The final Application for Payment shall be accompanied (except as previously delivered) by:
 - a) all documentation called for in the Contract Documents, including but not limited to the evidence of insurance required by Paragraph 5.04.B.6*;
 - b) consent of the surety, if any, to final payment;
 - c) a list of all Claims against Owner that Contractor believes are unsettled; and
 - d) complete and legally effective releases or waivers (satisfactory to Owner) of all Lien rights arising out of or Liens filed in connection with the Work.

3. In lieu of the releases or waivers of Liens specified in Paragraph 14.07.A.2* and as approved by Owner, Contractor may furnish receipts or releases in full and an affidavit of Contractor that: (i) the releases and receipts include all labor, services, material, and equipment for which a Lien could be filed; and (ii) all payrolls, material and equipment bills, and other indebtedness connected with the Work for which Owner might in any way be responsible, or which might in any way result in liens or other burdens on Owner's property, have been paid or otherwise satisfied. If any Subcontractor or Supplier fails to furnish such a release or receipt in full, Contractor may furnish a bond or other collateral satisfactory to Owner to indemnify Owner against any Lien.

B. Engineer's Review of Application and Acceptance:

1. If, on the basis of Engineer's observation of the Work during construction and final inspection, and Engineer's review of the final Application for Payment and accompanying documentation as required by the Contract Documents, Engineer is satisfied that the Work has been completed and Contractor's other obligations under the Contract Documents have been fulfilled, Engineer will, within ten days after receipt of the final Application for Payment, indicate in writing Engineer's recommendation of payment and present the Application for Payment to Owner for payment. At the same time Engineer will also give written notice to Owner and Contractor that the Work is acceptable subject to the provisions of Paragraph 14.09*. Otherwise, Engineer will return the Application for Payment to Contractor, indicating in writing the reasons for refusing to recommend final payment, in which case Contractor shall make the necessary corrections and resubmit the Application for Payment.

C. Payment Becomes Due:

1. Thirty days after the presentation to Owner of the Application for Payment and accompanying documentation, the amount recommended by Engineer, less any sum Owner is entitled to set off against Engineer's recommendation, including but not limited to liquidated damages, will become due and will be paid by Owner to Contractor.

OR Refer to NRS 108 Statutory Liens (108.225 and 108.226) – USDA RD will require the Owner's Attorney to provide a statement that the period to file liens has passed, that the owner is not at risk, and the Owner's Attorney concurs that final payment may be made to the prime contractor.

Final Payment to Engineer – Provide Complete Set of "As Built" or "Record" plans in pdf or as a hard copy (Each sheet must be stamped accordingly and the title sheet must also be signed and dated in either format submitted.)

*These provisions are referencing the Articles in the General Conditions of the Construction Contract.

RESOLUTION NO. 18-513

OF THE BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY, NEVADA

A RESOLUTION APPROVING NOTICE OF COMPLETION AND ACCEPTANCE OF THE VIRGINIA CITY SEWER IMPROVEMENT PROJECT

WHEREAS, the County of Storey has entered into a Public Works Contract with Ames Construction through Resolution No.18-513 for the project known as the Virginia City Sewer Improvement Project, and

WHEREAS, Farr West Engineering has recommended Final Acceptance of the improvements made to the Virginia City Sewer System and certified that everything has been installed to the best of their knowledge, per the approved plans and specifications.

BE IT HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONER, STOREY COUNTY, NEVADA.

1. That the project is accepted as complete and the Chairman of the Storey County Board of County Commissioners is directed to record a "Notice of Completion" for the work done on the Virginia City Sewer Improvement Project; and,
2. That the County of Storey is the owner of the Virginia City Sewer Improvement Project located in Virginia City, Nevada
3. Storey County has accepted the project as complete on October 4, 2018; and,
4. That the contractor for the public work is :
 - a. Ames Construction
3737 West 2100 South
West Valley, Utah 84120

BE IT FURTHER RESOLVED THAT the Comptroller is authorized and directed to release and pay the final amounts due under the contract 40 days after the Notice of Completion has been recorded assuring that there are no Notices of Lien filed against the project.

PASSED AND ADOPTED by the Board of County Commissioners at a regular meeting of said Board, held on the 16 day of October, 2018

THOSE VOTING AYE

THOSE VOTING NAY

ADOPTED this 16 day of October, 2018

BOARD OF COUNTY COMMISSIONERS OF STOREY COUNTY

By: _____
Marshall McBride, Chairman

Attest:

Vanessa Stephens, Clerk and Treasurer



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☒

1. **Title:** Discussion and possible action on Bill No. 102, the second reading of Ordinance No. 18-293, an ordinance amending chapter 15.04 Buildings and Construction to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, and providing for other properly related matters.

2. **Recommended motion:** I move to approve the second reading of Ordinance No. 18-293.

3. **Prepared by:** Robert Morris, outside counsel
Gary Hames, Community Development Director

Department: District Attorney's Office

Telephone: 847-0964

4. **Staff summary:**

The 2018 editions of the International Codes are ready for adoption by the County. Participating organizations in northern Nevada have reviewed the new codes and have approved the 2018 Northern Nevada Amendments (to those codes) published by the Northern Nevada Chapter of the International Code Council. Staff recommends approval of the attached ordinance.

(Continued on next page)

5. **Supporting materials:** Ordinance 18-293 and 2018 Northern Nevada Amendments for codes included in this ordinance.

6. **Fiscal impact:** No change on the fiscal impact on local government.

7. **Legal review required:** Yes  District Attorney

8. **Reviewed by:**
 Department Head  Department Name: Community Development

____ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No. 10

4. Staff summary continued:

The changes are generally described as follows:

1. Chapter 15.04 Buildings and Construction is being amended to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National *Electric Code*, the 2018 *International Fire Code*, the 2018 *International Wildland Urban Interface Code*, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments to those codes.

2. The existing specific building construction standards for Storey County in Storey County Code section 15.04.060 remain in place and supersede any less restrictive or conflicting language in the new codes.

3. The ordinance deletes most of Storey County Code chapter 15.04.080 Fire district requirements that essentially are the 2012 Northern Nevada Amendments that were copied into the code. Now the fire protection district will rely on the language in the 2018 International Fire Code and the 2018 Northern Nevada Amendment language.

Ordinance No. 18- 293

Summary

An ordinance amending chapter 15.04 Buildings and Construction, to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments and amending chapter 15.08.060 Appeal from decisions.

Title

An ordinance amending Storey County Code chapter 15.04 Buildings and Construction, to adopt the 2018 International Codes for Building, Residential, Existing Building, Energy Conservation, Fuel Gas, Mechanical, the 2018 Uniform Codes for Mechanical and Plumbing, and the 2017 National Electric Code, the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments, amending chapter 15.08.060 Appeal from decisions. and providing for other properly related matters.

Preamble

The Storey County Board of County Commissioners and the Storey County Board of Fire Commissioners desire to update the uniform codes that regulate the building of structures and fire protection within the county. There is a concern that the new codes be implemented quickly and effectively so that the public will benefit from their use and that there is be a clear transition for the new codes to apply to proposed projects. The 2018 codes will be effective from the effective date of this ordinance and all projects will be required to be use the 2018 codes after that date. Projects that are initiated under the 2012 codes may be completed under the 2012 codes. The building official will have the discretion to determine the appropriate code for a project within the first 6 months after the effective day of this ordinance. Any project initiated under the 2012 codes may agree to have the 2018 codes apply.

The Board of County Commissioners of the County of Storey, State of Nevada, does ordain:

Section I: Chapter 15.04 is amended as follows:

15.04.010 Adoption of International and Uniform codes.

In order to regulate all matters relating to the construction, maintenance and safety of buildings structures and property within the county, the board, pursuant to NRS 244.3675 and

NRS 278.580, adopts the following codes to be in force:

- A. The 2018 International Building Code (IBC)
 - B. The 2018 International Residential Code (IRC)
 - C. The 2018 International Existing Building Code (IEBC)
 - D. The 2018 International Energy Conservation Code (IECC)
 - E. The 2018 International Fuel Gas Code (IFGC)
 - F. The 2018 International Mechanical Code (IMC)
 - G. The 2017 National Electric Code (NEC)
 - H. The 2018 Uniform Mechanical Code (UMC)
 - I. The 2018 Uniform Plumbing Code (UPC)
 - J. The 2018 International Swimming Pool and Spa Code (ISPSC)
 - K. The 2018 Northern Nevada Amendments published by Northern Nevada Chapter of the International Code Council
 - L. The 2012 International Fire Code (IFC)
 - M. The 2012 International Wildland Urban Interface Code (IWUI), with the exception of Section 602 Residential Fire Sprinkler requirements.
 - N. The 2017 National Fire Protection Association Standards (NFPA)
 - O. The 2018 Northern Nevada Fire Code Amendments
- ~~A. The 2012 International Fire Code (IFC) and Appendices B, C, and D, with the amendments in section 15.04.08~~
- ~~B. The 2012 of the International Building Code (IBC), chapters 1 through 35 and Appendices C, E, I, and J, with the amendments in section 15.04.060 and 15.08.060.~~
- ~~C. The 2012 International Residential Code (IRC), chapters 1 through 44, and Appendices A, B, C, G, H, J, K, and M, with the amendments in section 15.04.060 and 15.08.060.~~
- ~~D. The 2012 International Existing Building Code (IEBC), chapters 1 through 16.~~
- ~~E. The 2009 International Energy Conservation Code (IECC), chapters 1 through 6.~~
- ~~F. The 2012 International Fuel Gas Code (IFGC), chapters 1 through 7 and Appendices.~~
- ~~G. The 2012 Uniform Mechanical Code (UMC), chapters 2 through 17, and Appendices A, B, C.~~
- ~~H. The 2012 International Mechanical Code (IMC), chapters 1 through 15, and Appendix A.~~
- ~~I. The 2012 Uniform Plumbing Code (UPC), chapters 2 through 17, and Appendices A, B, D, E, F, L, and I.~~
- ~~J. The 2011 National Electrical Code (NEC), chapters 1 through 9.~~
- ~~K. The 2012 International Swimming Pool and Spa Code (ISPSC), chapters 1 through 11.~~
- ~~L. The 1997 Uniform Code for the Abatement of Dangerous Buildings (UCADB).~~
- ~~M. The 2012 International Wildland Urban Interface Code amendments in section 15.04.080.~~
- ~~N. The 2012 Northern Nevada Amendments published by the Northern Nevada Chapter of the International Code Council. Copies available at www.nnicee.org.~~
- ~~O. The 2014 Northern Nevada Energy Code Amendments published by the Northern Nevada Chapter of the International Code Council.~~

Where conflicts occur between the codes *and amendments* referenced above and *this chapter if this chapter is more restrictive, this chapter will apply.* the following amendments, the amendments will apply. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.020 Adoption authority.

The board of county commissioners may, by ordinance, adopt later editions of the applicable codes identified in section 15.04.010 of this chapter, and must include in the ordinance all the uniform codes in force. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.030 Modification.

The board may modify the uniform codes enumerated in section 15.04.010 of this chapter so that the codes specifically apply to the county, provided the changes are in conformance with applicable state laws. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.040 Copies on file.

Copies of the latest adopted codes in section 15.04.010 and "Standard Details and Specifications for Public Works Construction" must be kept in the offices of the public works or building department. The latest editions of the International Fire Code, International Building Code, the International Wildland Urban Interface Code, and NFPA Standards must be kept at the community development ~~fire district~~ offices. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.050 Construction standards adopted.

"Standard Specifications for Public Works Construction," sponsored by the regional transportation commission of Washoe County, city of Sparks, city of Reno, Carson City, and the city of Yerington, is adopted as the construction standard for all public works and development construction projects. Any updated issue of "Standard Specification for Public Works Construction" will be automatically adopted by Storey County per this section. Other standards and specifications may be adopted by the board by ordinance specifying and identifying the standards. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.060 Storey County building construction standards.

The following construction standards are required for all structures regulated by code within Storey County:

A. Snow load requirements.

All building construction must have a snow load capacity as follows:

Site Elevation (feet above sea level)	Ground Snow load, (Pounds Per Square Foot)
9500 and above	142
9000 – 9499	114

6500 – 8999	90
6000 – 6499	70
5500 – 5999	50
Below 5500	20

B. Seismic zone design requirements.

1. I.B.C. for commercial and industrial construction: The seismic design site class for structures must be based on the Risk Category, and the spectral response acceleration parameters in accordance with Chapter 16 of I.B.C and Chapter 20 of ASCE 7.

2. I.R.C. for single-family residential structures: The seismic design site class for single-family residential structures and structures accessory to residential use is D2.

C. Wind speed design requirements. ~~Per the adopted 2012 Northern Nevada Amendments:~~

Ultimate design wind speed for risk category I structures is 105 mph V_{ult} .

Ultimate design wind speed for risk category II structures is 115 mph V_{ult} .

Ultimate design wind speed for category III and IV structures is 120 mph V_{ult} .

Exposure Category is C. An altitude density reduction may not be taken.

The minimum basic wind speed (3-second gust) for Group R-2 and R-3 structures is 100 mph, Exposure Category C.

D. Foundations.

1. The foundation frost depth requirement for all foundations is 24" from bottom of footing to level of finish grade.

2. Foundations exposed more than 2' above the grade level must be finished in natural wood, native rock, brick, cultured stone, or split face block.

3. The minimum foundation anchor bolt requirement is 5/8" diameter by 10" length or as required to obtain at least 7" of embedment in the concrete. Anchor bolts must be spaced no more than 48" on center. All anchor bolts are to be equipped with 3" square x 1/4" thick plate washers.

E. Roofing requirements.

Fire retardant roofing material is required per NRS 472.100. All roofing materials used must be listed by a nationally recognized testing agency with a Class A rating, unless otherwise approved for industrial or commercial use by the building official. All roofing materials must be installed per manufacturers' specifications. No wood shakes or shingles are allowed.

F. Storage on unimproved lot.

No storage of any kind is allowed on any unimproved lot. Building materials and construction equipment may be located on a lot that has an active building permit for a single-family dwelling. No automobiles or RV type vehicles may be stored on a lot until a certificate of occupancy or safety seal has been issued for the single-family dwelling.

G. Temporary quarters during construction.

A temporary trailer permit may be issued at the discretion of the building official for one travel trailer or motor home connected to a permanent water source and sewer or septic system, as the owner's living quarters during construction of a single-family residence. The permit is initially valid for no more than 180 days. If substantial progress is completed on the permanent residence, the building official may renew the permit for an additional 180 days.

H. Water wells.

Newly constructed water wells for domestic residential use are required to flow at a rate of not less than 2 g.p.m. during the initial 1-hour flow test to meet the requirements for issuance of a residential dwelling building permit. A water quality test report displaying that the water is safe for drinking is required prior to issuance of a residential dwelling building permit.

I. Drainage.

1. Roof drainage or surface storm-water drainage from a structure or developed lot must be controlled through measures approved by the building official, and must not cause adverse impacts on neighboring or adjacent properties.

2. For development of commercial or industrial lots or parcels of 5 acres or larger, or development of residential subdivisions where the aggregate sum of lots or parcels is 5 acres or larger, an engineered hydraulic analysis is required that displays that post development run-off during a 100 year storm event will not exceed pre-development run-off.

J. Retaining walls.

Retaining walls constructed for slope stabilization that are greater than 4 feet in height require engineered design and a building permit.

K. No Duplication of Buildings.

Zoning classifications (E-1-VCH), (E-10-HR), and (E-40-VR), of the Storey County zoning ordinance, Chapter 17.40, shall not permit the same architectural elevation design (regardless of exterior treatment and/or reversal of layout) be approved within two thousand five hundred feet in all directions of the proposed building lot.

(Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.070 Electrical wiring in commercial buildings.

The electrical wiring in all commercial buildings in Storey County must be installed in conduit approved by the applicable code. (Ord. 172 § 1(part), 2000)

15.04.080 Fire district requirements.

A. The following amendments in addition to the 2018 Northern Nevada Amendments to the 2018 International Fire Code apply to the International Fire Code:

~~1. 2012 International Fire Code Amendments.~~

~~Note: An underscore is used to indicate new or replacement language to the code. A strike-through is to indicate a deleted item.~~

~~2012 International Fire Code amendments.~~

~~Note: An underscore is used to indicate new or replacement language to the code. A strike-through is to indicate a deleted item.~~

~~IFC Section 102, Applicability:~~

~~102.3 Change of use or occupancy.~~ No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the *International Building Code*. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the *International Building Code* for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use. Change of ownership of the building shall require the building to come up to current Code standards, per NAC 477.917 and adopted by the Nevada Fire Marshal.

~~102.7 Referenced Codes and Standards.~~ The codes and standards referenced in this code shall be those that are listed in Chapter 80 shall be the most current edition of the nationally recognized standards unless otherwise designated by NAC 477.281, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in section 102.7 and 102.7.2.

~~IFC Section 105, Permits:~~

~~105.1.1 Permits Required.~~ Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the *fire code official* and obtain the required permit. Permits required by this code shall be obtained from the Storey County Fire Protection District. Fire Department construction permits will be required and issued for Fire Sprinkler Systems, Detection/Notification Systems and Grading/Civil work, based on total project valuation. See Table 105.1.1.

~~IFC Section 108, Board of Appeals:~~

~~---Delete the entire section 108. (See section 15.04.080(C))~~

~~IFC Section 109, Violations:~~

~~109.4 Violation Penalties.~~ Unless a greater penalty is provided by Nevada Law, persons who shall violate a provision of this code or fail to comply with any of the code's 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 certificate used under provisions of this code, are guilty of a misdemeanor, shall be guilty of a [SPECIFY OFFENSE] punishable by a fine of not more than \$1,000 dollars per violation or by imprisonment not exceeding 30 days or both fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

~~IFC Section 111, Stop-Work Order:~~

~~111.4 Failure to Comply.~~ Any person who shall continue any work after having been served with a stop-work order, except such the work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than [amount] dollars or more than [amount] dollars, is guilty of a misdemeanor.

HFC Section 202, General Definitions:

HIGH-RISE BUILDING. A building with an occupied floor located more than 75.5 feet (22 860-16-764 mm) above the lowest level of fire-department vehicle access.

~~Occupancy Classification.~~

~~Institutional Group I-1.~~ This occupancy shall include buildings, structures or parts thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self-preservation. All portions of a care facility which houses patients or residents which is classified by the State Board of Health as "Category 2," (defined as not being able to provide self-preservation) and which has an occupant load of more than 16 residents, is classified as an "I-1" occupancy classification. This group shall include, but not be limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Convalescent facilities
- Group homes
- Half-way houses
- Residential board and custodial care facilities
- Social rehabilitation facilities

~~Five or fewer persons receiving care.~~ A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or *International Residential Code* Section P2904.

~~Six to sixteen persons receiving care.~~ A facility such as above, housing at least six and not more than 16 persons receiving such care, shall be classified as Group R-4.

~~Institutional Group I-4, day care facilities.~~ This group shall include buildings and structures occupied by more than five-six persons of any age who receive custodial care for less than 24 hours by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

- Adult day care
- Child day care

~~Classification as Group E.~~ A child day care facility that provides care for more than five-six but no more than 100 children 2 1/2 years or less of age, where the rooms in which the children are cared for are located on a level of exit discharge serving such rooms and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

~~Within a place of religious worship:~~ Rooms and spaces within places of religious worship providing such care during religious functions shall be classified as part of the primary occupancy.

~~Five or fewer occupants receiving care:~~ A facility having five six or fewer persons receiving custodial care shall be classified as part of the primary occupancy.

~~Five 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 Group R-3 occupancy or shall comply with the *International Residential Code*.

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

~~Boarding houses (transient) with more than 10 occupants~~
~~Brethels~~
~~Congregate living facilities (transient) with more than 10 occupants~~
~~Hotels (transient)~~
~~Motels (transient)~~

~~Residential Group 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:

~~Boarding houses (non transient) with 10 or fewer occupants~~
~~Boarding houses (transient) with 10 or fewer occupants~~
~~Buildings that do not contain more than two dwelling units~~
~~Care facilities that provide accommodations for five six or fewer persons receiving care~~
~~Congregate living facilities (non transient) with 10 or fewer occupants~~
~~Congregate living facilities (transient) with 10 or fewer occupants~~

~~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:

~~Aerosols; 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~~
~~Dry boat storage (indoor)~~
~~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 5003.1.1(1) (see Section 406.3 of the *International Building Code*)
 Photo engravings
 Resilient flooring
 Self-serve storage (mini-storage)
 Silks
 Soaps
 Sugar
 Tires, bulk storage of
 Tobacco, cigars, cigarettes and snuff
 Upholstery and mattresses
 Wax candles

Low-hazard storage, Group S-2: Includes, among others, buildings used for the storage of noncombustible materials such as products on wood pallets or in paper cartons with or without single thickness divisions, or in paper wrappings. Such products are permitted to have a negligible amount of plastic trim, such as knobs, handles or film wrapping. Storage uses shall include, but not be limited to, storage of the following:

Asbestos
 Beverages up to and including 16 percent alcohol in metal, glass or ceramic containers
 Cement in bags
 Chalk and crayons
 Dairy products in non waxed-coated paper containers
 Dry boat storage (indoor)
 Dry cell batteries
 Electrical coils
 Electrical motors
 Empty cans
 Food products
 Foods in noncombustible containers
 Fresh fruits and vegetables in non plastic trays or containers
 Frozen foods
 Glass
 Glass bottles empty or filled with noncombustible liquids
 Gypsum board
 Inert pigments
 Ivory
 Meats
 Metal cabinets

Metal desks with plastic tops and trim
Metal parts
Metals
Mirrors
Oil-filled and other types of distribution transformers
Parking garages both open and enclosed
Porcelain and pottery
Stoves
Tale and soap stones
Washers and dryers

IFC Section 305, Ignition Sources:

305.1 Clearance from ignition sources. Clearance between ignition sources, such as luminaries, heaters, flame-producing devices and combustible materials, shall be no less than 10 feet and shall be maintained in an approved manner.

IFC Section 401, General:

401.1 Scope. Reporting of emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

Exception: Firms that have approved on-premises fire-fighting organizations and that are in compliance with approved procedures for fire reporting.

IFC Section 503, Fire Apparatus Access Roads:

503.2.4 Turning Radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official. The outside radius of a fire apparatus access road shall be a minimum of forty-five (45'). The inside radius of any turn shall not be less than thirty (30') feet.

503.2.8 Driveways. Driveways intended for fire apparatus access shall be provided when any portion of an exterior wall of the first story of a building is located more than one hundred-fifty (150') feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of twelve (12') feet and a minimum unobstructed height of thirteen feet six inches (13'6"). Driveways in excess of one hundred-fifty (150') feet in length shall be provided with turnarounds. Driveways in excess of two hundred (200') feet in length and less than twenty feet (20') in width shall be provided with turnouts in addition to turnarounds.

503.2.9 Turnout. Turnouts shall be an all-weather road surface at least 10 feet wide and 30 feet long. Driveway turnouts shall be located as required by the fire code official.

IFC Section 505, Premises Identification:

505.1 Address numbers. New and existing buildings shall 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 shall contrast with their background. Where required by the fire code official, address numbers shall be provided in

~~additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabet letters. Numbers shall be six (6) inches in height with a minimum of three-quarters (3/4) inch stroke for commercial structures under 30,000 square feet, and twelve (12) inches in height with a minimum of a one and one-half (1 1/2) inch stroke for commercial structures exceeding 30,000 square feet. All sites shall be identified with either a letter or number four (4) inches in height with a minimum of one-half (1/2) inch stroke. Numbers and or letters shall be of a contrasting color and be readily visible from the street. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. 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 numbers shall be maintained.~~

IFC Section 507, Fire Protection Water Sources:

~~507.5.1.2 Fire Hydrant Standards. All new or replacement fire hydrants shall meet the requirement and standards of the Storey County Fire Protection District Policy.~~

IFC Section 508, Fire Command Center:

~~508.1 General. Where required by other sections of this code and in all buildings classified as high-rise building by the International Building Code or wide-rise buildings which by Storey County Fire Protection District definition, exceed 30,000 square feet and are a single story, a fire command center for fire department operations shall be provided and shall comply with sections 508.1.1 through 508.1.5. Commercial structures less than 5,000 square feet will not require any type of command room. Buildings that are a single structure, between 5,000 square feet and 30,000 square feet will require a command room which may be located within the structure in a location agreed upon between the fire district and the developer.~~

~~508.1.2 Separation.~~

~~The fire command center shall be separated from the remainder of the building by not less than a 2-hour fire barrier constructed in accordance with Section 707 of the International Building Code or horizontal assembly constructed in accordance with Section 714 of the International Building Code, or both.~~

~~508.1.3 Size.~~

~~The fire command center shall be a minimum of 96 square feet with a minimum dimension of 8 feet.~~

~~508.1.5 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 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 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 use 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-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 contains, but is not limited to, the following information:
 - 13.1. General building information that includes: property name, address, 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), estimated building population (i.e., day, night, weekend);
 - 13.2. Building emergency contact information that includes: a list of the building's emergency contacts (e.g., building manager, building engineer, etc.) and their respective work phone number, cell phone number, and e-mail address;
 - 13.3. Building construction information that includes: the type of building construction (e.g., floors, walls, columns, and roof assembly);
 - 13.4. Exit stair information that includes: number of exit stairs in the building, each exit stair designation and floors served, location where each exit stair discharges, exit stairs that are pressurized, exit stairs provided with emergency lighting, each exit stair that allows reentry, exit stairs 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, location of sky lobby, 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, location of natural gas service;
 - 13.6. Fire protection system information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by automatic sprinklers, location of different types of automatic sprinkler systems installed (e.g., dry, wet, pre-action, etc.); and
 - 13.7. Hazardous material information that includes: location of hazardous material, 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;
18. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided;
19. Facility Fire Pre-Plan (2'x3' laminated map) showing: Ingress Routes, Egress Routes, Fire Lanes, Power Shunt Trip location, Main Fire Alarm Control Panel location, Gas Shunt (must be within 20' of fire control room) location, Address location (must be 12" in height minimum and, contrast in color from main color of building), Electrical Main Panel, All Sub Panel locations, Fire Hydrant locations, Knox Box location, Fire Department Connection location, Post Indicator Valve location (as required) and Outside Screw and Yolk (as required);
20. 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 accidental

activation. Switches shall interrupt the public 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.

~~21. Main Fire Alarm Control Panel shall be combination smoke/fire with a writable surface.~~

~~22. Gas Shutoff (must be within 20' of fire control room.)~~

~~23. Knox Box.~~

~~24. Fire Department Connection.~~

~~25. Post Indicator Valve.~~

~~26. Outside Screw & Yolk.~~

~~27. In occupancies greater than 55' in height, a fire equipment cache room shall be provided every 5 stories and stocked as specified by the department with jurisdiction. Fire cache room shall be provided and stocked per Storey County fire request for buildings or occupancies where it is deemed necessary based on special hazards or square footage.~~

IFC Section 901, Fire Protection Systems:

~~901.6 Inspection, testing and maintenance.~~ Fire detection, alarm, and 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. ~~Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed.~~

~~901.7 Systems out of service.~~ Where a required *fire protection system* is out of service, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or an *approved* fire watch shall be provided for all occupants left unprotected by the shutdown until the *fire protection system* has been returned to service. In the event that the service/maintenance contract for any fire protection system is canceled or not renewed, the fire code official shall be notified by the service/maintenance contractor within 24 hours.

Where utilized, fire watches shall be provided with at least one *approved* means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

IFC Section 903, Automatic Sprinkler Systems:

~~903.2 Where required.~~ *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12, Table 903.2.1.

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.

Table 903.2.1¹
Required Automatic Sprinklers by Fire Area, Response Time and Height
For A, B, E, F, H, I, M, S and U Occupancies
Sprinklers are required when any one of the listed conditions is met.

Fire Jurisdiction	Fire Area ^{b, c}	Height ^d	Response Time
Carson City Fire	>5000 square feet ^{e, f}	3 stories or greater	—
East Fork Fire Protection District (Douglas County)	>5000 square feet	3 stories or greater	—
North Lake Tahoe Fire Protection District	≥5000 square feet ^g	2 stories and a basement or 3 stories or greater	—
North Lyon Fire Protection District	≥5000 square feet	3 stories or greater	—
Reno Fire Department	>5000 square feet ^h	3 stories or greater	—
Truckee Meadows Fire Protection District and Sierra Fire Protection District	≥5000 square feet	3 stories or greater	—
Sparks Fire Department	>5000 square feet	3 stories or greater	Over 6 minutes
Storey Fire Department	>5000 square feet	2 stories and a basement or 3 stories or greater	—
Tahoe Douglas Fire Protection District (Douglas County)	All	—	—

- 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. S-1 and S-2 occupancies are exempt from this table.
f. 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.
g. A one-time increase of 360 square feet of fire area is permitted.
h. Automatic fire detection system installed throughout and connected to a central station fire alarm company can be substituted for automatic sprinkler system.

903.2.3 Group E. ~~An automatic sprinkler system shall be provided for Group E occupancies as follows:~~

- ~~1. Throughout all Group E fire areas greater than 12,000 square feet (1115 m²) in area.~~
- ~~2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.~~

~~**Exception:** An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level. In high schools where automatic fire sprinkler systems are provided, the automatic fire sprinkler systems for the automotive and woodworking shops must be designed to Ordinary Hazard, Group 1 automatic fire sprinkler systems criteria.~~

IFC Section 910, Smoke and Heat Removal:

~~910.3.2.2 Sprinklered buildings.~~ Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate.

~~910.3.2.2.1 Control mode sprinkler system.~~ Smoke and heat vents installed in areas of buildings with a control mode sprinkler system shall have operating elements with a higher temperature classification than the automatic fire sprinklers in accordance with NFPA 43.

~~910.3.2.2.2 Early suppression fast-response (ESFR) sprinkler system.~~ Smoke and heat vents installed in areas of buildings with early suppression fast-response (ESFR) sprinklers shall be equipped with a standard response operating mechanism with a minimum temperature rating of 360°F (182°C) or 400°F (204°C) above the operating temperature of the sprinklers, whichever is higher.

IFC Section 913, Fire Pumps:

~~913.4 Valve supervision.~~ Where provided, the fire pump suction, discharge and bypass valves, and the 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 constantly 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.~~

~~IFC Section 1016, Exit Access Travel Distance:~~

**TABLE 1016.2
EXIT ACCESS TRAVEL DISTANCE^a**

OCCUPANCY	WITHOUT SPRINKLER SYSTEM (feet)	WITH SPRINKLER SYSTEM (feet)
A E F-1 M R S-1	200	250 ^c
I-1	Not Permitted	250 ^c
B	200	300 ^c
F-2 S-2 U	300	400 ^c
H-1	Not Permitted	75 ^c
H-2	Not Permitted	100 ^c
H-3	Not Permitted	150 ^c
H-4	Not Permitted	175 ^c
H-5	Not Permitted	200 ^c
I-2 I-3 I-4	Not Permitted	200 ^c

For SI: 1 foot = 304.8 mm

- a. See the following sections for modifications to exit access travel distance requirements:
- Section 402.8 For the distance limitation in malls
 - Section 404.9 For the distance limitation through an atrium space
 - Section 407.4 For the distance limitation in Group I-2.
 - Sections 408.6.1 and 408.8.1 For the distance limitations in Group I-3.
 - Section 411.4 For the distance limitation in Special Amusement Buildings
 - Section 1015.4 For the distance limitation in refrigeration machinery rooms.
 - Section 1015.5 For the distance limitation in refrigerated rooms and spaces
 - Section 1016.4 For increased limitation in Groups F-1 and S-1.
 - Section 1021.2 For buildings with one exit
 - Section 1028.7 For increased limitation in assembly seating
 - Section 1028.7 For increased limitation for assembly open-air seating
 - Section 3103.4 For temporary structures
 - Section 3104.9 For pedestrian walkways
- b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2. See Section 903 for occupancies where automatic sprinkler systems in accordance with Section 903.3.1.2 are permitted.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

1016.4 Group F-1 and S-1 increase. The maximum exit access travel distance shall be 400 feet (122 m) in Group F-1 or S-1 occupancies where all of the following are met:

1. The portion of the building classified as Group F-1 or S-1 is limited to one story in height, and
2. The minimum height from the finished floor to the bottom of the ceiling or roof slab or deck is 24 feet (7.315 m); and
3. The building is equipped throughout with an automatic fire sprinkler system in accordance with Section 903.3.1.1.

IFC Chapter 44, Construction Requirements for Existing Buildings:

~~Delete entire chapter 44.~~

IFC Section 2809, Exterior Storage of Finished Lumber Products:

~~2809.1 General: Exterior storage of finished lumber products, fire wood, chips, hogged material and associated raw products shall comply with Sections 2809.1 through 2809.5.~~

IFC Section 5601, Explosives and Fireworks:

~~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.~~
- ~~4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16 CFR Parts 1500 and 1507, and 1904-49 CFR Parts 100-185, for consumer fireworks.~~

IFC Section 6101, Liquefied Petroleum Gases:

~~6101.1 Scope: Storage, handling and transportation of liquefied petroleum gas (LPG) and the installation of LPG gas equipment pertinent to systems for such uses shall comply with this chapter and NFPA 58. Properties of LPG 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.~~

~~A. The following International Fire Code appendices are amended:~~

Appendix B—Fire Flow Requirements,

Section B105, Fire-flow Requirements for Buildings:

B105.2 Buildings other than one- and two-family dwellings:

~~The minimum fire-flow and flow-duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.~~

~~**Exception:** A reduction in required fire-flow of up to 75-50 percent, as *approved*, is allowed when the building is provided with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B105.1.~~

~~B. Only the following sections and amendments to the 2012 International Wildland-Urban~~

Interface Code are adopted:

WUI Section 101.2, Scope and General Requirements:

101.2 Scope. The provisions of this code the Wildland-Urban Interface Code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises and to the management of their on undeveloped lots and on unmodified portions of large lots within the *wildland-urban interface areas* in this jurisdiction.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

WUI Section 106, Appeals:

106.1 General. To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, *building official* and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.

106.2 Limitations of authority. The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and shall not have authority to waive requirements of this code. (See section 15.04.080(C))

WUI Section 302, Wildland-Urban Interface Area Designations:

302.3 Review of wildland-urban interface areas. The code official shall reevaluate and recommend modification to the *wildland-urban interface areas* contained in the Community Wildland Protection Plan in accordance with Section 302.4 on a three-year basis or more frequently as deemed necessary by the legislative body as deemed necessary by the code official.

WUI Section 502, Fire Hazard Severity:

502.1 General. The fire hazard severity of building sites for all buildings hereafter constructed, modified or relocated into *wildland-urban interface areas* shall be established in accordance with Table 502.1. See also or Appendix G.

WUI Section 504, Class 1 Ignition-resistant Construction:

504.2 Roof covering. Roofs shall have a Class 1 roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers, or have one layer of 72-pound (32.4 kg) mineral surfaced, non-perforated cap sheet complying with ASTM D 3909 installed over the

combustible decking. Roof coverings consisting of shales or shingles made of wood are not approved as part of any Class A roof assembly.

504.10.1 Vent locations. Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from lot lines. Under floor ventilation openings shall be located as close to grade as practical.

Exception: Vents designed and approved to prevent flame or ember penetration into the structure may be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas.

WU1 Section 505, Class 2 Ignition-resistant Construction:

505.10.1 Vent locations. Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from lot lines. Under floor ventilation openings shall be located as close to grade as practical.

Exception: Vents designed and approved to prevent flame or ember penetration into the structure may be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas.

WU1 Section 602, Automatic Sprinkler Systems:

602.4 General. An approved automatic sprinkler system shall be installed in a low-rise building new buildings required to meet the requirements for Class 1 ignition-resistant construction in Chapter 5. The installation of the automatic sprinkler system shall be in accordance with nationally recognized standards.

WU1 Section 603, Defensible Space:

603.2.1 Responsible party. Persons owning, developing, controlling, operating or maintaining buildings or structures requiring defensible space are responsible for modifying or removing non fire-resistant vegetation on the property owned, leased or controlled by said person.

603.2.1.1 Adjacent land. Property owners of land that is directly adjacent to property containing buildings or structures requiring defensible space are responsible for modifying or removing non fire-resistant vegetation on said property.

603.2.2 Trees. Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and crowns of trees and structures overhanging footcandle tiles, or unmodified fuel is not less than 10 feet (3048 mm) or an acceptable distance as determined by the code official.

WU1 Section 604, Maintenance of Defensible Space:

C. The board of county commissioners must appoint three members to the ~~building~~ board of appeals, one of whom must be an architect, engineer, or a general contractor licensed by the State of Nevada, one of whom must be a person with experience as a fire protection professional, and one of whom must represent the public at large.

The terms for all board members are for a period of two years. If a position becomes vacant for any reason, the vacancy must be filled for the duration of the unexpired term of the member by a majority vote of the board.

D. Any individual may appeal an order, decision or determination made by the building official ~~or fire marshal~~, except as limited by section B above, to the board of appeals by filing a written notification of appeal with the secretary to the board of appeals within 10 working days of the decision. The board of appeals must hold a hearing within 30 days from the receipt of the written notice of appeal unless the appellant agrees to an extension of the time limit. If the applicant has not submitted written notification of appeal within the time frame, the action of the building official ~~or fire marshal~~ is final.

E. All hearings on appeal pursuant to this section are open to the public. All written materials introduced must be identified for the record, and the board may request the production of records and the appearance of persons necessary for their deliberations. The technical rules of evidence do not apply. Any evidence presented to the board of appeals must be relevant to the issue before the board.

F. At the conclusion of the hearing the board of appeals must rule within 20 days from the date of the hearing and state its findings and recommendations on the appeal. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

Section III: Section 15.12.020 is amended is follows:

15.12.020 Application contents and fee.

A. The application for a building permit must be made on forms provided by the building official, and must contain the following information:

1. Name and address of applicant;
2. Identify and describe the work to be covered by the permit;
3. Primary contractor's name, address and Nevada State license number;
4. If submitted under NAC 624 as an owner-builder. A written acknowledgment of the owner-builder restriction statement per NRS 278.573;
5. A description of the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed work.
6. The intended use and occupancy of the proposed work.
7. Any construction documents or other information required by code.
8. Subcontractor's name, address and Nevada State license number;
9. Residential designer, address and Nevada State license number;
10. Architect's name, address and Nevada State license number;

11. Engineer's name, address and Nevada State license number;
12. Cost of work, based on the retail price or a contractor's price for such work;
13. Date the work is to commence and the estimated date of completion.

B. Permit fees. Applications for building permits must be accompanied by the fees established by resolution of the board, which resolutions are on file in the county building department.

C. Plan review fees. In addition to any other fee required in connection with an application or permit, when submittal documents are required a plan review fee must be paid at the time of submitting the construction documents for plan review. The plan review fee is 65 percent of the building permit fee unless the fee is set by resolution of the board. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

Proposed on _____, 2018.

by Commissioner _____

Passed on _____, 2018.

Vote: Ayes: Commissioners _____

Nays: Commissioners _____

Absent: Commissioners _____

Marshall McBride, Chair
Storey County Board of County Commissioners

Attest:

Vanessa Stephens
Clerk & Treasurer, Storey County

This ordinance will become effective on _____, 2018

2018 NORTHERN NEVADA AMENDMENTS TO THE
2018 International Building Code
2018 International Residential Code
2018 International Existing Building Code
2018 International Energy Conservation Code
2018 International Fuel Gas Code
2018 International Mechanical Code
2018 Uniform Mechanical Code
2018 Uniform Plumbing Code
2017 National Electric Code

Published by the Northern Nevada Chapter of the International Code Council on September 1, 2018

Participating organizations in the production of this document are:

Associated Builders and Contractors	ACG	AM Smith Electric
BANN		
Charles Abbott Associates	CDS Nev	Construction Materials Engineers
Farr West Engineering	Frame Architecture	Home CSI
IME	JE Engineering	Lepori Construction
Lumos and Associates	Manhard Consulting	McElhaney Structural
Nevada Builders Alliance	NV Bell	NV Energy
Peerless Construction	Premier Inspection Services	QD Construction
Ranglen System Balance	RHP Mechanical Systems	Savage and Sons
Sierra Green Builders	Strongtie	The Builders Association
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Preface

This document comprises proposed amendments to the following codes as published by the International Code Council, Inc, amended by the Participating Agencies listed above, with the support of the Northern Nevada Chapter of the International Code Council:

2018 Edition of the International Building Code

2018 Edition of the International Existing Building Code

2018 Edition of the International Energy Conservation Code

2018 Edition of the International Fuel Gas Code

2018 Edition of the International Mechanical Code

2018 Edition of the International Residential Code

2017 Edition of the National Electrical Code

2018 Edition of the Uniform Mechanical Code

2018 Edition of the Uniform Plumbing Code

This document is hereafter referenced as the 2018 Northern Nevada Code Amendment and is prepared to be adopted by reference by the local Authority Having Jurisdiction. These provisions are not considered to be or enacted as the code unless the provisions are adopted and codified by the local Authority Having Jurisdiction.

The purpose of the document is to provide a consist area-wide application to the enforcement of the fire and life safety code sections noted in the International Fire Code, while still acknowledging necessary modifications to the nationally recognized fire and life safety document based upon the local needs of the community.

Notes:

- Deleted language in the base code has bee ~~stricken through~~.
- Added language to the code section has been underlined.
- The entire section amended has been shown for context.

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Amendments to the 2018 Edition of the International Building Code

Section 202 Definitions

Amend Section 202 to read as follows:

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

International Electrical Code. The Electrical Code, whether the National Electrical Code or the International Electrical Code, as amended and adopted by the local jurisdiction.

International Mechanical Code. The Mechanical Code, whether the Uniform Mechanical Code or the International Mechanical Code as amended and adopted by the local jurisdiction.

International Plumbing Code. The Plumbing Code, whether the Uniform Plumbing Code or the International Plumbing Code, as amended and adopted by the local jurisdiction.

International Fuel Gas Code. The Fuel Gas Code, whether NFPA 54 or the International Fuel Gas Code, as amended and adopted by the local jurisdiction.

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.

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

305.2.3 ~~Five Six~~ or fewer children in a dwelling unit. A facility such as the above within a *dwelling unit* and having ~~five~~ 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 308.2 Institutional Group I-1

Amend Section 308.2 to read as follows:

308.2 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.

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

308.5.4 ~~Five~~ Six or fewer persons 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*.

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)

Group 311.2 Moderate-hazard storage, Group S-1

Amend Section 311.2 to read as follows:

311.2 Moderate-hazard storage, Group S-1. Storage Group S-1 occupancies are buildings occupied for storage uses that are not classified as Group S-2, including, but not limited to, storage of the following:

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

~~Dry boat storage (indoor)~~

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

Section 403.5.4 Smokeproof enclosures

Amend Section 403.5.4 to read as follows:

403.5.4 Smokeproof enclosures. Every required *interior exit stairway* serving floors more than ~~75~~ 55 feet (~~22 860~~ 16 764 mm) above the lowest level of fire department vehicle access shall be a *smokeproof enclosure* in accordance with Sections 909.20 and 1023.11

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. ~~Smoke and heat removal shall not be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers.~~ 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 200mmn).
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 sprinklers.

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 ~~1,200~~ 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 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 A117.1-2009.

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 1503.6 Snow shedding and impact areas

Amend Section 1503 by adding Section 1503.6 as follows:

1503.6 Snow shedding and impact areas. Snow shedding onto adjacent properties is prohibited. Snow shed impact areas shall be designed to contain shedding snow from structures and prevent snow from encroaching onto adjacent properties when ground snow loads exceed 154 p_g when located in Washoe County or Carson City, or exceeds 69 p_g when located in Storey County. The roof and eaves of all structures shall be designed so that snow shed impact areas will not occur in or on required exits, parking areas, driveways, LPG storage tanks, walkways, and public areas.

Exception: The snow shed impact area may be reduced provided an engineered snow restraint system, designed in accordance with this code, is incorporated into the roof design and the roof drainage system.

Section 1608.2 Ground snow loads

Amend Section 1608.2 to read as follows:

1608.2 GROUND SNOW LOADS. THE GROUND SNOW LOADS TO BE USED IN DETERMINING THE DESIGN SNOW LOADS FOR ROOFS SHALL BE DETERMINED IN ACCORDANCE WITH TABLE 1608.2.1 ASCE 7 OR FIGURE 1608.2 FOR THE CONTIGUOUS UNITED STATES AND TABLE 1608.2 FOR ALASKA. SITE-SPECIFIC CASE STUDIES SHALL BE MADE IN AREAS DESIGNATED "CS" IN FIGURE 1608.2. GROUND SNOW LOADS FOR SITES AT ELEVATIONS ABOVE THE LIMITS INDICATED IN FIGURE 1608.2 AND FOR ALL SITES WITHIN THE CS AREAS SHALL BE APPROVED. GROUND SNOW LOAD DETERMINATION FOR SUCH SITES SHALL BE BASED ON AN EXTREME VALUE STATISTICAL ANALYSIS OF DATA AVAILABLE IN THE VICINITY OF THE SITE USING A VALUE WITH A 2-PERCENT ANNUAL PROBABILITY OF BEING EXCEEDED (50-YEAR MEAN RECURRENCE INTERVAL). SNOW LOADS ARE ZERO FOR HAWAII, EXCEPT IN MOUNTAINOUS REGIONS AS APPROVED BY THE BUILDING OFFICIAL. THE SNOW LOADS FOR ELEVATIONS ABOVE 4500 FEET SHALL BE TAKEN FROM TABLE 1608.2.1.

Table 1608.2.1 GROUND SNOW LOADS P_g , FOR NORTHERN NEVADA LOCATIONS

Add Table 1608.2.1 to read as follows:

TABLE 1608.2.1
GROUND SNOW LOADS P_g , FOR NORTHERN NEVADA LOCATIONS

Elevation In Feet	West of U.S. Hwy 395 Sierra Slope Carson, Douglas, Washoe Counties, Reno P_g (Pounds Per Square Foot)	East of U.S. Hwy 395 Carson, Douglas, Washoe Counties, Reno & Sparks P_g (Pounds Per Square Foot)	Lyon County P_g (Pounds Per Square Foot)	Storey County P_s (Pounds Per Square Foot)	All Nevada Counties, Lake Tahoe Basin P_g (Pounds Per Square Foot)
4500	30	30	10	10	
5000	30	30	30	10	
5100	41	31	31	10	
5200	52	33	31	10	
5300	64	34	34	10	
5400	75	35	35	10	
5500	86	37	37	50	
6000	142	43	43	70	220
6500	171	43	43	90	235
7000	200	57	57	90	250
7500	215	57	57	90	265
8000	229	86	86	90	280
8500	243	86	86	90	295
9000	271	114	114	114	330
9500	300	142	142	120	390
10000	357	142	142	142	420

Section 1609.1.1 Determination of wind loads

Amend Section 1609.1.1 to read as follows:

1609.1.1 Determination of wind loads. Wind loads on every building or structure shall be determined in accordance with Chapter 26 to 30 of ASCE 7. The type of opening protection required, the basic design wind speed, V , and the exposure category for a site is permitted to be determined in accordance with section 1609 or ASCE 7. The wind speed in the City of Reno, the City of Sparks, Douglas, Pershing and Washoe Counties shall be per the Special Wind Region Table 1609.3.2. Wind shall be assumed to come from any horizontal direction and wind pressures shall be assumed to act normal to the surface considered.

Exceptions:

1. Subject to limitations of section 1609.1.1.1, the provisions of ICC 600 shall be permitted for applicable Group R-2 and R-3 buildings.
2. Subject to the limitations of Section 1609.1.1.1, residential structures using the provisions of AWC WFCM.
3. Subject to the limitations of Section 1609.1.1.1 residential structures using the provisions of AISI S230.
4. Designs using NAAMM FP 1001.
5. Designs using TIA-222 for antenna-supporting structures and antennas, provided that the horizontal extent of Topographic Category 2 escarpments in Section 2.6.6.2 of TIA-222 shall be 16 times the height of the escarpment.
6. Wind tunnel tests in accordance with ASCE 49 and Sections 31.4 and 31.5 of ASCE 7.

The wind speeds in Figures 1609.3(1) through 1609.3(8) are basic design wind speeds, V , and shall be converted in accordance with Section 1609.3.1 to allowable stress design wind speeds, V_{asd} , when the provisions of the standards referenced in Exceptions 4 and 5 are used. The wind speed in the City of Reno, the City of Sparks, Douglas, Pershing and Washoe Counties shall be per the Special Wind Region Table 1609.3.2

Section 1609.1.1.1 Applicability

Amend Section 1609.1.1.1 to read as follows:

1609.1.1.1 Applicability. The provisions of ICC 600 are applicable only to buildings located within Exposure B or C as defined in section 1609.4. The wind speed in the Carson City, City of Reno, the City of Sparks, Douglas, Pershing and Washoe Counties shall be per the Special Wind Region Table 1609.3.2. The provisions of ICC 600, AWC WFCM and AISI S230 shall not apply to buildings sited on the upper half of an isolated hill, ridge, or escarpment meeting all of the following conditions:

1. The hill, ridge or escarpment is 60 feet (18288 mm) or higher if located in Exposure B or 30 feet (9144 mm) or higher if located in Exposure C.
2. The maximum average slope of the hill exceeds 10 percent.
3. The hill, ridge or escarpment is unobstructed upwind by other such topographic features for a distance from the high point of 50 times the height of the hill or 2 miles (3.22 km), whichever is greater.

Section 1609.3 Basic design wind speed

Amend Section 1609.3 to read as follows:

1609.3 Basic design wind speed. The basic design wind speed, V , in mph, for the determination of the wind loads shall be determined by figures 1609.3(1) through (8). The basic design wind speed, V , for use in the design of Risk Category II buildings and structures shall be obtained from Figures 1609.3(1) and 1609.3(5). The basic design wind speed, V , for use in the design of Risk Category III buildings and structures shall be obtained from Figures 1609.3(2) and 1609.3(6). The basic design wind speed, V , for use in the design of Risk Category IV buildings and structures shall be obtained from Figures 1609.3(3)

and 1609.3(7). The basic design wind speed, V , for use in the design of Risk Category I buildings and structures shall be obtained from Figures 1609.3(4) and 1609.3(8). No altitude density reduction shall be taken.

The basic design wind speed, V , for the special wind regions indicated near mountainous terrain and near gorges shall be in accordance with local jurisdiction requirements. The basic design wind speeds, V , determined by the local jurisdiction shall be in accordance with Chapter 26 of ASCE 7. Utilizing Special wind region Table 1609.3.2.

TABLE 1609.2 SPECIAL WIND REGION DEFINED: MINIMUM BASIC WIND SPEEDS

Add Table 1609.3.2 to read as follows:

TABLE 1609.3.2

SPECIAL WIND REGION DEFINED:

MINIMUM BASIC WIND SPEEDS

For Carson City, City of Reno, City of Sparks, Douglas, Lyon, Pershing, Storey and Washoe Counties the design wind speed values shall be:

Risk Category	Ultimate Wind Speed V_{ult} (mph)	V_{asd} Wind Speed 3-sec gust (mph)
I	110	85
II & 2018 IRC	120	93
III	130	101
IV	135	104

Table notes:

- a) Air density corrections to design wind pressures are prohibited.
- The conversions from V_{ult} to V_{asd} are based on Table 1609.3.1

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 test 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 test 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 test 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.

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.

Exception: The *building official* ~~shall be permitted to waive the requirement for~~ 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.

Section 1803.6 Reporting

Amend Section 1803.6 to read as follows:

1803.6 Reporting. Where geotechnical investigations are required, a written report of the investigations shall be submitted to the building official by the permit applicant at the time of permit application. This geotechnical report shall include, but need not be limited to, the following information:

1. A plot showing the location of the soil investigations
2. A complete record of the soil boring and penetration test logs and soil samples.
3. A record of the soil profile.
4. Elevation of the water table, if encountered.
5. 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
6. Expected total and differential settlement.
7. Deep foundation information in accordance with Section 1803.5.5.
8. Special design and construction provisions for foundations of structures founded on expansive soils, as necessary.
9. Compacted fill material properties and testing in accordance with Section 1803.5.8.

10. Controlled low-strength material properties and testing in accordance with Section 1803.5.9.
11. Where required by 1803.5.11, investigation of liquefaction hazards shall be performed in accordance with "Guidelines for Evaluating Liquefaction Hazards in Nevada," investigation of hazards associated with surface displacement due to faulting or seismically induced lateral spreading or lateral flow shall be performed in accordance with "Guidelines for Evaluating Potential Surface Fault Rupture/Land Subsidence Hazards in Nevada."

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.
5. Voids greater than 3" shall be filled.
6. Drainage swale and system.
7. Embedment.
8. Wall face slope (batter 6v:1H recommended).
9. 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.

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.

Foundation 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.

Section 2901.1 Scope

Amend Section 2901.5 to read as follows:

2901.1 Scope. The provisions of this chapter and the ~~International Plumbing Code~~ 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. ~~Private sewage disposal systems shall conform to the International Private Sewage Disposal Code.~~ The *International Fire Code*, the *International Property Maintenance Code* and the *International Plumbing Code* shall govern the use and maintenance of plumbing components, appliances, equipment and systems. The *International Existing Building code* and the *International 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:

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES ^a

No.	CLASS	OCCUPANCY	DESCRIPTION	WATER CLOSETS ^h (URINALS SEE SECTION 410.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAINS, ETC. (SEE SECTION .1 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Business	B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80		—	1 per 100	1 service sink
2	Educational	E	Educational facilities	1 per 50		1 per 50		—	1 per 100	1 service sink
3	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100		1 per 100		See Section 411 of the International Plumbing Code	1 per 400	1 service sink
4	Institutional	I-1	Residential care	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		I-2	Hospitals, ambulatory nursing home patients ^b	1 per room ^c		1 per room ^c		1 per 15	1 per 100	1 service sink
			Employees, other than residential care ^b	1 per 25		1 per 35		—	1 per 100	—
			Visitors, other than residential care	1 per 75		1 per 100		—	1 per 500	—
		I-3	Prisons ^b	1 per cell		1 per cell		1 per 15	1 per 100	1 service sink
		I-3	Reformatories, detention centers and correctional centers ^b	1 per 15		1 per 15		1 per 15	1 per 100	1 service sink

		Employees ^a	1 per 25	1 per 35	—	1 per 100	1 service sink
		I-4 Adult day care and child care	1 per 15	1 per 15	—	1 per 100	1 service sink
5	Mercantile	M Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500	1 per 750	—	1 per 1,000	1 service sink
6	Residential	R-1 Hotels, motels, boarding houses (transient)	1 per sleeping unit	1 per sleeping unit	1 per sleeping unit	—	1 service sink
		R-2 Dormitories, fraternities, sororities and boarding house (not transient)	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
		R-2 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
7	Residential	R-3 One- and two-family dwellings	1 per dwelling unit	1 per 10	1 per dwelling unit	—	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units
		R-3 Congregate living facilities with 16 or fewer persons	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
		R-4 Residential care/assisted living facilities	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink

8	Storage	S-1 S-2	Structures for the storage of goods, warehouses, storehouses and freight depots, low and moderate hazard	1 per 100	1 per 100	See Section 411 of the International Plumbing Code	1 per 1,000	1 service sink
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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 patients.

c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient rooms shall be permitted where such room is provided with direct access from each patient room and with provisions for privacy.

d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.

e. The minimum number of required drinking fountains shall comply with Table 2902.1 and Chapter 11.

f. Drinking fountains are not required for an occupant load of ~~15~~ 30 or fewer.

g. For business and mercantile occupancies with an occupant load of ~~15~~ 30 or fewer, service sinks shall not be required.

h. 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.

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.

Section I105.2 Footings

Amend Section I105.2 to read as follows:

I105.2 Footings. ~~In areas with a frost depth of zero, a~~ An unenclosed patio cover that projects 14 feet or less from the main structure shall be permitted to be supported on a concrete slab on grade without footing, provided that the slab conforms to the provisions of Chapter 19 of this code and is not less than

3½ inches (89 mm) thick, and the columns do not support loads in excess of 750 pounds (3.36 kN) per column.

Amendments to the 2018 Edition of the International Existing Building Code

Section 301.6 Baby changing tables

Amend Section 301 by adding Section 301.6 to read as follows:

301.6 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 A117.1-2009.

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 ~~75~~ 55 feet (~~22 860~~ 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.

Amendments to the 2018 Edition of the International Energy Conservation Code

COMMERCIAL PROVISIONS

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.

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, International Fuel Gas Code, International Mechanical Code, Uniform Mechanical Code, International Plumbing Code, Uniform Plumbing Code, or the International Residential Code shall have the meanings ascribed to them in those codes.

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.

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 Sections 901 through 905 of the International Mechanical Code, 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 403.2.2 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 *International Mechanical Code* and 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 *International Mechanical Code* and Uniform Mechanical Code.

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 requirements of Chapter 4 of the International Mechanical Code and 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 energy source.
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 *International Mechanical Code* and *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 (46.5m^2) and with an average occupant load of 25 people or greater per 1,000 square feet (93m^2) of floor area, as established in Table 403.3.1.1 of the *International Mechanical Code* and Table 402.1 *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 *International Mechanical Code* and *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 *International Mechanical Code* and *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 *.
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 *International Mechanical Code* and *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 any 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 603.9 of the *International Mechanical Code* and Section 603.10, 603.11 of the *Uniform Mechanical Code*.

Section C403.11.2.1 Low-pressure duct systems (Mandatory)

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 *International Mechanical Code* and *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 *International Mechanical Code* and *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 *International Mechanical Code* and *Uniform Mechanical Code*.

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, International Fuel Gas Code, International Mechanical Code, Uniform Mechanical Code, International Plumbing Code, Uniform Plumbing Code, International Property Maintenance Code, International Private Sewage Disposal Code* and NFPA 70.

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
~~C402.5.6~~ 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

IFGC-18: International Fuel Gas 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). ~~A permanent~~ The Builder shall provide a final certificate to the owner. ~~a certificate shall be completed by the builder or other approved party and posted on a wall in the space where the furnace is located, a utility room or an approved location inside the building. Where located on an electrical panel, the certificate shall not cover or obstruct the visibility of the circuit directory label, service disconnect label or other required labels.~~ 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 solar heat gain coefficient (SHGC) 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 equipment. ~~Where a gas-fired unvented room heater, electric furnace or baseboard electric heater is installed in the residence, the certificate shall indicate “gas-fired unvented room heater,~~

~~electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be indicated for gas-fired unvented room heaters, electric furnaces and electric baseboard heaters.~~

Section R402.4.1.2 Testing

Amend Section R402.4.1.2 to read as follows:

R402.4.1.2 Testing. The building or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour, ~~in Climate Zones 1 and 2, and 3 air changes per hour in Climate Zones 3 through 8.~~ Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascal's). Where required by the *Code Official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *Code Official*. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather-stripping or other infiltration control measures;
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of test, shall be open;
4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling systems, if installed at the time of testing, shall be fully open.
6. Supply and return registers, where installed at the time of the test, shall be fully open.

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 to ~~4 cubic feet per minute (113.3 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.

Amendments to the 2018 Edition of the International Fuel Gas Code

Section 301.1.2 LP-Gas Installations

Add new subsection 301.1.2 to section 301.1:

301.1.2 LP-Gas Installations. 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 301.16 Snow Hazard

Add new section 301.16 to 301:

301.16 Snow hazard. Protection of utilities shall be per requirements of the local utility.

Section 406.4.1 Test Pressure

Amend section 406.4.1 to read as follows:

406.4.1 Test pressure. The test pressure to be used shall be no less than 1-1/2 times the proposed maximum working pressure, but not less than ~~3~~ 25 psig (20 172.4 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe. This test shall be made before any fixtures, appliances or shut-off valves have been attached and before being concealed.

Section 406.4.2 Test Duration

Amend section 406.4.2 to read as follows:

406.4.2 Test duration. Test duration shall be not less than 30 minutes. ~~1/2 hour for each 500 cubic feet (14 m³) of pipe volume or fraction thereof. When testing a system having a volume less than 10 cubic~~

~~feet (0.28 m³) or a system in a single family dwelling, the test duration shall be not less than 10 minutes. The duration of the test shall not be required to exceed 24 hours.~~

Section 406.6.2 Before Turning Gas On

Amend Section 406.6.2 to read as follows and add new subsections 405.6.2.1 thru 405.6.2.3:

406.6.2 Before 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 all valves at unused outlets are closed and plugged or capped. In the City of Fernley, City of Reno, City of Sparks, Storey County and Washoe County, 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.

405.6.2.1 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.

406.2.2 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.

406.2.3 Manometer testing. Manometer testing shall be performed by a person holding a valid Washoe County manometer tester card for which the number is to be provided at the time of request for inspection. A visual manometer test to be witnessed by the authority having jurisdiction may be allowed by the Building Official. A manometer test does not need to be reported when the serving gas utility performs a manometer or clock test prior to providing service.

Amendments to the 2018 Edition of the International Mechanical Code

Section 401.2 Ventilation Required

Amend Section 401.2 to read as follows:

401.2 Ventilation required. Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. ~~Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2 inch water column (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403.~~

Section 505.4 Makeup Air Required

Amend Section 505.2 to read as follows:

505.4 Makeup air required. Exhaust hood systems capable of exhausting in excess of ~~400~~ 600 cfm (~~0.19~~ 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.

Section 508.1.3 Evaporative Cooling Systems Used as Makeup Air

Add new subsection 508.1.3 to 508.1:

508.1 Makeup air. *Makeup air* shall be supplied during the operation of commercial kitchen exhaust systems that are provided for *commercial cooking appliances*. The amount of *makeup air* supplied to the building from all sources shall be approximately equal to the amount of *exhaust air* for all exhaust systems for the building. The *makeup air* shall not reduce the effectiveness of the exhaust system. *Makeup air* shall be provided by gravity or mechanical means or both. Mechanical *makeup air* systems shall be automatically controlled to start and operate simultaneously with the exhaust system. *Makeup air* intake opening locations shall comply with Section 401.4.

508.1.1 Makeup air temperature. The temperature differential between *makeup air* and the air in the conditioned space shall not exceed 10°F (6°C) except where the added heating and cooling loads of the *makeup air* do not exceed the capacity of the HVAC system.

508.1.2 Air balance. Design plans for a facility with a commercial kitchen ventilation system shall include a schedule or diagram indicating the design outdoor air balance. The design outdoor air balance shall indicate all exhaust and replacement air for the facility, plus the net exfiltration if applicable. The total replacement air airflow rate shall equal the total exhaust airflow rate plus the net exfiltration.

508.1.3 Evaporative Cooling Systems Used as Makeup Air. Evaporative coolers shall not be used for make-up air units on commercial kitchen hoods and kitchen ventilation systems.

Exception: Evaporative cooling systems that are a listed assembly with tempered air for kitchen make-up air systems.

Section 603.2 Duct Sizing

Amend Section 603.2 to read as follows:

603.2 Duct sizing. Ducts installed within a single *dwelling unit* shall be sized in accordance with ACCA Manual D S based on building loads calculated in accordance with ACCA Manual J or other approved heating and cooling calculations methodologies or other *approved* methods. Ducts installed within all other buildings shall be sized in accordance with the ASHRAE *Handbook of Fundamentals* or other equivalent computation procedure.

Amendments to the 2018 Edition of the International Residential Code

R202 Definitions

Amend Section R202 adding the following definitions, to read as:

Section R202 Definitions.

International Electrical Code. The Electrical Code, whether the National Electrical Code or the International Electrical Code, as amended and adopted by the local jurisdiction.

International Mechanical Code. The Mechanical Code, whether the Uniform Mechanical Code or the International Mechanical Code as amended and adopted by the local jurisdiction.

International Plumbing Code. The Plumbing Code, whether the Uniform Plumbing Code or the International Plumbing Code, as amended and adopted by the local jurisdiction.

International Fuel Gas Code. The Fuel Gas Code, whether NFPA 54 or the International Fuel Gas Code, as amended and adopted by the local jurisdiction.

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.

Table R301.2 (1) Climatic and Geographic Design Criteria

Amend Table R301.2 (1) to read as follows:

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA													
GROUND SNOW LOAD*	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP*	ICE BARRIER UNDERLAYMENT REQUIRED*	FLOOD HAZARDS*	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects*	Special wind region	Windborne debris zone*		Weathering*	Frost line depth*	Ferme*					
SEE IRC TABLE 1608.2.1	SEE APPENDIX	NO	YES	NO	SEE APPENDIX	SEVERE	SEE APPENDIX	MODERATE TO HEAVY	SEE APPENDIX	SEE APPENDIX	SEE APPENDIX	SEE APPENDIX	SEE APPENDIX

MANUAL J DESIGN CRITERIA

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

- 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 C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- 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 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 all 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 R905.8.3.1, 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 special 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 using the Ground Snow Loads in Figure R301.2(6).

R313.1 Townhouse automatic fire sprinkler systems

Amend Section R313.1 to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required when *additions* or *alterations* are made to existing *townhouses* that do not have an automatic residential fire sprinkler system installed.
2. An automatic residential fire sprinkler system shall not be required in *townhouses* less than 5,000 sq. ft. of living space unless the AHJ has amended the International Fire Code to include provisions pertaining to townhouses in accordance with NRS 278.586.

R313.2 One- and two-family dwellings automatic fire sprinkler systems

Amend Section R313.2 to read as follows:

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required when *additions* or *alterations* are made to existing building that do not have an automatic residential fire sprinkler system installed.
2. An automatic residential fire sprinkler system shall not be required in *one- and two-family dwellings* less than 5,000 sq. ft. of living space unless the AHJ has amended the International Fire Code to include provisions pertaining to one- and two- family dwellings in accordance with NRS 278.586.

N1102.4.1.2 (R402.4.1.2) Testing

Amend Section N1102.4.1.2 (R402.4.1.2) to read as follows:

N1102.4.1.2 (R402.4.1.2) Testing. The *building* or dwelling unit shall be tested and verified as having an air leakage rate of not exceeding 5 air changes per hour ~~in Climate Zones 1 and 2, and 3 air changes per hour in Climate Zones 3 through 8.~~ Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *Code Official*, testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *Code Official*.

Testing shall be performed at any time after the creation of all penetrations of the *building thermal envelope*.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather-stripping or other infiltration control measures.
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures.
3. Interior doors, where installed at the time of the test, shall be open.

4. Exterior or interior terminations for continuous ventilation systems shall be sealed.
5. Heating and cooling systems, where installed at the time of the test, shall be turned off.

M1503.6 Makeup air required

*Amend Section **M1503.6** to read as follows:*

M1503.6 Makeup air required. Exhaust hood systems capable of exhaust in excess of ~~400~~ 600 cubic feet per minute (~~0.19~~ 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.

Exception: Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open.

G2404.1.1 (301.1.2) LP-Gas installations

*Add Section **G2404.1.1(301.1.2)** to Section **G2404.1 (303.1) Scope**, to read as follows:*

G2404.1 (301.1) Scope. This section shall govern the approval and installation of all equipment and appliances that comprise parts of the installations regulated by this code in accordance with Section G2401.

G2404.1.1 (301.1.2) LP-Gas Installations. 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.

G2404.12 (301.17) Snow hazard

*Add Section **2404.12 (301.17)** to Section **G2404 (301) General**, to read as:*

G2404.12 (301.17) Snow hazard. On any new gas installation or reconnecting the gas service of an existing installation, gas meters above 5,800 feet in elevation in Carson City, Storey County and Washoe County must be protected from falling, sliding and accumulating of snow, unless the gas meter is installed in a protected location such as under an engineered deck, roof or shed. Engineered decks, roofs, or sheds shall be enclosed on all sides when used to protect gas meters on the snow shedding sides of a structure as approved by the gas utility.

G2417.4.1 (406.4.1) Test pressure

Amend Section G2417.4.1 (406.4.1) to read:

G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be no less than 1-1/2 times the proposed maximum working pressure, but not less than ~~3~~ 25 psig (~~20~~ 172.4 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *piping* greater than 50 percent of the specified minimum yield strength of the pipe. This test shall be made before any fixtures, appliances or shut-off valves have been attached and before being concealed.

G2417.4.2 (406.4.2) Test duration

Amend Section G2417.2 (406.4.2) to read:

G2417.4.2 (406.4.2 Test duration). Test duration shall be not less than ~~10 minutes~~ 30 minutes.

G2417.6.2 (406.6.2) Before turning gas on

Amend Section G2417.6.2 (406.6.2) to read:

G2417.6.2 (406.6.2) Before 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 all valves at unused outlets are closed and plugged or capped. In the City of Fernley, City of Reno, City of Sparks, Storey County and Washoe County, 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.

G2417.6.2.1 (406.6.2.1) For medium pressure gas systems

Add Section G2417.6.2.1 (406.6.2.1) to Section G2417.6.2 (406.6.2) Before turning gas on, to read as:

G2417.6.2.1 (406.6.2.1) 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.

G2417.6.2.2 (406.2.2) For appliances or equipment requiring pounds of gas pressure.

Add Section G2417.6.2.2 (406.6.2.2) to Section G2416.6.2 (406.6.2) Before turning gas on, to read:

G2417.6.2.2 (406.2.2) 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.

G2417.6.2.3 (406.2.3) Manometer testing

Add Section G2417.6.2.3 (406.2.3) to Section G2416.6.2 (406.6.2) Before turning gas on, to read:

G2417.6.2.3 (406.2.3) Manometer testing. Manometer testing shall be performed by a person holding a valid Washoe County manometer tester card for which the number is to be provided at the time of request for inspection. A visual manometer test to be witnessed by the authority having jurisdiction may be allowed by the Building Official. A manometer test does not need to be reported when the serving gas utility performs a manometer or clock test prior to providing service.

P2503.5.1 Rough plumbing

Amend Section P2503.5.1 to read:

P2503.5.1 Rough plumbing. DWV systems shall be tested on completion of the rough piping installation by water ~~or for piping systems other than plastic~~, by air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping has been installed, as follows:

1. Water test. Each section shall be filled with water to a point not less than 10 feet (1524 mm) above the highest fitting connection in that section, or to the highest point in the completed system. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.
2. Air test. The portion under test shall be maintained at a gauge pressure of 5 pounds per square inch (psi) (34 kPa) or 10 inches of mercury column (34 kPa). This pressure shall be held without introduction of additional air for a period of 15 minutes.

P2603.5.1 Sewer depth

Amend Section P2603.5.1 to read:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a not less than twelve (12) inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be not less than twelve (12) inches (305 mm) below grade.

P3002.2.2 Building sewer

Add Section P3002.2.2 to Section P3002.2 Building sewer, to read:

P3002.2.2 Building sewer. In no event shall building sewer be less than four (4) inches in diameter.

E3601.6.2 Service disconnect location

Amend Section E3601.6.2 to read as:

E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure inside nearest the point of entrance of the service conductors. ~~Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.~~ The disconnecting means may be located independent of the building or structure served, in direct line of sight, but not to exceed thirty (30) feet.

Exception: The service disconnecting means may be installed within a building when an external remote shunt trip 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 twelve inches (12") equilateral triangle, red in color.

E3705.6.1 Edison fuses

Add Section E3705.6.1 to Section E3705.6 Fuses and fixed trip circuit breakers, to read:

E3705.6.1 Edison Fuses. Plug fuses of the Edison-based shall be used only for replacement 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 be made to comply with the requirements for a Type S fuse holder through the installation of a tamper proof (rejection type) base.

E3901.2.2 Wall space

Section E3901.2.2 is amended to read:

E3901.2.2 Wall Space.

- (1) Any space 2 ft. (610mm) or more in width, including space measured around corners, and that is unbroken along the floor line by doorways and similar opening, fireplaces, and fixed cabinets that do not have countertops or similar work surfaces.
- (2) The space occupied by fixed panels in exterior walls, excluding sliding panels.
- (3) The space created by fixed room dividers such as railings and freestanding bar-type counters.

Exception No. 1: The space behind operable doors.

Exception No. 2: Vestibules, hallways, and similar areas less than 5 ft wide in bedrooms.

E3902.2 Garage and accessory building receptacles

Amend Section E3902.2 to read:

Section E3902.2 Garage and accessory building receptacles. 125-volt, single-phase, 15 or 20 ampere receptacles installed in garages and grade-level portions of unfinished accessory buildings used for storage or work areas shall have ground-fault circuit-interrupter protections for personnel. [210.8(A)(2)]

Exception: Single receptacle for a fixed in place heating appliance only (example: fuel-fired FAU, heat pump or water heater) when located within an attached garage.

E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications

Section E3902.17 is deleted:

~~**E3902.17 Arc-fault circuit interrupter protection for branch circuit extensions or modifications.** Where branch circuit wiring is modified, replaced or extended in any of the areas specified in Section E3902.12, the branch circuit shall be protected by one of the following:~~

- ~~1. A combination-type AFCI located at the origin of the branch circuit.~~
- ~~2. An outlet branch-circuit type AFCI located at the first receptacle out of the existing branch circuit.~~

~~**Exception:** AFCI protection shall not be required where the extension of the existing conductors is not more than 6 feet (1.8 m) in length and does not include any additional outlets or devices. [201.12(B) Exception]~~

AH105.2 Footings

Amend Section AH105.2 to read:

AH105.2 Footings. ~~In areas with a frost depth of zero as specified in Table R301.2(1),~~ For patio covers supported on a concrete slab-on-grade without footings, the slab shall conform to the provisions of Section R506, shall be not less than 3.5 inches (89 mm) thick and the columns shall not support live or dead loads in excess of 750 pounds (3.34 kN) per column.

Amendments to the 2017 Edition of the National Electrical Code

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.

Exception No. 1: The space behind operable doors.

Exception No. 2: Vestibules, hallways, and similar areas less than 5 ft wide in bedrooms.

225.32 Locations

Amend Section 225.32 to read as follows:

225.32 Location. The disconnecting means shall be installed ~~either inside or attached to the outside of~~ the building or structure served or where the conductors pass through the building or structure. The disconnecting means shall be at a readily accessible location nearest the point of entrance of the conductors. For the purposes of this section, the requirements in 203.6 shall be utilized.

Exception 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 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 3: For towers or poles used as lighting standards, the disconnecting means shall be permitted to be located elsewhere on the premises.

Exception 4: For poles or similar structures used only for support of signs installed in accordance with Article 600, the disconnecting means shall be permitted to be located elsewhere on the premises.

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.

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 ~~or inside~~ 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.

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

(4) 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

Amend Section 250.120 to read as follows:

250.120 Equipment Grounding Conductor Installation. ~~An equipment grounding conductor shall be installed in accordance with 250.120(A), (B), and (C). All raceways installed on roofs shall contain an equipment grounding conductor sized per Table 250.122 installed with the circuit conductors.~~

Exception: Low voltage, communication and similar type systems unless required elsewhere in the Code.

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 ~~single-gang~~ boxes ~~not larger than a nominal size 57 mm x 100 mm (2 1/4 in. x 4 in.)~~ 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.

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.

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 ~~23 m (75 ft)~~ 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 ~~1-hour~~ 2-hour fire rating where located within the following:

- (1) Assembly occupancies for more than 1000 persons.
- (2) Buildings above ~~23 m (75 ft)~~ 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

Amendments to the 2018 Edition of the Uniform Mechanical Code

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 ~~610~~ feet (~~1829~~ 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 shall be permitted to operate intermittently where the system is designed to operate automatically upon detection of vehicle operation or the presence of occupants by approved automatic detection devices.~~ 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) Approved automatic carbon monoxide sensing devices shall be permitted to be employed to modulate the ventilation system to not exceed 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 garage ventilation systems shall be approved in accordance with Section 301.2.~~ 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.

Section 504.4.2.1 Length Limitation

Amend Section 504.4.2.1 to read as follows:

504.4.2.1 Length Limitation. Unless otherwise permitted or required by the dryer manufacturer's instructions and approved by the Authority Having Jurisdiction, domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of 14 feet (4267 mm), including two 90-degree (1.57 rad) elbows. ~~A length of 2 feet (610 mm) shall be deducted for each 90-degree (1.57 rad) elbow in excess of two.~~ Two (2) feet (610 mm) shall be deducted for each 90-degree (1.57 rad) elbow in excess of two. The maximum length of a clothes dryer exhaust duct shall not exceed 35 feet (10 668 mm) from the dryer location to the wall or roof termination. The maximum length of the duct shall be reduced 2.5 (762 mm) for each 45-degree (0.8 rad) bend and 5 feet (1524 mm) for each 90-degree (1.6 rad) bend. The maximum length of the exhaust duct does not include the transition duct.

Exceptions:

1. Where the make and model of the clothes dryer to be installed is known and the manufacture's installation instructions for the clothes dryer are provided to the Authority Having Jurisdiction, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacture's installation instructions.
2. 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.

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 ~~the Type I hoods.~~ A field test shall be conducted with ~~the all appliances under the hood at operating temperatures, with the outdoor air providing makeup air for all the hoods operating and with the source of recirculated air providing conditioning for the space in which the hood operating in located~~ 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 ~~or simulated~~ cooking operation or by simulating cooking using devices such as smoke candles or smoke puffers. Smoke bombs shall not be used [ASHRAE 154.4.8.2.4.7.2]

Exception: Capture and containment test not required if hood is UL and NFPA listed and manufacturers data lists the individual equipment below hood.

Section 604.1 General

Amend Section 604.1 to read as follows:

604.1 General. ~~Air ducts conveying air at temperatures exceeding 140°F (60°C) shall be insulated to maintain an insulation surface temperature of not more than 140°F (60°C). Factory made air ducts and insulations intended for installation on the exterior of ducts shall be legibly printed with the name of the manufacturer, the thermal resistance (R) value at installed thickness, flame spread index and smoke developed index of the composite material. Internal duct liners and insulation shall be installed in accordance with SMACNA HVAC Duct Construction Standards—Metal and Flexible. 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 2009 International Energy Conservation Code Section 403.2.1 for residential and 503.2.7 for commercial.~~

Exceptions:

- ~~(1) Factory installed plenums, casings, or ductwork furnished as a part of HVAC equipment tested and rated in accordance with approved energy efficiency standards.~~
- ~~(2) Ducts or plenums located in conditioned spaces where heat gain or heat loss will not increase energy use.~~
- ~~(3) For runouts less than 10 feet (3048 mm) in length to air terminals or air outlets, the rated R value of insulation need not exceed R-3.5 (R-0.6).~~

~~(4) Backs of air outlets and outlet plenums exposed to unconditioned or indirectly conditioned spaces with face areas exceeding 5 square feet (0.5 m²) need not exceed R-2; those 5 square feet (0.5 m²) or smaller need not be insulated.~~

~~(5) Ducts and plenums used exclusively for evaporative cooling systems.~~

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 supply return-air duct or plenum upstream of any filters, exhaust air connections, outdoor air connections, or decontamination equipment and appliances ~~air-duct~~ 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 humidities 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.

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.

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) ~~for natural gas and 10 psi (69 kPa) for undiluted propane~~, 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.

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 ~~40~~ 25 psi (~~69~~ 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 ~~15~~ 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. ~~For CSST carrying gas at pressures in excess of 14 inches water column (3.5 kPa) pressure, the test pressure shall be 30 psi (207 kPa) for 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 ~~1303.3.3.1~~ through Section ~~1303.3.3.4~~ 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 Fernley, City of Reno, City of Sparks, Storey County and Washoe County 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 Washoe County manometer tester card for which the number is to be provided at the time of request for inspection. A visual manometer test to be witnessed by the authority having jurisdiction may be allowed by the Building Official. A manometer test does not need to be reported when the serving gas utility performs a manometer or clock test prior to providing service.

Amendments to the 2018 Edition of the Uniform Plumbing Code

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 218.0 as follows:

218.0 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° (163°C) above its initial temperature through the penetration on the non-fire side, where tested in accordance with ASTM E 814 or UL 1479.~~

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. ~~and Chapter 15, "Firestop Protection."~~

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**~~

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 12 6 inches (305 152mm) below the average local frost depth. The cover shall be not less than 12 inches (305 mm) below finish grade.

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 systems shall not be tested by the air test method.~~ The building sewer shall be watertight.

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.

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) ~~for natural gas and 10 psi (69 kPa) for undiluted propane,~~ 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 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 ~~40~~ 25 psi (~~69~~ 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 ~~45~~ 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 Fernley, City of Reno, City of Sparks, Storey County and Washoe County 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.

1213.5.1.4 Manometer testing. Manometer testing shall be performed by a person holding a valid Washoe County manometer tester card for which the number is to be provided at the time of request for inspection. A visual manometer test to be witnessed by the authority having jurisdiction may be allowed by the Building Official. A manometer test does not need to be reported when the serving gas utility performs a manometer or clock test prior to providing service.

Chapter 14 Firestop Protection

Delete Chapter 14 as follows:

~~Chapter 14 Firestop Protection~~

2018 Northern Nevada Amendments Appendix

Appendix Table R301.2(1)

Carson City

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temp ^e	Ice Barrier Underlay ment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Permit ^c					
See IBC Table 1608.2.1	120	No	Yes	No	D2	Severe	24"	Moderate To Heavy	9°F	Yes above 5500'	Varies. See Engineering Dept	444	50.2°F

Manual J Design Criteria

City of Fernley

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temp ^e	Ice Barrier Underlay ment Required ^h	Flood Hazards ^g	Air Freezing Index	Mean Annual Temp ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Permit ^c					
See IBC Table 1608.2.1	115	No	No	No	D1	Severe	18"	Moderate To Heavy	11°F	No	(a)06/04/2003 (b)11/20/1998 Firm	594	49.4°F

Manual J Design Criteria

City of Reno

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temp ^e	Ice Barrier Underlay ment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Permit ^c					
See IBC Table 1608.2.1	120	No	Yes	No	D2	Severe	24"	Moderate To Heavy	17°F	Yes above 5300'	See RMC 18.12.1 701	594	49.4°F

Manual J Design Criteria

City of Sparks

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
See IBC Table 1608.2.1	120	No	Yes	No	D2	Severe	24"	Moderate To Heavy	17°F	No	See SMC 15.11	594	49.4°F

Manual J Design Criteria

Douglas County

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
See IBC Table 1608.2.1	120	No	Yes	No	D2	Severe	18" < 600 0' < 24" > 600 0'	Moderate To Heavy	4°F	Yes above 5300'	Douglas County Title 20 Chapter 20.50	647	48.8°F

Manual J Design Criteria

Lyon County

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
See IBC Table 1608.2.1	115	No	No	No	D1	Severe	18"	Moderate To Heavy	11°F	No	Lyon Co. Title 12	445	51.2°F

Manual J Design Criteria

Pershing County

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termites ^c					
See IBC Table 1608.2.1	See IBC 1609.3.2				D2	Severe	36"	Slight To None	1°F	Yes above 5300'	June 4, 2003	594	49.4°F

Manual J Design Criteria

Storey County

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termites ^c					
See IBC Table 1608.2.1	115	No	No	No	D1	Severe	18"	Moderate To Heavy	18°F	Yes above 5500'	See SCC 15.20	594	49.4°F

Manual J Design Criteria

Washoe County

Ground Snow Load ^o	Wind Design				Seismic Design Category ^f	Subject to Damage From			Winter Design Temperature ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temperature ^j
	Speed ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termites ^c					
	120	No	Yes	No	D2	Severe	24"	Moderate To Heavy	17°F	Yes above 5300'	See WCC Chapter 110	594	49.4°F

Manual J Design Criteria

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s

- 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 unit shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C, the urisidc216 or C652.
- Where the frostline depth requires deeper footings than indicated in Figure R403.1(1), the frostline depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth 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 97 1/2 -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 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 R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in the part of this table with "Yes." Otherwise, the jurisdiction shall indicate "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 historic 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 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 3 or established by the jurisdiction.~~
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

2018 NORTHERN NEVADA AMENDMENTS TO THE 2018 INTERNATIONAL FIRE CODE

July 17, 2018

Published by the Authorities Having Jurisdiction listed below

Participating Agencies

**Carson City Fire Department
777 South Stewart Street
Carson City, NV 89701**

**Central Lyon County Fire Protection District
246 Dayton Valley Road, Suite 106
Dayton, NV 89403**

**East Fork Fire Protection District
1694 County Road
Minden, NV 89423**

**Elko City Fire Department
911 West Idaho Street
Elko, NV 89801**

**North Lake Tahoe Fire Protection District
866 Oriole Way
Incline Village, NV 89451**

**North Lyon County Fire Protection District
195 East Main Street
Fernley, NV 89408**

**Reno Fire Department
One East First Street, 4th Floor
Reno, NV 89501**

**Smith Valley Fire Protection District
1 Hardie Lane
Smith, NV 89430**

**Sparks Fire Department
1605 Victorian Avenue
Sparks, NV 89431**

**Storey County Community Development
P.O. Box 526
Virginia City, NV 89440**

**Tahoe Douglas Fire Protection District
193 Elks Point Road
Zephyr Cove, NV 89448**

**Truckee Meadows Fire Protection District
1001 East Ninth Street, Building D, Second Floor
Reno, NV 89520**

Preface

This document comprises proposed amendments to the 2018 Edition of the International Fire Code as published by the International Code Council, Inc, amended by the Participating Agencies listed above, with the support of the Northern Nevada Chapter of the International Code Council. This document is hereafter referenced as the 2018 Northern Nevada Fire Code Amendment and is prepared to be adopted by reference by the local authority having jurisdiction. These provisions are not considered to be or enacted as the code unless the provisions are adopted and codified by the local Authority Having Jurisdiction.

The purpose of the document is to provide a consist area-wide application to the enforcement of the fire and life safety code sections noted in the International Fire Code, while still acknowledging necessary modifications to the nationally recognized fire and life safety document based upon the local needs of the community.

Notes:

- Deleted language in the base code has bee ~~stricken through~~.
- Added language to the code section has been underlined.
- The entire section amended has been shown for context.

The following participating agencies have reviewed the attached document referenced as the 2018 Northern Nevada Fire Code Amendments and agree with the amendments to the 2018 International Fire Code as stated therein. It is noted that the code amendments must be approved and adopted and codified by the local Authority Having Jurisdiction to become code.

Dave Ruben

Carson City Fire Department

Elizabeth Peto

Central Lyon County Fire Protection District

Steve Eisele

East Fork Fire Protection District

John Holmes

Elko City Fire Department

Mark Regan

North Lake Tahoe Fire Protection District

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2018 Northern Nevada 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~~ 16 764 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 21/2 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 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 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.

~~**Exception:** Portable outdoor fireplaces used in one- and two-family dwellings.~~

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 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 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm)~~ than a nominal height of 6-inches with a minimum 1/2-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 premise's telephone exchange shall be provided. A current premise's telephone directory 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. ~~New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.~~ 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.

Exceptions:

- ~~1. Where approved by the building official and fire official a wired communication system in accordance with Section 907.2.12.2 shall be permitted to be installed and maintained instead of an approved radio coverage system.~~
- ~~2. Where it is determined by the fire code official that the radio coverage is not needed.~~
- ~~3. In facilities where emergency responder radio coverage is required, and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated~~

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 buildings shall be provided with approved radio coverage for emergency coverage as required in chapter 11, 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 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.

(Each jurisdiction may want to cite their exact section of administrative code. For example, Reno would be in accordance with Section 1.05 of the Reno Municipal Code.)

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 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 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

Fire Authority	Fire Area ^{b,c} In square feet (sf)	Height ^d In stories	Response Time In minutes (min)
Carson City Fire Department	≥ 5,000 ^e	>2	NA
Central Lyon County Fire Protection District	≥ 5000	> 2	-
East Fork Fire Protection District	≥5,000	>2	NA
Elko City Fire Department	≥ 5,000	> 2	-
North Lake Tahoe Fire Protection District	≥5,000^g	2 with basement or >2	NA
North Lyon Fire Protection District	≥5,000	>2	NA
Reno Fire Department	>5,000	>2	NA
Smith Valley Fire Protection District	≥ 5,000	>2	NA

Sparks Fire Department	≥5,000	>2	>6
Storey County Community Development District	≥5,000	2 with basement or >2	NA
Tahoe Douglas Fire Protection District	All	NA	NA
Truckee Meadows Fire Protection District	≥5,000	>2	NA

- 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.
- g. 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

Fire Authority	Fire Area ^b In square feet (sf)	Height In stories	Response Time In minutes (min)
Carson City Fire Department	$\geq 5,000$ ^c	-	-
Central Lyon County Fire Protection District	≥ 5000	>2	-
East Fork Fire Protection District	-	-	-
Elko City Fire Department	≥ 5000	>2	-
North Lake Tahoe Fire Protection District	$\geq 5,000$ ^e	2 with basement or ≥ 3	-
North Lyon Fire Protection District	$\geq 5,000$	-	-
Reno Fire Department	>5,000	-	>6

Smith Valley Fire Protection District	≥5,000	>2	-
Sparks Fire Department	≥5000	-	>6
Storey County Community Development District	-	-	-
Tahoe Douglas Fire Protection District	>3,600 ^a	2 with basement or ≥2	-
Truckee Meadows Fire Protection District	New: ≥5,000 sf Existing: >7,000 sf ^f	-	-

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 shall not be allowed to be used to reduce the size of fire areas.

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.

e. A one-time increase of 360 square feet of fire area is permitted.

f. See section 907.2.10.2.1 for alarm requirements for existing structures.

g. 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:

1. Throughout all Group E fire areas greater than 12,000 square feet (1115 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.

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, located on the exterior of the building in an approved location,~~ 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, Table 7.3.1.1.2. 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 Group R-2, 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 907.2.10.2.1 Automatic smoke detection systems in Group R-3

Section 907.2.10.2.1 is added to Section 907.2.10.2 Groups R-2, R-3, R-4 and I-1, 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 907.2.10.2.2 Alternative to single- and multiple-station smoke alarms

Section 907.2.10.2.2 is added to 907.2.10.2 Groups R-2, R-3, R-4 and I-1, to read:

907.2.10.2.2 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 buildings address or areas services 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 ~~F~~ of the Uniform Plumbing Code. 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.

CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

Chapter 11 is deleted.

~~CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS~~

Section 3903.2 Prohibited occupancies

Section 3903.2 is amended to read:

3903.2 Prohibited occupancies. Extraction processes utilizing flammable gases or flammable ~~eryogenic~~ fluids liquids 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, the 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 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 accordance with the International 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- 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 in 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, 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.
4. ~~The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.~~

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 B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

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 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

AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)	MINIMUM FIRE FLOW (gallons per minute)	FLOW DURATION (hours)
No auto sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the International Fire Code	25 50 % of the value in Table B105.1(2) ^{b2}	Duration in Table B105.1(2) at the reduced flow rate

Section 903.3.1.2 of the International Fire Code	25 <u>50</u> % of the value in Table B105.1(2) ^b	Duration in Table B105.1(2) at the reduced flow rate
--	--	--

For SI: 1 gallon per minute = 3.785 L/m.

- a. ~~The reduced flow rate shall be not less than 1,000 gallons per minute.~~
- b. The reduced flow rate shall be not less than 1,500 gallons per minute.

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

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

Appendix D is adopted in whole in accordance with 2018 Edition of the International Fire Code Section 101.2.1.

APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS

Appendix L is adopted in whole in accordance with 2018 Edition of the International Fire Code Section 101.2.1.



Storey County Board of Fire Commissioners

Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 10 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. Title: Discussion and possible action on Resolution 18-515 adopting regulations consistent with Ordinance 18-293 amending chapter 15.04 Buildings and Construction, to adopt the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments to the International Fire Code.

2. Recommended motion: I move to approve Resolution No. 18-515 adopting the 2018 International Fire Code, the 2018 International Wildland Urban Interface Code, the 2017 National Fire Protection Association Standards (NFPA) and the 2018 Northern Nevada Amendments to the International Fire Code.

3. Prepared by: Robert Morris, outside counsel, Jeff Nevin, Fire Chief
Department: District Attorney's Office **Telephone:** 847-0964

4. Staff summary:

The 2018 editions of the International Codes are ready for adoption by the County. In addition to the adoption of the codes by the Board of County Commissioners to add the 2018 International Codes to the Storey County Code, staff is requesting that the Board of Fire Commissioners review and approve the new regulations as part of their duties. Although this was initially introduced as an ordinance no.18-294, the Fire Board doesn't have a process for codifying ordinances and so it is easier to adopt the new regulations as a resolution. The sections adopted here by the Board of Fire Commissioners are identical to the corresponding sections adopted by the Board of County Commissioners. (Continued on next page)

5. Supporting materials: Resolution 18-515 and the 2018 Northern Nevada Amendments to the International Fire Code. (Attached to previous item.)

6. Fiscal impact: No change on the fiscal impact on local government.


7. Legal review required: Yes ~~ETA~~ District Attorney

8. Reviewed by:

____ Department Head

Department Name:

____ County Manager

Other agency review: Fire Protection District 

9. Board action:

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

- J. The 2009 International Energy Conservation Code (IECC), chapters 4 through 6.
- K. The 2012 International Fuel Gas Code (IFGC), chapters 1 through 7 and Appendices.
- L. The 2012 Uniform Mechanical Code (UMC), chapters 2 through 17, and Appendices A, B, C.
- M. The 2012 International Mechanical Code (IMC), chapters 4 through 15, and Appendix A.
- N. The 2012 Uniform Plumbing Code (UPC), chapters 2 through 17, and Appendices A, B, D, E, F, G, and H.
- O. The 2014 National Electrical Code (NEC), chapters 4 through 9.
- P. The 2012 International Swimming Pool and Spa Code (ISPSA), chapters 4 through 14.
- Q. The 1997 Uniform Code for the Abatement of Dangerous Buildings (UCADB).
- R. The 2012 International Wildland Urban Interface Code amendments in section 4.5.01.080.
- S. The 2012 Northern Nevada Amendments published by the Northern Nevada Chapter of the International Code Council. Copies available at www.nncc.org.
- T. The 2014 Northern Nevada Energy Code Amendments published by the Northern Nevada Chapter of the International Code Council.

Where conflicts occur between the codes and amendments referenced above and this chapter, or if this chapter is more restrictive, this chapter will apply. The following amendments, the amendments will apply. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.040 Copies on file.

Copies of the latest adopted codes in section 15.04.010 and "Standard Details and Specifications for Public Works Construction" must be kept in the offices of the public works or building department. The latest editions of the International Fire Code, International Building Code, the International Wildland Urban Interface Code, and NFPA Standards must be kept at the community development fire district offices. (Ord. No. 14-255, § II, 5-19-2014; Ord. 172 § 1(part), 2000)

15.04.080 Fire district requirements.

A. The following amendments in addition to the 2018 Northern Nevada Amendments to the 2018 International Fire Code apply to the International Fire Code:

B. All sections of the International Fire Code and the International Wildland Urban Interface Code adopted in section 15.04.010 that refer to a board of appeals, including IFC109, are amended and in order to hear and decide the all appeals of orders, decisions, or determinations made by the fire marshal chief the following must follow the process in SCC 15.04.090 will be used:

1. Any person dissatisfied with the decision of the fire chief as applied to the person's case may appeal the decision in writing to the state fire marshal for relief within thirty days from the decision of the fire chief. The state fire marshal must make a decision to uphold or reverse the decision of the building official. The decision of the state fire marshal is final and the fire chief must implement the decision.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 15 minutes

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** Consideration and possible approval of agreement issuing license to Switch Business Solutions LLC (Switch) by which the County authorizes Switch to install a data communications line in the County's right of way within a portion of the Tahoe Reno Industrial Center.
2. **Recommended motion:** I _____ (Commissioner) move to approve the Rights of Way License Agreement authorizing Switch Business Solutions LLC to install a data communications line within a portion of the County's right-of way within the Tahoe Reno Industrial Center and authorize the Chairman to sign.
3. **Prepared by:** Keith Loomis
4. **Department:** District Attorney's Office **Telephone:** 847-0964
5. **Staff summary:** Switch desires to install a data communications line within the County's right-of way on East Sydney Drive and Electric Avenue. The proposed license agreement authorizes Switch to install the data communications line in the locations requested. The license is good for an initial period of 20 years subject to automatic renewals for additional five year periods. Switch will pay as annual rent the greater of the sum of \$500.00 or \$1.00 per lineal foot of right of way used.
6. **Supporting materials:** Proposed agreement with exhibits
7. **Fiscal impact:**
Funds Available: _____ Fund: _____ Comptroller
8. **Legal review required:**
___X___ District Attorney
8. **Reviewed by:**

____ Department Head
____ County Manager

Department Name:
Other agency review: _____

9.

Board action:

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

**STOREY COUNTY, NEVADA
RIGHTS-OF-WAY LICENSE AGREEMENT
FOR DATA COMMUNICATIONS LINE GRANTED TO
SWITCH BUSINESS SOLUTIONS, LLC**

THIS RIGHTS-OF-WAY LICENSE AGREEMENT (the "Agreement") is granted this ____ day of October, 2018, by Storey County, Nevada, a political subdivision of the State of Nevada (the "County"), acting by and through the Board of County Commissioners, its governing body (the "Board"), and Switch Business Solutions, LLC (the "Licensee"), a domestic limited liability company authorized to do business in the State of Nevada.

WITNESSETH:

WHEREAS, the Licensee, organized and existing under and by virtue of the laws of the State of Nevada, has applied to the County for permission to construct, install, operate, add to, modify, maintain, repair, relocate and remove an underground or overhead data communications line and related facilities to provide lawful services within the County's rights-of-way; and with all proper licensing if providing subscription services as that term is defined in the attached Exhibit 1 which exhibit is made a part of this agreement by this reference, and

WHEREAS, the County is prepared to grant a non-exclusive privilege to construct, install, operate, add to, modify, maintain, repair, relocate and remove an underground or overhead data communications line and related facilities in the County's rights-of-way including as depicted within the attached Exhibit 2.

NOW, THEREFORE, in consideration of the premises and of the performance by Licensee of the requirements hereinafter set forth, and subject to the following terms and conditions, the County hereby grants to the Licensee this License Agreement.

TERMS AND CONDITIONS:

1 Definitions

Definitions of terms in this Agreement shall be the same as those definitions listed in the attached Exhibit 1.

2 Agreement Duration, Conditions and Extension

- 2.1 This Agreement shall be non-exclusive and revocable pursuant to Section 6 of this Agreement, and shall be in force and effect from the date first written above. The term of this Agreement, unless modified by the parties in accordance with the terms of this Agreement, will be for twenty (20) years beginning on the commencement date. The Agreement will automatically be renewed on the first day following the twenty (20) year period for an additional (5) years, unless terminated by the parties in accordance with Section 15 of this Agreement. If not terminated, the Agreement will automatically be renewed on the first day

following each succeeding five (5) year period, unless terminated by either party in accordance with Section 14 of this agreement.

- 2.2 All currently applicable provisions of County Code, if any, and all provisions of this Agreement and Exhibit 1 shall be binding upon the Licensee, its successors, or assignees. In the event of any conflict between any provisions in Storey County Code, as amended from time to time, any provisions of this Agreement and/or any provisions of Exhibit 1, the Agreement shall be grandfathered and control.
- 2.3 Licensee is hereby granted a non-exclusive, revocable license, during the term of this Agreement, to construct, install, operate, add to, modify, maintain, repair, relocate and remove an underground or overhead electrical or data communications lines and related facilities in those right-of-ways owned by Storey County including as depicted in the attached Exhibit 2 and pursuant to the requirements of this Agreement. All installation of Licensees facilities may be above-ground or underground. Licensee may apply to expand the license to include additional rights-of-way by submitting in writing to the County Manager or the County's Manager's designee, a request to amend the Agreement. The County Manager may approve a request for expansion of license based on rights-of-way availability, street cut limitations, and public improvements planned in the rights-of-ways requested.
- 2.4 Licensee acknowledges that this Agreement is for installation of underground or aboveground facilities in rights-of-way identified in Exhibit 2, and that installation in, on, along, above or below other County property may be permitted only through separate agreement and payment of rental fees. Licensee further acknowledges that this License does not authorize Licensee, or permit the use by other persons to provide any other services without first amending this Agreement or applying for a franchise agreement and complying with the provisions of NRS 709.050 through 709.170.
- 2.5 In the event that the Licensee pursues and receives a franchise granted by the Board to construct, maintain and operate its facilities in the rights-of-way of the County, the provisions of this Agreement shall be superseded by the terms and conditions of the franchise so granted.
- 2.6 Licensee is responsible for the maintenance and upkeep of any of Licensee's facilities.

3 Licensee's Work in County Rights-of-Way

The Licensee shall, in the installation, construction, operation, maintenance, reconstruction, removal, relocation or abandonment of its facilities in the County's rights-of-way, comply with all applicable provisions of Nevada Revised Statutes, and County Code as it applies to such activities, as currently set forth and hereafter amended.

4 Rights-Of-Way License Payments and Fees

The Licensee shall pay to the County an annual rental fee of the greater of (i) \$500 total or (ii) the sum of \$1.00 for each linear foot of rights-of-way in, on, along, above or below which Licensee has installed its facilities under this Agreement. Payment may be paid on or before **June 1st** of each applicable year.

5 Rights-Of-Way License Reporting

Licensee shall submit by March 31st of each year a written report to the County Manager, or the County's designated recipient which shall be deemed strictly confidential, and shall be made available only to County officers and employees in the performance of their duties. The written report shall identify the number of linear feet of County rights-of-way in, on, along, above or below which the Licensee has installed its facilities during the previous 12-month period. The information shall include copies of encroachment permits, as-built maps indicating stationing and actual lengths of facilities installed, and any other relevant information necessary to verify the number of linear feet claimed.

Upon verification, the County's Comptroller's Office shall issue an invoice to the Licensee for annual rental of County rights-of-way in which Licensee has installed its facilities, at the rate per linear foot specified in Section 4. The rental fee shall be delivered to the County Comptroller and made payable to the County Treasurer within thirty (30) days of date of invoice.

6 Revocation and Penalties

If the Board finds that the Licensee has failed to comply with the provisions of this Agreement, Exhibit 1 or applicable provisions of the County Code, after providing ninety (90) days' written notice and an opportunity for the Licensee to be heard and a reasonable opportunity to cure, the Board may impose fines or penalties upon the Licensee in an amount deemed appropriate by the Board, but not to exceed the amount of the security deposit established in Section 8 of this Agreement. Any such fines or penalties shall be due within sixty (60) days of written notification by County, made payable to the County Treasurer, and delivered to the County's Comptroller at the County's address indicated in Section 13 of this Agreement. A late charge of five percent (5%) of the fine or penalty imposed shall be assessed if the fine or penalty is not paid within sixty (60) days of the written notification. If a fine or penalty which has been imposed by the Board is not paid within thirty (30) days from the date of written notification, Licensee hereby grants the County authorization to deduct the amount of the fine or penalty plus late charges, if any, from the security deposit provided for such purposes, pursuant to Section 8 of this Agreement. If at any time the County has drawn upon such security deposit, the Licensee shall within thirty (30) days of notification from the Comptroller replenish such security deposit to the original minimum amount established in Section 8 of this Agreement.

In addition to the grounds for revocation set forth in Storey County Code, this Agreement may be revoked if, after providing notice and an opportunity for the Licensee to be heard, and a reasonable opportunity to cure, the Board finds that the

Licensee failed to make payment of fines or penalties due under this Agreement or to comply with the provisions of this Agreement.

7 Transfers and Assignments

Licensee may only transfer the License granted by this Agreement or assign control of this Agreement in accordance with County approval, or as a part of a merger, acquisition or financing.

8 Security for Performance

The Licensee shall provide to the County's Comptroller security for performance in the amount of twenty-five thousand dollars (\$25,000) within three (3) days following execution of this Agreement. Licensee hereby grants the County authorization to deduct assessed fines or penalties and late charges, if any, from such security deposit.

9 Severability

If any provision, section, paragraph, sentence, clause, or phrase of this Agreement or Exhibit 1 is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of this Agreement. It is the intent of the Licensee in requesting this Agreement and the Board in approving this Agreement that no portion or provision thereof shall become inoperative or fails by reason of any invalidity or unconstitutionality of any other portion or provision, and to this end all provisions of this Agreement are declared to be severable.

10 Indemnification

10.1 To the maximum extent permitted by Nevada law, the Licensee shall indemnify, save harmless, and defend the county, its officers and employees, individually and collectively, from all damages, fines, liens, suits, claims, demands, actions, reasonable costs of investigation and litigation, reasonable attorneys' fees and expenses, reasonable consultants' fees and expenses, and reasonable expert witnesses' fees and expenses, judgments or liability of any kind arising out of or in any way connected with the installation, construction, operations, maintenance, or condition of the system. The rights-of-way licensee is not required to indemnify or hold harmless the county, its officers and employees as provided herein, to the extent caused by, resulting from or arising out of the active negligence or intentional actions of one or more officers or employees of the County.

10.2 The Licensee shall assume all risks in the operation of the system and shall be solely responsible and answerable for any and all injuries to persons or property arising out of the existence or performance of the franchise or rights-of-way license agreement. The amounts and types of required insurance coverage, as set forth in Section 1.01.100 (Insurance) of Exhibit 1, shall in no way be construed as limiting the scope of indemnity set forth in this section.

- 10.3 The Licensee shall have no recourse whatsoever against the county for any loss, cost, expense, or damage arising out of the enforcement or lack of enforcement of any provision or requirement of this rights-of-way license agreement.
- 10.4 The Licensee shall indemnify, save harmless, and defend the county, its officers and employees, individually and collectively, from damages which are incurred by or attributed to the county, including but not limited to costs, expenses, fees, and the actual amount of damage, arising from delays of such reconstruction, removal, or relocation work of the Licensee, beyond the time period provided for completion of such work, except to the extent that this provision is addressed otherwise in the rights-of-way license agreement.

11 Insurance

During the term of this Agreement, Licensee shall carry and maintain insurance coverage as set forth in Exhibit 1.

12 Reconstruction, Removal or Relocation

Reconstruction, removal or relocation of Licensee's facilities to accommodate a public improvement shall be provided for in the following manner (as also set forth in Exhibit 1):

- 12.1 The County or Tahoe Reno Industrial Center General Improvement District (TRIGID) shall issue to the Licensee written notice of a need to reconstruct, remove, or relocate any of Licensee's facilities which may be in conflict with an existing or proposed public improvement in order to accommodate the installation, maintenance, or use of the public improvement. Such written notice shall include project information equivalent in detail to fifty percent or more of final design for the public improvement. The Licensee shall, within thirty days after receiving such written notice from the County or TRIGID as described in this paragraph, present to the director of public works a notice of intent to reconstruct, remove, or relocate said facilities, and shall, within six months after receipt of written notice from the County or TRIGID or such shorter time period as may be reasonable, reconstruct, remove, or relocate said facilities. Upon request from the Licensee identifying a recommended location for its facilities, the director of public works shall provide that location or an alternate location within the right-of-way for the Licensee, if space is available.
- 12.2 Within thirty days after receipt of such written notice from the County or TRIGID as described in paragraph (1) of this subsection, the Licensee may present a written application and supporting documentation to the director of public works for an extension of time in which to complete reconstruction, removal or relocation of its facilities. The director of public works may grant additional time beyond the time period provided if the additional time requested is due to service, equipment, or material delivery constraints beyond the control and without the fault or negligence of the Licensee, or if

the project described in the written notice is of such a size that the work to be performed by the Licensee cannot be completed within the allowable time.

- 12.3 If, after the issuance of the initial written notice, the County or TRIGID as described in paragraph (12.1) of this subsection, makes a substantial change in the design of the public improvement project, including but not limited to changes in elevation, changes affecting rights-of-way alignment and widths of alignment, the County or TRIGID, as described in paragraph (1) of this subsection, shall notify the Licensee of the details of the substantial change. If the Licensee determines that such change would cause a delay in reconstruction, removal or relocation of its facilities beyond the time period provided, the Licensee may, within fourteen days from receipt of notice of such change, petition the director of public works for an extension of time in which to complete reconstruction, removal or relocation of facilities. If the additional time is requested due to service, equipment, or material delivery constraints beyond the control of the Licensee, or if the public improvement design change is of such a scope that the work to be performed by the Licensee cannot be completed within the time period allowed, the director of public works may grant an extension of time. If the request for extension of time is denied, the Licensee may appeal the denial to the county commission within fourteen days from receipt of notice of denial. The decision of the county commission shall be final.
- 12.4 The County or TRIGID as described in paragraph 12.1 of this subsection, shall provide the Licensee with a final design of the public improvement as soon as it becomes available.
- 12.5 If the Licensee fails to reconstruct, remove, or relocate its facilities as required by this section within the time period agreed upon, the county may reconstruct, remove, or relocate said facilities and charge the cost of reconstruction, removal, or relocation to the Licensee. The county will not be held liable for any losses or damages due to reconstruction, removal, or relocation of such facilities.
- 12.6 Whenever, in case of emergency, it becomes necessary to remove any of the Licensee's facilities, no charge shall be made by the Licensee against the county for loss, damage, restoration, and repair.
- 12.7 The Licensee shall maintain and provide to the county, upon request and at no cost, as-built plans indicating the location of its facilities, which shall be and remain strictly confidential, and shall be made available only to County officers and employees in the performance of their duties. The Licensee may provide, on a voluntary basis, electronic plans showing the general location of its facilities in rights-of-way.

13 Gifts

No officer or employee of Licensee shall offer to any officer or employee of the County, either directly or indirectly, any rebate, contribution, gift, money, service without charge, or other thing of value whatsoever, except where given for the use and benefit of the County.

14 Notice

All notices shall be sent to the County or the Licensee at the addresses indicated below. The Licensee shall notify the County Manager of any change of address within ten (10) working days of such occurrence. Failure to provide notification, and any resulting delay in receipt of notice, shall not excuse the Licensee from any obligation imposed by this Agreement, nor shall it serve as cause for reduction or removal of any restriction, fine or penalty imposed by the County.

LICENSEE:

Switch Business Solutions, LLC
c/o Switch, Ltd.
7135 S. Decatur Blvd.
Las Vegas, Nevada 89118
Attn: Office of the General Counsel
legal@switch.com

STOREY COUNTY:

Storey County Comptroller's Office
P.O. Box 432
Virginia City, NV 89440
(775) 847-1006

15 Termination

At the end of the initial twenty-year period of this contract and, if renewed, at the end of any subsequent renewal period, either party may terminate this contract by sending a notice of termination to the other party at the address given for receipt of notice not less than 90 days in advance of the renewal date that the party is terminating the license given by this agreement.

16 Warranty of Authority to Sign

Both parties hereto warrant that the person signing this agreement on behalf of a party is authorized to bind that party to the terms of this agreement.

IN WITNESS WHEREOF the parties hereto have set their hands the day and year first above written.

STOREY COUNTY BOARD OF COMMISSIONERS

By _____
Chairman

ATTEST:

_____, Clerk

APPROVED AS TO FORM:
DISTRICT ATTORNEY

By: _____
Deputy District Attorney

SWITCH BUSINESS SOLUTIONS, LLC

By: Switch, Ltd., its manager

By: _____
Name:
Title:



UTILITY SOLUTIONS. ENGINEERED.

5418 Longley Lane, Suite A - Reno, NV 89511 Phone 775.336.1300 Fax 775.336.1306 www.trisage.com

EXHIBIT "A"
EASEMENT - LEGAL DESCRIPTION

**East Sydney Drive
Storey County, Nevada**

A portion of the East half of Section 11 and the West half Section 12, Township 19 North, Range 22 East, M.D.M., Storey County, Nevada; situated within that Parcel of land described in document 107605, recorded on September 17, 2007, Official Records of Storey County, Nevada.

A strip of land, 20 feet in width, lying 10 feet on each side of the following described centerline:

Commencing at the most Westerly corner of said parcel.

Thence along the Southwesterly boundary of said parcel South 27°22'45" East, 10.00 feet to a point to the **Point of Beginning**, thence leaving said boundary along the following 3 courses:

1. North 62°37'15" East, 476.11 feet;
2. North 35°44'56" East, 2699.01 feet;
3. A tangent curve to the left along a 821.30 foot radius circle, an arc length of 124.24 feet with an included angle 08°40'01" to the Southeasterly property line of the Grantor and the terminus of this centerline.

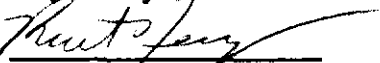
The sidelines of said easement are to be extended or truncated as to terminate on the boundary line of the Grantor.

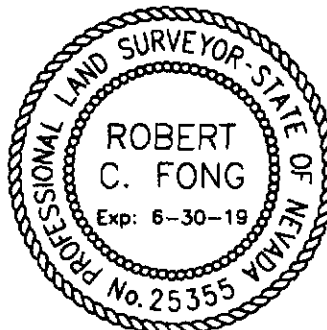
Said Parcel containing 66,000 square feet more or less.

Basis of Bearings: The Southwesterly boundary of said Parcel further described as being the easterly right of way of USA Parkway bearing South 27°22'45" East.

All as shown on Exhibit "B" attached hereto, and by this reference, made a part thereof.

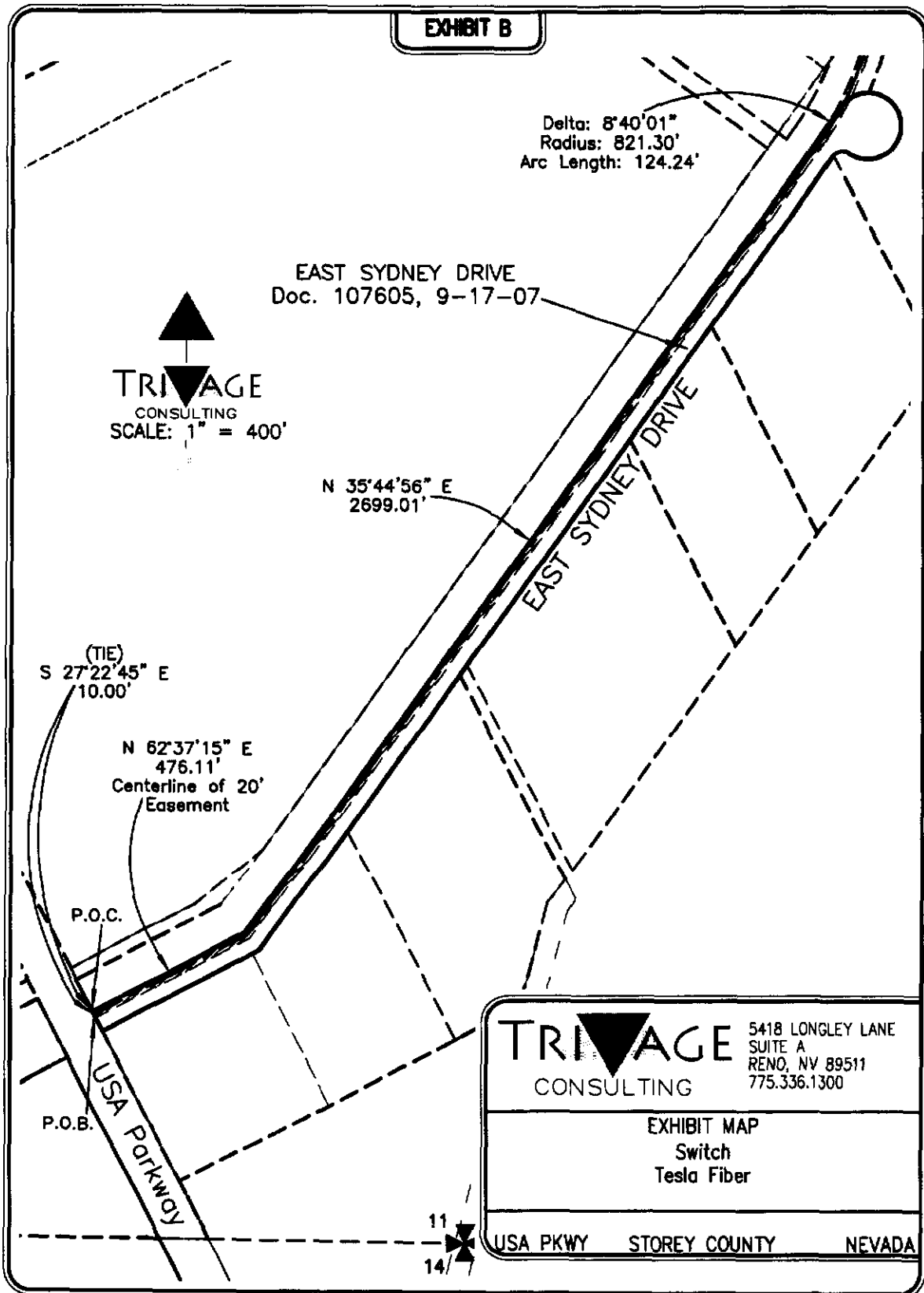
Prepared by:


Robert C. Fong, PLS



7/11/18
Date

EXHIBIT B





UTILITY SOLUTIONS. ENGINEERED.

5418 Longley Lane, Suite A - Reno, NV 89511 Phone 775.336.1300 Fax 775.336.1306 www.trisage.com

EXHIBIT "A"
EASEMENT - LEGAL DESCRIPTION

Electric Avenue
Storey County, Nevada

A portion of the South half of Section 35 and the South half of Section 36, Township 20 North, Range 22 East and the North half of Section 1, Township 19 North, Range 22 East of, M.D.M., Storey County, Nevada; situated within those Parcels of land described as Parcel 2007-145 of Record of Survey for Tahoe-Reno Industrial Center, recorded as File Number 108433 on February 14, 2008, Official Records of Storey County, Nevada, and Parcel 2008-39 of the Dedication Map for EP Minerals, LLC, recorded as File Number 110555 on January 22, 2009, Official Records of Storey County, Nevada, and Parcel 2008-22 of the Record of Survey for Tahoe-Reno Industrial Center, recorded as File Number 109145 on June 2, 2008, Official Records of Storey County, Nevada,.

A strip of land, 20 feet in width, lying 10 feet on each side of the following described centerline:

Commencing at the most Northerly corner of Parcel 2014-34 of the Record of Survey for Tahoe-Reno Industrial Center, LLC. Recorded as 0121588 on February 2, 2015;

Thence along the Northeasterly boundary of said parcel further described as the Southerly Right of Way of Electric Avenue, South 54°17'28" East, 10.00 feet to the **Point of Beginning**, thence leaving said boundary along the following 17 courses:

1. North 35°42'32" East, 9.91 feet;
2. North 53°48'04" West, 881.56 feet;
3. Along a tangent 1440.39' radius curve to the right along an arc length of 630.70' with a central angle 25°05'17"
4. North 23°22'34" West, 543.20 feet;
5. Along a tangent 1359.93' radius curve to the left along an arc length of 1581.42 with a central angle 66°37'39"
6. North 89°59'50" West, 435.62 feet;
7. Along a tangent 1440.00' radius curve to the right along an arc length of 217.36 with a central angle 8°38'55"
8. North 81°21'05" West, 200.94 feet;
9. North 03°31'11" East, 80.32 feet;
10. North 81°21'05" West, 76.15 feet;
11. Along a tangent 1440.00' radius curve to the left along an arc length of 135.29 with a central angle 5°22'58"
12. North 86°44'04" West, 1248.03 feet;
13. Along a tangent 1440.00' radius curve to the left along an arc length of 427.66 with a central angle 17°00'58" to the beginning of a reverse curve;
14. Along said reverse 2460.25' radius curve to the right along an arc length of 1736.06' with a central angle 40°26'04";
15. North 63°18'58" West, 578.84 feet;

16. Along a tangent 1440.00' radius curve to the left along an arc length of 495.08' with a central angle $19^{\circ}41'54''$ to the beginning of a reverse curve
17. Along said reverse 70.01' radius curve to the right along an arc length of 78.51' with a central angle $64^{\circ}15'09''$ to the Easterly right of way of USA Parkway, the Westerly property line of the Grantor and the terminus of this centerline.

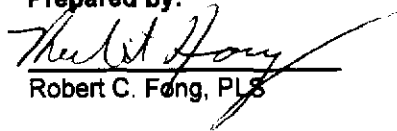
The sidelines of said easement are to be extended or truncated as to terminate on the boundary line of the Grantor.

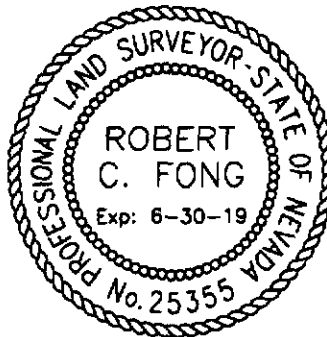
Said Parcel containing 187,000 square feet more or less.

Basis of Bearings: The southwest boundary of Parcel 2014-34 of the Record of Survey for Tahoe-Reno Industrial Center, LLC recorded as File Number 0121588 on February 2, 2015, Official Records of Storey County, Nevada, bearing North $58^{\circ}36'24''$ West.

All as shown on Exhibit "B-1" and "B-2" attached hereto, and by this reference, made a part thereof.

Prepared by:


Robert C. Fong, PLS



7/11/18
Date

EXHIBIT B-1

Detail "A"

Delta: $66^{\circ}37'39''$
Radius: 1359.93'
Arc: 1581.42'

TRIAGE
CONSULTING
SCALE: 1" = 500'

N $23^{\circ}22'34''$ W
543.20'
Centerline of 20'
Easement

Delta: $25^{\circ}05'17''$
Radius: 1440.39'
Arc: 630.70'

Doc 110596-Road Dedication

Detail "B"

N $35^{\circ}42'32''$ E
9.91'
Centerline of 20'
Easement

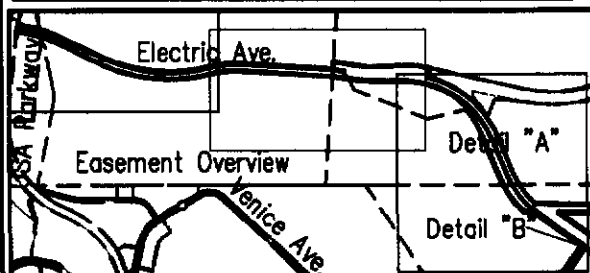
P.O.C.
N $53^{\circ}48'04''$ W
881.56'

S $54^{\circ}17'28''$ E
10.00'

P.O.B.
Parcel 2014-34
Map 121588

TRIAGE
CONSULTING
SCALE: 1" = 20'

N $53^{\circ}48'04''$ W
881.56'



TRIAGE
CONSULTING

5418 LONGLEY LANE
SUITE A
RENO, NV 89511
775.336.1300

EXHIBIT MAP
Switch
Tesla Fiber

USA PKWY STOREY COUNTY NEVADA

EXHIBIT B-2

Detail "C"

Delta: 17°00'58"
Radius: 1440.00'
Arc: 427.66'

TRIAGE
CONSULTING
SCALE: 1" = 500'

APN 004-093-26
Deed: 127579 4/17/18
Parcel 2008-39 Map 110555

N 86°44'04" W
1248.03'

Delta: 5°22'58"
Radius: 1440.00'
Arc: 135.29'
Centerline of 20'
Easement

Doc 0110596 01-26-2009
Parcel 2008-22 Map 109145

N 81°21'05" W
76.15'

N 03°31'11" E
80.32'
N 89°59'50" W
435.62'

N 81°21'05" W
200.94'

Delta: 8°38'55"
Radius: 1440.00'
Arc: 217.36'

Detail "D"

Delta: 64°15'09"
Radius: 70.01'
Arc: 78.51'

Parcel 2007-145 Map 108433

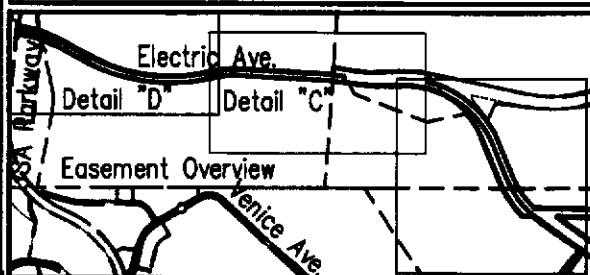
Delta: 19°41'54"
Radius: 1440.00'
Arc: 495.08'

N 63°18'58" W
578.84'

APN 004-093-26
Deed: 127579 4/17/18
Parcel 2008-39 Map 110555

TRIAGE
CONSULTING
SCALE: 1" = 500'

Delta: 40°26'04"
Radius: 2460.25'
Arc: 1736.06'
Centerline of 20'
Easement



TRIAGE
CONSULTING

5418 LONGLEY LANE
SUITE A
RENO, NV 89511
775.336.1300

EXHIBIT MAP
Switch
Tesla Fiber

USA PKWY STOREY COUNTY NEVADA

EXHIBIT 1

1.01.010 - Definitions.

For the purpose of this Exhibit and the Storey County, Nevada Rights-Of-Way License Agreement For Power Line Transmission Granted To Switch Business Solutions,LLC, (the "Agreement") to which this Exhibit is attached, the following definitions shall apply. Terms phrases, words, and their derivations shall have the meanings set forth herein, unless the context clearly indicates that another meaning is intended. Words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive:

- (a) "Abandoned" means the relinquishing of facilities owned by a public utility that no longer has a business license, or franchise or rights-of-way license agreement, or certificate of public convenience and necessity from the Public Utilities Commission, if required by the laws of the state of Nevada, or of a facility which the public utility has agreed to transfer to the County.
- (b) "Business license" means the written authorization required by the County for any person who commences, carries on, engages in, or conducts a business, occupation, trade, or employment, as delineated in Title 5 of the Storey County Code, within Storey County, Nevada.
- (c) "County Code" or "code" or "county code" means the titles chapters and sections of the Storey County Code and ordinances referenced herein, or their successor titles, chapters and sections, adopted by the county commission, and as amended from time to time.
- (d) "Commence construction" means that time and date when the first connection is physically made to a utility pole for overhead facilities, when trenching is initiated for underground facilities, or when foundations are excavated for transmission facilities, provided all of these facilities are part of a public utility system, and the appropriate permits are issued for such work.
- (e) "Commence operation" means that time and date, after construction completion, when the public utility system is first used to provide subscription service.
- (f) "Construction completion" means that time and date when all facilities have been installed and all public rights-of-way and properties have been restored to their former appearance and condition in a manner acceptable to the county.
- (g) "County" or "county" means the county of Storey, Nevada.
- (h) "County commission" or "county commission" means the Board of County Commissioners of Storey County.
- (i) "County manager" means the county manager appointed by county commission to perform such administrative functions of the county government as may be required of him by the county commission, or his/her designee.

- (j) "Director of Community Development" or "director of community development" or "director of public works" means the county departmental director specifically named, or his/her designee.
- (k) "Easement" means the right to use the real property of another.
- (l) "Facility" or "facilities" means antennae, transmitters, poles, pipes, wires, cables, conduits, amplifiers, instruments, equipment, and other appliances used in connection therewith or appurtenant thereto to provide public utility service in the county.
- (m) "Franchise" means the nonexclusive authorization granted by the county commission to a public utility to construct, operate, and maintain its system in the rights-of-way within the county for the provision of subscription services to persons, other than themselves, and to use the rights-of-way for the installation, operation, and maintenance of its facilities. The conditions and requirements of such authorization will be described within a franchise agreement for such purpose.
- (n) "Franchise agreement" means an agreement granting use of public rights-of-way to provide subscription services.
- (o) "Franchisee" means the person to whom a franchise is granted, and its agents, including but not limited to contractors licensed by the State Contractors Board and providing construction, installation, or maintenance services on facilities located in rights-of-way on behalf of a franchisee.
- (p) "Person" means a natural person, any form of business or social organization and any other nongovernmental legal entity, including but not limited to the estate of a natural person, a corporation, partnership, association, trust, or unincorporated organization. The term "person" does not include a government, governmental agency, or political subdivision of a government.
- (q) "Public improvement" means new roadways and pavements, sidewalks, curbs and gutters, landscaping, street lights, foundations, poles and traffic signal conduits, water mains, sanitary and storm sewers, tunnels, subways, people movers, viaducts, bridges, underpasses, and overpasses, or other public facilities across, along, over or under any street or streets, or other such improvements which are to be used by the general public.
- (r) "Public Utilities Commission" means the Public Utilities Commission of the State of Nevada, and its predecessors and successors.
- (s) "Public utility" means any person that provides electric energy or natural gas, telecommunications services, interactive computer services, or sells or resells personal wireless services, regardless of whether that person is subject to the regulations of, or holds a certificate of public convenience and necessity from, the Public Utilities Commission.
- (t) "Public utility service" means the provision of electric energy, natural gas, telecommunications, interactive computer service, or personal wireless service over or through facilities located in rights-of-way.
- (u) "Public utility system" or "system" means any facilities, in whole or in part, constructed to provide public utility services and using rights-of-way to provide such service.

- (v) "Right-of-way" or "rights-of-way" means public property, including air space, dedicated, granted, held, prescriptively used, or authorized by patent of the United States of America, for county public street, and public utility purposes, except as limited by any underlying grant and except public streets predominantly used for public freeway or expressway purposes
- (w) "Rights-of-way license" means the nonexclusive authorization granted by the county commission in exchange for a rental fee to a public utility to construct, operate, and maintain its system in specific streets and rights-of-way as authorized routes for nonsubscription service. The conditions and requirements of such authorization will be described within a license agreement for such purpose.
- (x) "Rights-of-way license agreement" means an agreement granting use of public rights-of-way to provide nonsubscription public utility services.
- (y) "Rights-of-way licensee" means the person to whom a rights-of-way license is granted and its agents, including but not limited to contractors licensed by the State Contractors Board and providing construction, installation, or maintenance services on facilities located in rights-of-way on behalf of a rights-of-way licensee.
- (z) "Street" means the surface, the air space above the surface and the area below the surface of the full width of the right-of-way, including sidewalks and thoroughfares, places or ways of any kind used by the public or open to the public as a matter of right for the purpose of vehicular traffic or vehicular and pedestrian traffic.
- (aa) "Subscription service" means any service provided by a public utility over or through facilities located in rights-of-way to persons or governmental entities within Storey County.
- (bb) "Transfer or assign" shall not include any mortgage, pledge, or other encumbrance of the assets, stocks, or the franchise or rights-of-way license agreement of the franchisee or right-of-way licensee as security for moneys borrowed.

1.01.020 - Business license required.

The rights-of-way licensee shall first obtain a business license issued by the director of community development, after application and compliance with all applicable requirements of Title 5 of the County Code. The application processing fee for a business license is as set forth in Storey County Code Title 5. No rights-of-way license will be approved until the applicant has first obtained a business license. In addition to the requirements of Title 5 of the County Code, the application for a business license by the Licensee utilizing county rights-of-way shall include:

- (a) A statement setting forth all agreements and understandings existing between the applicant and any person with respect to the applicant's acting as an agent or representative of another person regarding use of rights-of-way;
- (b) For a corporation, a list of officers and directors of the applicant;
- (c) For a partnership, a list of all partners and their relative interests in the partnership;

- (d) A statement of whether any of the persons listed in subsections (a), (b) and (c) of this section has had a franchise or rights-of-way license declined, suspended or revoked, and, if so, the government agency issuing this decision, the date, time, place and reasons given.
- (e) A copy of the order and certificate of public convenience and necessity from the Public Utilities Commission, if such certificate is required by the laws of the state of Nevada.

1.01.030 - Issuance of business license.

The director of community development shall issue a business license to a prospective right-of-way licensee which has met the business licensing requirements of this Exhibit and Storey County Code Title 5.

1.01.040 - Conditions of street occupancy and facilities installation.

- (a) The rights-of-way licensee shall comply with this Exhibit and the improvement standards adopted in Title 15 of the Storey County Code, as adopted by the board of county commissioners and in effect at time of construction completion, except where retroactive application of new standards is required by federal or state law.
- (b) Prior to any work within the rights-of-way, the rights-of-way licensee shall obtain an encroachment permit pursuant to applicable provisions of Chapter 2.18 of the Storey County Code.
- (c) When the public improvement designs prepared by the rights-of-way licensee are more detailed than, or are not covered by, the improvement standards adopted in Storey County Code Title 15, plans and specifications for construction, reconstruction, installations, and repairs of public improvements shall be sealed by a Nevada registered professional engineer.
- (d) Except in the case of an emergency, the rights-of-way licensee, who is the initiator of a project in a street or easement upon which residential yards are located and maintained, shall notify residents who are located adjacent to the proposed project at least two days prior to the date that the franchisee or rights-of-way licensee proposes to commence construction. Such notice shall be by written notice in person, by posted notice on the street where the proposed project is scheduled to be built (which notice is to be large enough to be clearly read by passing motorists), by door hanger, or by mail, with a description of the proposed project and the name of the rights-of-way licensee together with its business phone number.
- (e) All public improvement work performed by the rights-of-way licensee in rights-of-way shall be inspected, completed and accepted in accordance with this Exhibit and the improvement standards adopted in Title 15 of the County code.
- (f) It is specifically declared that it is not intended by any of the provisions of any part of this exhibit to create for the public, or any member thereof, a third party beneficiary hereunder, or to authorize anyone to maintain a suit for personal injuries or property damage pursuant to the provisions of this Exhibit. The duties, obligations, and responsibilities of the county with respect to third parties shall remain as imposed by the general law of the state of Nevada.

- (g) Any inspections or subsequent approvals undertaken by the county pursuant to this exhibit are undertaken solely to ensure compliance with this exhibit and are not undertaken for the safety or other benefit of any individual or group of individuals as members of the public. Provisions in this Exhibit dealing with inspection or approval by the county do not expand the county's general law duties.
- (h) In the case of damage caused by rights-of-way licensee to any rights-of-way, the rights-of-way licensee shall at no cost or expense to the county repair, replace and restore the damaged area in accordance with current improvement standards adopted in Title 15 of the County code.
- (i) The rights-of-way licensee shall not acquire any vested right or interest in any particular right-of-way location for any of its facilities constructed, operated, or maintained in any existing or proposed rights-of-way, even though such location was approved by the county.
- (j) Reconstruction, removal or relocation of a rights-of-way licensee's facilities to accommodate a public improvement shall be provided for in the following manner:
 - (1) The county, Tahoe Reno Industrial Center General Improvement District (TRIGID) or Canyon General Improvement District (CGID) shall issue to the rights-of-way licensee written notice of a need to reconstruct, remove, or relocate any of rights-of-way licensee's facilities which may be in conflict with an existing or proposed public improvement in order to accommodate the installation, maintenance, or use of the public improvement. Such written notice shall include project information equivalent in detail to fifty percent or more of final design for the public improvement. The rights-of-way licensee shall, within thirty days after receiving such written notice from the county TRIGID or CGID as described in this paragraph, present to the director of public works a notice of intent to reconstruct, remove, or relocate said facilities, and shall, within six months after receipt of written notice from the county, TRIGID or CGID or such shorter time period as may be reasonable, reconstruct, remove, or relocate said facilities. Upon request from the rights-of-way licensee identifying a recommended location for its facilities, the director of public works shall provide that location or an alternate location within the right-of-way for the rights-of-way licensee, if space is available.
 - (2) Within thirty days after receipt of such written notice from the county, TRIGID or CGID as described in paragraph (j)(1) of this subsection, the rights-of-way licensee may present a written application and supporting documentation to the director of public works for an extension of time in which to complete reconstruction, removal or relocation of its facilities. The director of public works may grant additional time beyond the time period provided if the additional time requested is due to service, equipment, or material delivery constraints beyond the control and without the fault or negligence of the rights-of-way licensee, or if the project described in the written notice is of such a size that the work to be performed by the rights-of-way licensee cannot be completed within the allowable time.
 - (3) If, after the issuance of the initial written notice, the county, TRIGID or CGID as described in paragraph (j)(1) of this subsection, makes a substantial change in the design of the public improvement project, including but not limited to changes in elevation, changes affecting rights-of-way alignment and widths of alignment, the

county, TRIGID or CGID, as described in paragraph (j)(1) of this subsection, shall notify the rights-of-way licensee of the details of the substantial change. If the rights-of-way licensee determines that such change would cause a delay in reconstruction, removal or relocation of its facilities beyond the time period provided, the rights-of-way licensee may, within fourteen days from receipt of notice of such change, petition the director of public works for an extension of time in which to complete reconstruction, removal or relocation of facilities. If the additional time is requested due to service, equipment, or material delivery constraints beyond the control of the rights-of-way licensee, or if the public improvement design change is of such a scope that the work to be performed by the rights-of-way licensee cannot be completed within the time period allowed, the director of public works may grant an extension of time. If the request for extension of time is denied, the rights-of-way licensee may appeal the denial to the county commission within fourteen days from receipt of notice of denial. The decision of the county commission shall be final.

- (4) The county, TRIGID or CGID, as described in paragraph (j)(1) of this subsection, shall provide the rights-of-way licensee with a final design of the public improvement as soon as it becomes available.
- (5) If the rights-of-way licensee fails to reconstruct, remove, or relocate its facilities as required by this section within the time period agreed upon, the county may reconstruct, remove, or relocate said facilities and charge the cost of reconstruction, removal, or relocation to the rights-of-way licensee. The county will not be held liable for any losses or damages due to reconstruction, removal, or relocation of such facilities.
- (k) Whenever, in case of emergency, it becomes necessary to remove any of the rights-of-way licensee's facilities, no charge shall be made by the rights-of-way licensee against the county for loss, damage, restoration, and repair.
- (l) The rights-of-way licensee shall maintain and provide to the county, upon request and at no cost, as-built plans indicating the location of its facilities. The rights-of-way licensee may provide, on a voluntary basis, electronic plans showing the general location of its facilities in rights-of-way.

1.01.050 - Construction and technical standards.

Construction practices shall be in accordance with the improvement standards adopted in Title 15 of the Storey County Code. Public utility systems shall be installed, maintained, and operated in accordance with applicable standards defined by a state or federal governmental agency charged with the regulation of such technology.

1.01.060 - Reserved.

1.01.070 - Removal of facilities.

- (a) In the event the rights-of-way license has been revoked, terminated, has expired without renewal, or in the event that any facilities have been installed in any rights-of-way without complying with the requirements of this Exhibit or rights-of-way license agreement, or in the event the rights-of-way licensee and the county agree that the facility has been abandoned, the

rights-of-way licensee shall, within thirty days after receipt of notice by the county, commence and thereafter diligently pursue and complete the removal of said facilities from the rights-of-way within a reasonable time, except those facilities which:

- (1) Are sold to the holder of an unrevoked and unexpired franchise or rights-of-way license, or
- (2) The director of public works finds may be abandoned in place without interference with the use of existing or planned public improvement.
- (b) The rights-of-way licensee shall promptly restore all rights-of-way from which facilities have been removed to their former condition and appearance in accordance with the improvement standards adopted in Title 15 of the Storey County code.
- (c) Any facilities to be abandoned in place shall be abandoned in such manner as prescribed by the director of public works and approved by the county commission at a duly noticed public hearing. Upon abandonment, the facilities shall become the property of the county and the rights-of-way licensee shall submit to the director of public works an instrument in writing, transferring to the county the ownership of such facilities.

1.01.080 - Transfers and assignments.

In addition to the requirements conditional to the holding of a valid business license per Title 5 of the Storey County code, the rights-of-way licensee may transfer or assign the rights-of-way license in accordance with the terms set forth in the Agreement.

1.01.090 -Reserved.

1.01.100 - Insurance.

- (a) Securing and maintaining all insurance coverages, or demonstrating the ability to self-insure, for the minimum limits required herein is a condition of the rights-of-way license agreement, and no rights-of-way licensee shall commence work in county rights-of-way until all insurance requirements have been met.
- (b) All primary and excess insurance obtained for meeting the requirements of this section must be provided in compliance with Nevada Revised Statutes, Title 57, and any commercial insurance carrier providing any required coverage must have an A.M. Best rating of A-VII; and
 - (1) The rights-of-way licensee shall provide a certificate of insurance naming Storey County, Nevada, as an additional insured, and stating that the policy will not be canceled, terminated or altered by the insurer, nor will the insurer state an intention not to renew until thirty days after providing written notification of such to the county manager; and
 - (2) The rights-of-way licensee shall be solely responsible for payment of all premiums for insurance policies required herein.

- (c) Within ten days after approval of the rights-of-way license agreement by the county commission, the rights-of-way licensee shall provide proof of insurance to the county manager, and maintain in full force and effect through the term of the rights-of-way license agreement the following insurance coverages, insuring against all damages arising out of or resulting from the installation, construction, operation, and maintenance of the system:
- (1) General liability insurance, with minimum limits of two million dollars (\$2,000,000) per occurrence, which includes coverage for products, completed operations, blanket contractual liability, independent contractor hazard, broad form property damage, including but not limited to coverage for explosion, collapse and underground hazard.
 - (2) Automobile liability insurance, with a minimum combined single limit per occurrence of two million dollars (\$2,000,000), and which includes coverage for non-owned and hired automobile liability. Automobile liability insurance may be included as part of general liability insurance.
 - (3) Workers' compensation insurance in accordance with Nevada Revised Statutes, Chapters 616A, 616B, 616C, 616D and 617.
- (d) The minimum limits may be provided for through a single primary insurance policy providing such coverage or through addition of an umbrella liability policy written in excess of the general liability, and automobile liability policies.
- (e) If insurance coverage is obtained on a claims-made form, the rights-of-way licensee shall provide proof of coverage for "prior acts" and proof of coverage for claims reported within two years of any occurrence.
- (f) The required insurance may be provided in the form of conventional insurance, self-insurance, or a combination of conventional insurance and self-insurance retention.
- (g) The county commission may approve a plan of self-insurance as meeting the requirements of this section. The rights-of-way licensee may apply for such approval by written request to the county manager, which shall include a detailed plan of self-insurance, including retention limits, named excess insurance carrier, if any, and a copy of audited financial statements. The county commission may impose conditions or requirements, including posting of security. The county commission may, at any time during the term of the rights-of-way license agreement, revoke approval of a plan of self-insurance, or impose requirements or conditions for continued approval. Failure to comply with the conditions or requirements imposed by the county commission shall be deemed as failure to meet the requirement for insurance under this section, and as a violation of a condition of the franchise or rights-of-way license agreement.

1.01.110 - Rights reserved to the county.

Without limitation upon the rights which the county might otherwise have, the county does hereby expressly reserve the rights, powers, and authorities to exercise its governmental powers now or hereafter to the full extent that such powers may be vested in or granted to the county; and to grant multiple nonexclusive franchises or rights-of-way licenses within the county to other persons for the operation of systems

1.01.120 - Force majeure.

In the event the rights-of-way licensee's performance of any of the terms, conditions or obligations required by the Right-of-way agreement or this Exhibit is prevented by a cause or event beyond the control of the rights-of-way licensee, such inability to perform shall be deemed excused and no penalties or sanctions shall be imposed as a result thereof.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action:** 2018-036 Special Use Permit by applicant Dylan Li. The applicant requests a Special Use Permit to operate an outdoor establishment promoting tourism and local activities. The establishment will consist of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.
2. **Recommended motion:** In accordance with the recommendation by staff, and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve Special Use Permit 2018-036 to operate an outdoor establishment promoting tourism and local activities. The establishment consists of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.
3. **Prepared by:** Kathy Canfield
4. **Department:** Planning **Telephone:** 775.847.1144
5. **Staff summary:** See enclosed Staff Report No. 2018-036
6. **Supporting materials:** Enclosed Staff Report No. 2018-036
7. **Fiscal impact:** None on local government.
Funds Available: _____ Fund: _____ Comptroller
8. **Legal review required:** _____ District Attorney
9. **Reviewed by:**
☒ Department Head _____ Department Name: Planning
_____ County Manager _____ Other agency review: _____
10. **Board action:**
☐ Approved ☐ Approved with Modifications
☐ Denied ☐ Continued

Agenda Item No. 15

**Storey County
Planning Department**
Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, Nevada 89440
Phone 775-847-1144 – Fax 775-847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: October 16, 2018 at 10:00 a.m.

Meeting Location: 26 S. B Street, Virginia City, Storey County, Nevada

Staff Contact: Kathy Canfield

File: 2018-036

Applicant: Dylan Li

Property Owner: Richard Connell

Property Location: 171 S. C Street, Virginia City, Storey County, Nevada, APN 001-073-28

Request: The applicant requests a Special Use Permit (2018-036) to operate an outdoor establishment promoting tourism and local activities. The establishment will consist of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.

Summary of Planning Commission Meeting:

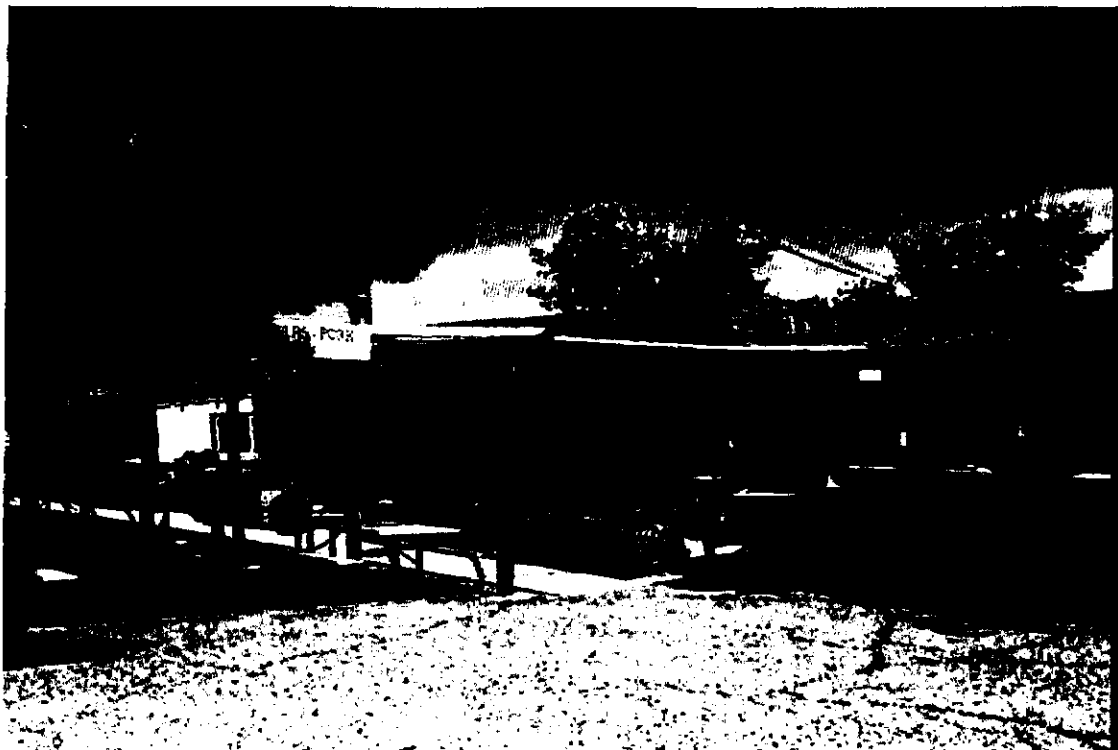
There were no public or planning commissioner comments regarding this project. The Planning Commission voted 7-0 to recommend approval of the proposed Special Use Permit.

1. Background & Analysis

- A. Site Location and Characteristics:** The property is located at 171 S. C Street in Virginia City, Storey County, Nevada. The commercial property contains a restaurant, saloon, outdoor BBQ and gold panning establishments. A large patio is located between the building and the street walkway that contains picnic tables and a patio cover which provides seating for the onsite businesses. The area of the patio is relatively flat and at the grade level of the street and boardwalk (although the "boardwalk" in this location is



View looking southeast



C. **Zoning Code.** Chapter 17.12.100 (General Provisions for all zones) Section C states the following:

- C. In zones where a commercial business is allowed, a special use permit is required for the display, sale, barter, or trade of items outside of a permanent building, except for permitted temporary uses and farmer's markets. A business may not display items for sale or conduct any business on the public right-of-way (See Figure 12.9.) or between the public traveled way and building, such as on the boardwalk/sidewalk. Business including dining, customer seating, and other uses, but not the display of merchandise and other items for sale, barter, or trade, may occur in the front, side, and rear yards of the business where such area exists. Recessed door openings and thresholds may be used to display items for sale, barter, or trade and to otherwise conduct business.

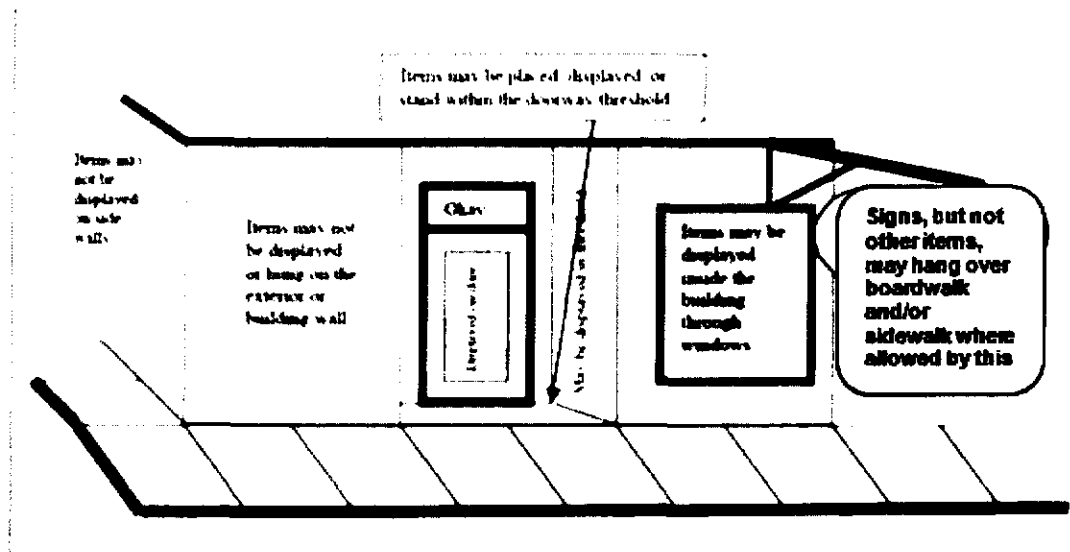


Figure 12.9: The diagram shows where merchandise and other items may and may not be displayed. The diagram does not apply to signs and advertising devices which are regulated pursuant to chapter 17.84 Signs and billboards.

The applicant proposes to utilize an area outside of the right-of-way and boardwalk on private property. The proposed business provides information on tourism and activities available in the surrounding areas, and does not include the display of merchandise for sale. The Special Use Permit would allow for the business to operate outside of a building, on designated private property and not on the public right-of-way, but would not allow for display of merchandise for sale.

The property where the use is proposed is unique to the Virginia City downtown as it has a relatively large patio area bordering the street/boardwalk area where most properties have their buildings built to the property line. The building is setback approximately 20 feet from the edge of the boardwalk and the area in between is

- (2) **The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.**

The proposed business will be an outdoor venue, located adjacent to commercial uses on the subject property and to the commercial businesses to the west. The business will operate from a movable stand located on an existing patio, sharing the patio with outdoor dining areas for the onsite restaurants. As a condition of approval, the business must operate only on private property and will not be able to be set up or operate on the "boardwalk" area or within the public right-of-way. The stand will be located so as to not impact existing emergency access ways associated with the existing onsite businesses.

- (3) **Will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.**

The business will be located on an existing patio area and promote tourism related activities. The activity will be located on private property and, as conditioned, emergency access to existing business will be maintained at all times.

- (4) **The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.**

The proposed use is not expected to require any additional governmental services or impact existing facilities.

- C. **Conformance with the 2016 Storey County Master Plan.** The property is located along C Street within Virginia City, Storey County, Nevada and is identified as a Commercial-Residential land use. The property is zoned Commercial-Residential. The Storey County Master Plan identifies C Street as the main thoroughfare of Virginia City.

The Storey County Master Plan identifies the following goals:

- Enhance and diversify the local economy by promoting commercial business in Gold Hill, Virginia City, and the Divide that service the specific interests and needs of tourists and local residents.
- Continue to enhance diversification of economic opportunities with the county.

- (7) The conditions under the Special Use Permit do not conflict with the minimum requirements in Storey County Code Sections 17.03.150, Special Use Permit and Section 17.30, CR – Commercial Residential Zone.

B. Motion for denial. Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is for Special Use (2018-036) to operate an outdoor establishment promoting tourism and local activities. The establishment consists of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.
- (2) The conditions under the Special Use Permit conflict with the minimum requirements in Storey County Code Sections 17.03.150, Special Use Permit and Section 17.30, CR – Commercial Residential Zone.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

4. Recommended Conditions of Approval

- A. Special Use Permit 2018-036** shall be to operate an outdoor establishment promoting tourism and local activities. The establishment consists of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.
- B. Business Operations.** This special use permit authorizes the business to promote tourism and local activities. The business activities shall be limited to distributing pamphlets, leaflets, and other similar type literature and verbally interacting with the interested public. Merchandise displays, sales or handouts of merchandise are not permitted with this special use permit.
- C. Requirements.** The Applicant shall apply for all required permits and licenses, including any applicable building and fire permits, for the project within 24 months from the date of final approval of this SUP, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This Special Use Permit shall remain valid as long as the Applicant remains in compliance with the terms of this Special Use Permit and Storey County, State of Nevada, and federal regulations. No activity shall commence prior to the Applicant securing rights to the Special Use Permit.
- D. Compliance.** The use on the subject property must comply with federal, state, and county codes and regulations and the submitted plans and reports, as approved.

7. Proposed Motions

This section contains two motions from which to choose. The motion for approval is recommended by staff and the Planning Commission in accordance with the findings under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Board of County Commissioners should be made part of either motion.

A. Recommended motion for approval

In accordance with the recommendation by staff, and the Planning Commission, the findings of fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve Special Use Permit 2018-036 to operate an outdoor establishment promoting tourism and local activities. The establishment consists of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.

B. Alternative motion for denial

Against the recommendation by staff and the Planning Commission, but in accordance with the findings of fact under Section 3.B of this report, and other findings deemed appropriate by the Board of County Commissioners, I (*county commissioner*), move to deny Special Use Permit 2018-036 to operate an outdoor establishment promoting tourism and local activities. The establishment consists of a small movable stand that will act as a table and be located within the front patio area of an existing commercial establishment (Firehouse Grill, BBQ & Saloon). The property is located at 171 S. C Street, Virginia City, Nevada, Assessor's Parcel Number (APN) 001-073-28.

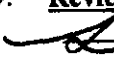


Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 15 min.

Agenda: Consent [] Regular agenda [x] Public hearing required [x]

1. **Title: Discussion/Possible Action:** Variance 2018-037 request to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.
2. **Recommended motion by the Planning Commission:** In accordance with the recommendation by the Planning Commission, but against the recommendation by staff, and with the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.
3. **Prepared by:** Kathy Canfield
4. **Department:** Planning **Telephone:** 775.847.1144
5. **Staff summary:** See enclosed Staff Report No. 2018-037
6. **Supporting materials:** Enclosed Staff Report No. 2018-037
7. **Fiscal impact:** None on local government.
Funds Available: _____ Fund: _____ Comptroller
8. **Legal review required:** _____ District Attorney
9. **Reviewed by:**
 Department Head _____ Department Name: Planning
_____ County Manager _____ Other agency review: _____
10. **Board action:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Modifications
<input type="checkbox"/> Denied	<input type="checkbox"/> Continued

Agenda Item No. 16

**Storey County
Planning Department**

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, Nevada 89440
Phone 775-847-1144 – Fax 775-847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: October 16, 2018

Meeting Location: Storey County Courthouse, 26 S. B Street, Virginia City, Storey County, Nevada

Staff Contact: Kathy Canfield

File: 2018-037

Applicant: Patrick and Beth Smith

Property Owner: Patrick and Beth Smith

Property Location: 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, APN 003-101-05

Request: The applicants request a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached two-car garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.

Summary of Planning Commission Action:

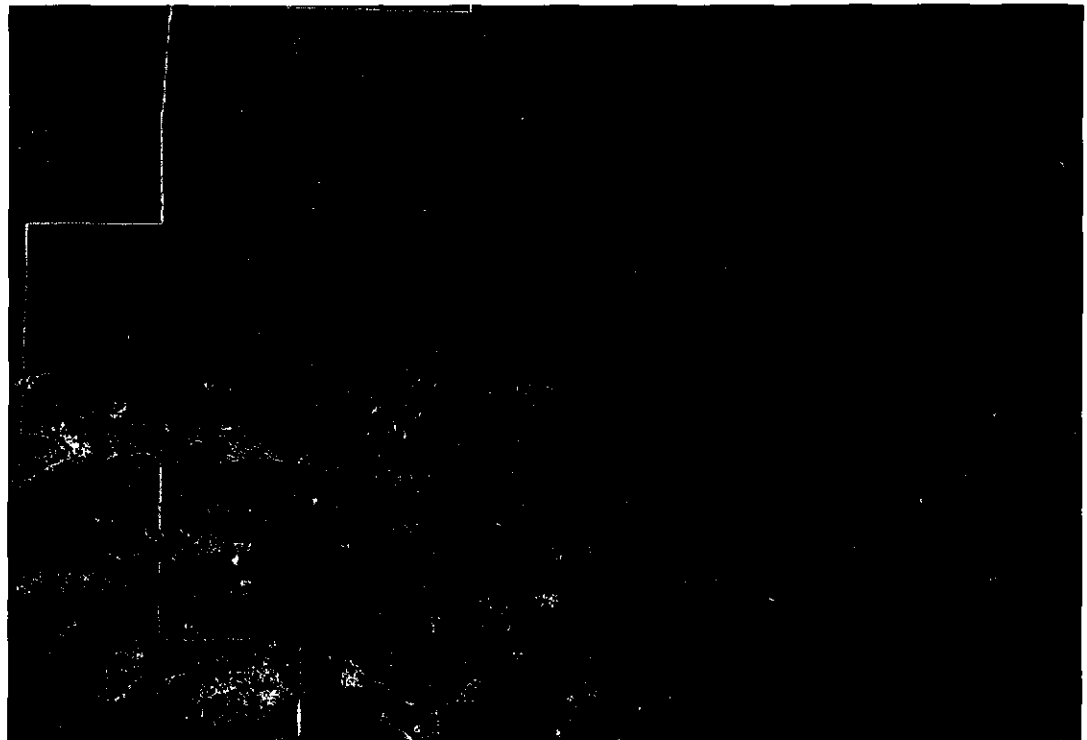
The Planning Commission at its October 4, 2018 meeting heard testimony from the applicant, county staff and the public regarding the proposed variance. A lengthy discussion occurred regarding the setbacks for the proposed garage and the findings that need to be made to approve a variance. The applicant provided rationale as to how this property situation was unique, that the proposed variance provided less of an impact to adjacent property owners than a location that was consistent with required setbacks, and that the variance allowed the proposed garage location to be similar to other development located in the neighborhood. After discussions with the applicant and staff, and statements of

support from an adjacent property owner, the Planning Commission voted 6-1 that the findings for approval could be made, and the Planning Commission made a recommendation to the Board of County Commissioners for approval. Two modifications were made at the meeting. The removal of the description "two-car detached garage" to the wording "detached garage" in the recommendation of approval to allow for more flexibility for the proposed development, and the addition of "from a professional land surveyor" to Recommended Condition of Approval H.

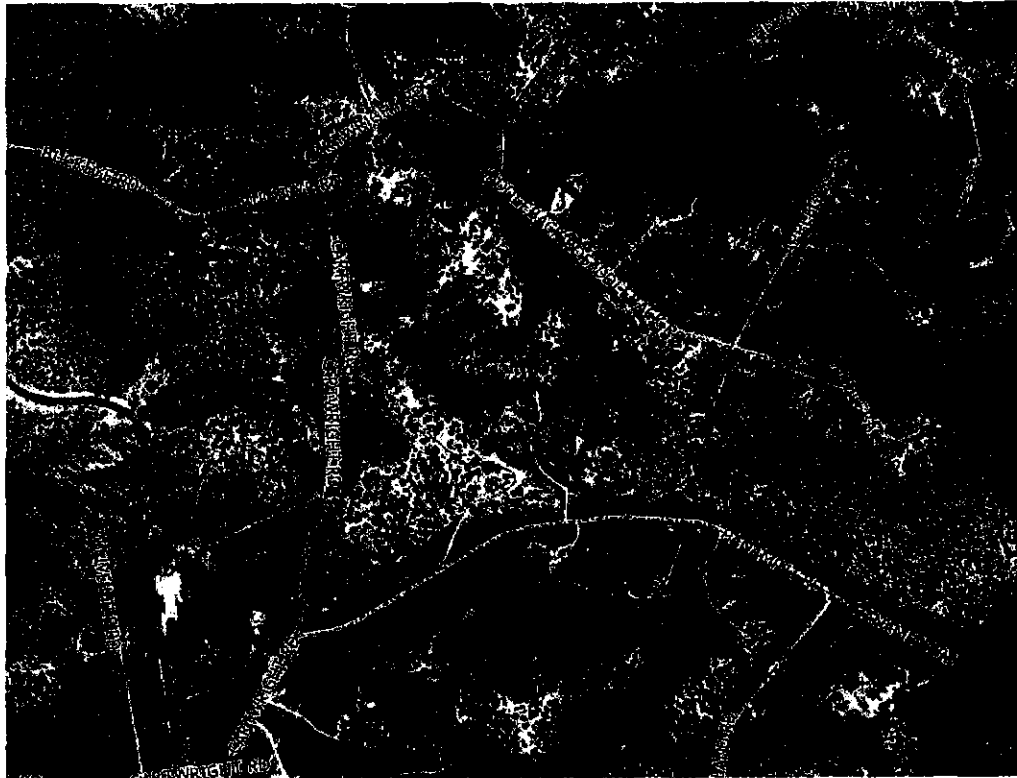
1. Background & Analysis

- A. **Site Location and Characteristics.** The 1.01 acre residential parcel is located in the Virginia City Highlands. The parcel contains an existing single family residence located near the front of the parcel, a driveway/parking area along the south property line and a shed located along the south property line. The rear of the property is relatively undisturbed and consists of large pinon pines and juniper. The well is located along the north property line behind the residence and the septic system is located along the north property line in front of the residence. The residence is located within a residential neighborhood, with residences constructed on the adjacent parcels. The subject property is zoned E-1 VCH which has required 30 foot front yard, 40-foot rear yard and 15-foot side yard setbacks.

The property has a 50-foot roadway easement for Applegate Road. Setbacks are required from the edge of the easement, not the property line or the roadway itself.



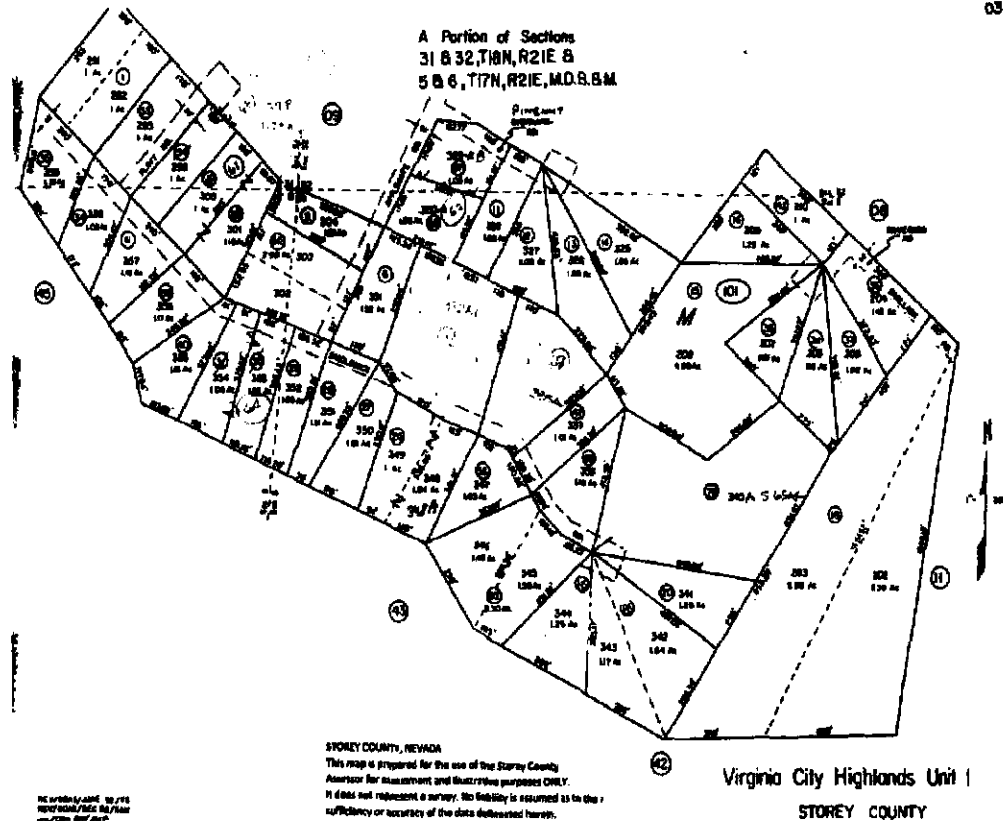
Vicinity Map



Location Map



Surrounding Properties

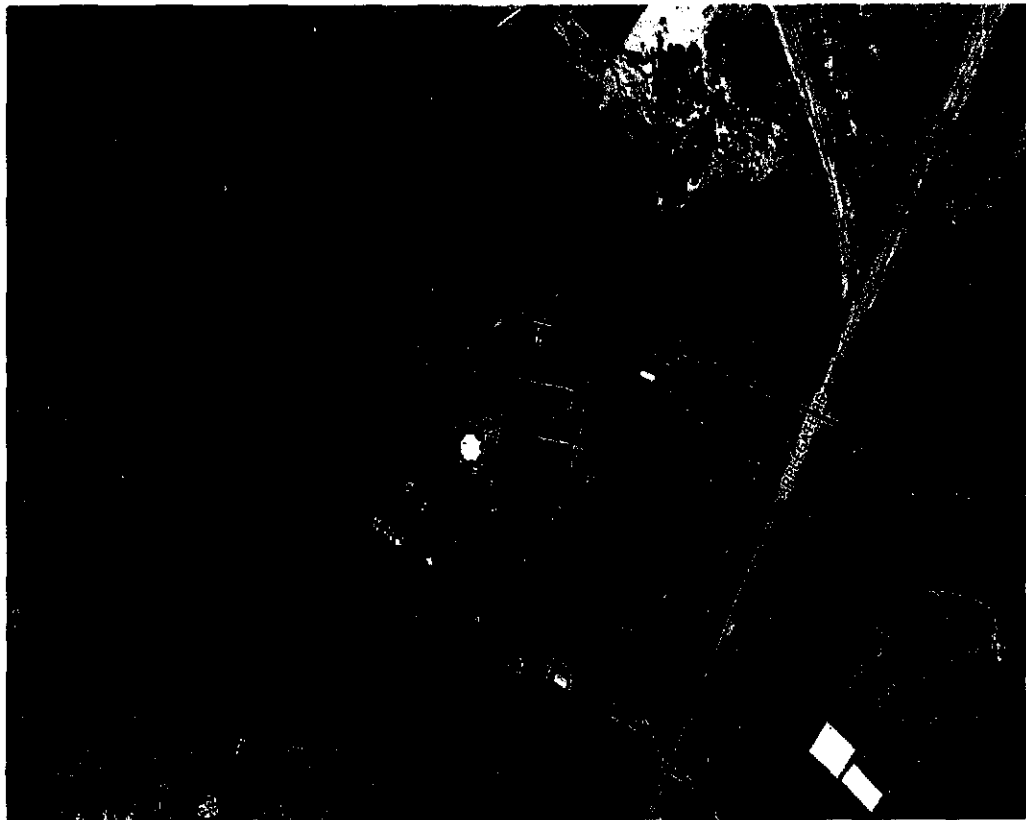


Assessor's Parcel Map

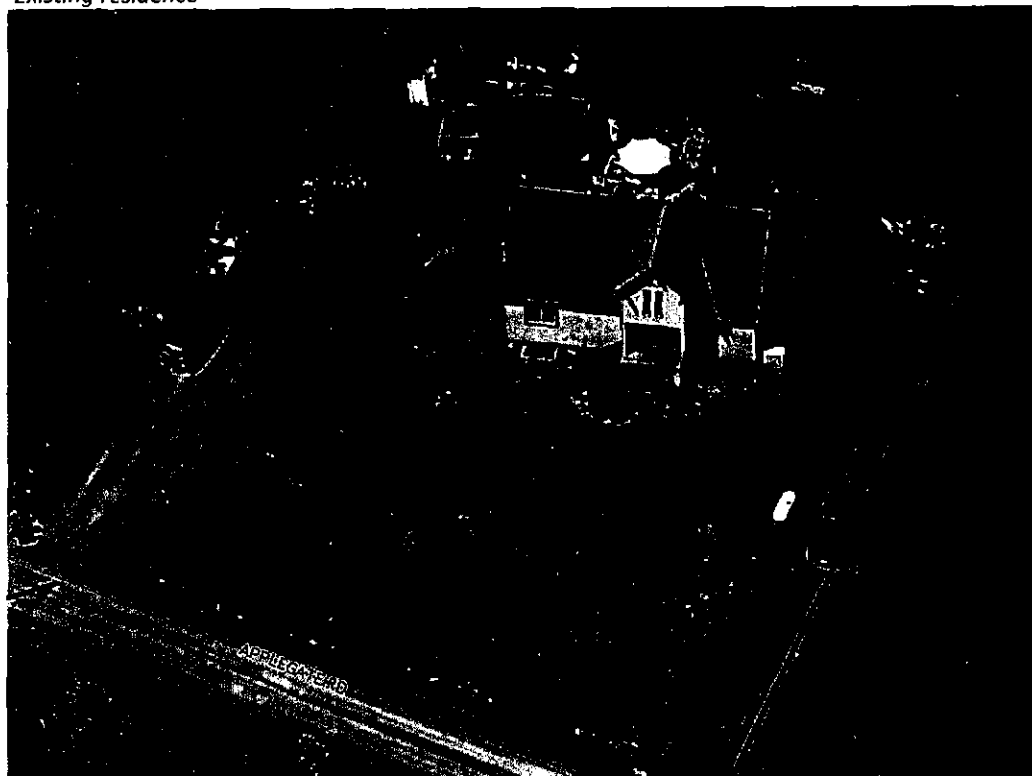
- B. Proposed Project.** The applicants are proposing to construct a detached garage approximately 20-feet by 45-feet in size. The garage is proposed in the existing parking area location on the parcel.

The proposed location of the garage is based on the existing development of the site and the proposed scheme of use of the property. This location is relatively flat, requires little to no excavation and vegetation removal, and is located adjacent to the residence to allow for easy access. The property slopes upward from the road and the existing development is located on a relatively level area at the front of the property. The site is rocky and the excavation for a portion of the residence foundation required a great deal of rock to be removed which would also be expected for the garage foundation. Other locations were considered, however, because of the existing wellhead and the septic system along the north property line, and the increasing slope of the rear of the site, along with the existing mature vegetation that the applicants desire to remain, potential locations near the residence and outside of the setbacks and well and septic systems are limited.

The applicants have submitted a written statement regarding their methodology for selecting the proposed garage site. Please see Appendix A of this staff report.



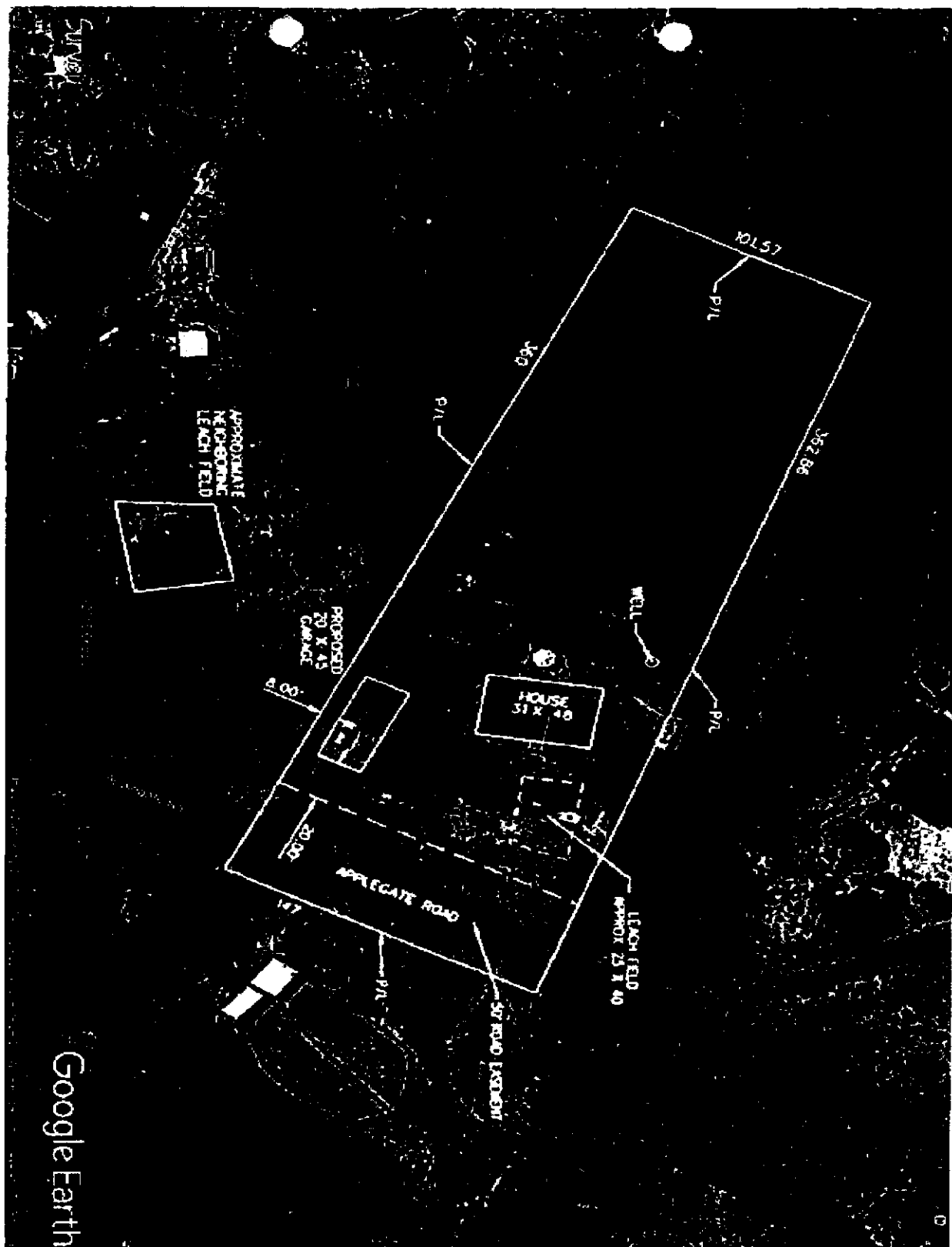
Existing residence



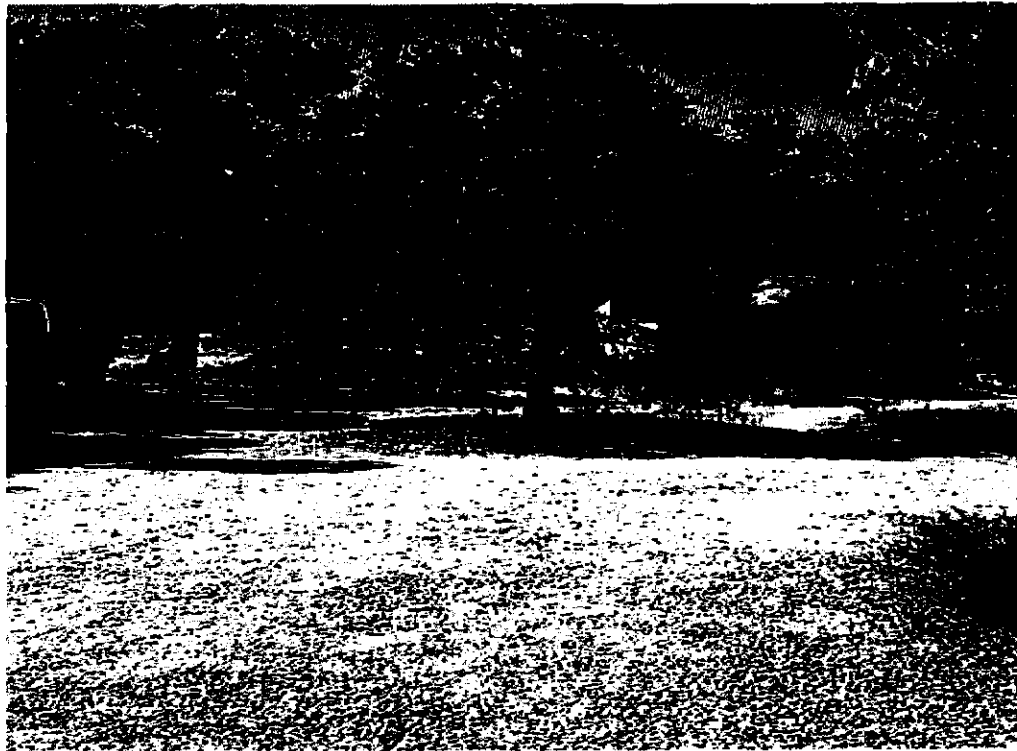
View looking west.



View looking east



Proposed plan



Proposed garage location

- C. **Roadway Easement.** The property has a 50-foot roadway easement for Applegate Road along the east property line. Building setbacks are measured from roadway easements when the roadway exists for the purpose of providing a public or private road. The applicant's property extends beyond the existing travelled way to the other side of the roadway. The travelled way is typically assumed to be located in the center of the easement, however, that isn't always the case as the roads were constructed to consider the topography as it exists and the easiest and most logical route possible.

Staff could not locate surveyed property corners to determine the exact location of the property boundary and compare that to the travelled way. There is a rebar piece located in the general area a property boundary is anticipated to be, however, this isn't a survey marker and staff is unsure if this is an official marker. If this is the location of the property corner, then the travelled way is located closer to the east property line and not centered within the 50-foot easement area. The significance of this is the proposed garage location would be located further from the travelled way than it would be if the travelled way was centered in the 50-foot easement which is assumed in the rationale for the setbacks from roadway easements in the Zoning Code.

Based on the found rebar location and measurements at the site, it appears that there is approximately 18-feet of undisturbed area between the edge of the roadway and western boundary of the roadway easement. Applegate Road is approximately 24-feet wide, and with the approximate 18-feet of undisturbed roadway easement area, the proposed garage location would be approximately 38-feet from the edge of travelled

way. Location of the property corners is necessary to confirm the exact property line and is included as a condition of approval.

- D. **Variance.** The applicant has requested a variance to the rear and side yard setbacks. The VCH-1 Estates zoning for this parcel states a 30-foot front yard setback (as measured from the roadway easement line) and a 15-foot side yard setback is required. The applicant has requested a 20-foot front yard setback and an 8-foot side yard setback. Section 17.03.140 of the Storey County Code identifies the process for Variances. The applicant and this report follow the requirements outlined in the Code.

2. Compatibility and Compliance

- A. **Compatibility with surrounding uses and zones.** The following table documents land uses, zoning classification and master plan designations for the land at and surrounding the proposed project. There are no evident conflicts between the proposed garage addition and Storey County Title 17 Zoning or the 2016 Master Plan with the exception of the setbacks which are addressed with the Variance application.

	Land Use	Master Plan Designation	Zoning
Applicant's Land	Residential	Single Family Estate	E-1 VCH
Land to the North	Residential	Single Family Estate	E-1 VCH
Land to the East	Residential	Single Family Estate	E-1 VCH
Land to the South	Residential	Single Family Estate	E-1 VCH
Land to the West	Residential	Single Family Estate	E-1 VCH

- B. **Variances.** The SCC 17.03.140 Variances states that a Variance to the provisions of its title may be granted by the Storey County Board of County Commissioners (the Board) with action by the Storey County Planning Commission (the Planning Commission) where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the lot or parcel, the strict application of the regulations enacted under this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of property.

Within Section SCC 17.03.140 (F) it states: The Board's approval, approval with conditions, or denial of a Variance must be based on Findings that indicate that the proposed use is appropriate in the location for which it is approved. The Findings listed in this subsection are the minimum to be cited in an approval; the body may include additional Findings in their decision. The Board and Planning Commission must cite Findings of fact in the motion for approval, approval with conditions, or denial.

At a minimum, an approval must be based on the following Findings. After each finding, rationale for the Finding is provided. In addition to the following rationale, please see Appendix A for the applicant's statement of methodology for the garage placement.

- (1) **That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.**

The proposed variance would allow for a detached garage to be constructed adjacent to the existing residence. The parcel is 147 feet in width and the existing residence is located near the front of the property. The applicants state that other logical locations on the parcel for the garage with easy access to the residence are hindered by the need to excavate into rocky terrain and require removal of mature vegetation. The location of the wellhead and the septic system adjacent to the northern property line, which the applicants would like to avoid impacting.

The side yard setback is requested to be 8-feet versus the required 15-feet. The applicants state the proposed location would avoid the need to remove mature vegetation in the front yard of the residence while still maintaining the mature vegetation located along the south property line.

Although staff recognize the desire to retain existing mature vegetation and minimize costly excavation in a rocky soil, it does not appear to staff that these reasons alone are not a "special circumstance" the finding requires.

- (2) **That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.**

The existing property does not contain a garage. The applicants desire a garage that has easy access to the existing residence. Because of the existing configuration of development at the site, the rocky terrain and the mature vegetation on the site which the applicant would like to maintain, the feasible locations for the garage are limited in the applicants' opinion.

Staff recognizes that a garage for the residential property would be necessary for the preservation and enjoyment of substantial property rights, however, it does not appear to staff that the variance of the garage setbacks meets the Finding. As identified in Section B(1), above, although not as desirable by the applicants, a garage could be located in other locations on the property.

- (3) **That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.**

The proposed garage will be located adjacent to the existing residence and will be located on an existing relatively levelled area with surrounding mature vegetation.

The location of the garage would not be readily visible to neighbors to the north, south and west because of the vegetation and topography. The parcel across Applegate Road is developed with the residence located further south and a corral located directly across from the applicant's property. The applicant has contacted the surrounding property owners to the north, south and east (the closest neighbors to the proposed garage) and states they have no objection to the proposed garage location. The proposed garage is not expected to detrimentally impact the surrounding properties or the general public.

Staff agree with the applicants that the evidence presented with the application documents this Finding can be made.

- C. **Storey County Zoning Code.** The property is located within E-1 VCH, Estates, Virginia City Highlands, residential zoning. The Storey County Zoning Code states "The estates zone is established for areas particularly suited for low density residential use, to further enhance the quality of life for residents to prohibit the development of uses which are incompatible and detrimental to a rural residential environment, and to allow for the keeping of a limited number of large domestic animals for non-commercial purposes." Single family residences are an allowed use for the zoning and the proposed garage addition is a permitted accessory use to the residence. The one acre parcel size is consistent with the required minimum lot size and the proposed garage would be required to be located 6 feet from the existing residence and shed which is consistent with the Code requirement of 6-foot setback between dwelling and accessory buildings (Section 17.12.045). The proposed garage location will be located approximately 20-feet from the roadway easement (approximately 38-feet from the edge of travelled way) instead of the required 30-feet, and 8-feet from the side yard setback instead of the required 15-feet with this Variance application. With the exception of the setbacks which this Variance application addresses, the proposed garage addition will be consistent with all other portions of the Zoning Code.
- D. **2016 Storey County Master Plan.** The 2016 Storey County Master Plan designates the Virginia City Highlands as a Rural Residential community with parcels no less than one-acre. Section 3.5.3 Goals and Objectives for land uses in the Highlands (p. 120) states in Goal 1 that land use decisions, including the implementation of zoning and regulations in and around the Highlands area must preserve the rural residential character and conform to historic use patterns in the Highlands area.

The addition of an accessory garage to an existing residential property is consistent with the rural residential characteristics of the Highlands area. A garage is proposed on a property that is currently developed with a residence and parking currently occurs in an open area of the parcel.

3. Findings of Fact

- A. **Motion for approval.** Should a motion be made to approve the Variance request, the following Findings should be included in that motion, along with the recommended conditions of approval in Section 4, Recommended Conditions of Approval.

- (1) This approval is for a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.
- (2) The subject property is located within E-1 VCH Estates zoning with an existing residence as a primary use and the proposed garage as an allowed accessory use.
- (3) That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.
- (4) That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the applicant.
- (5) That the granting of the Variance will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.
- (6) The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations.
- (7) The proposed Variance is in compliance with Storey County Code 17.03.140 Variances, 17.40 E Estates Zone and 17.12 General Provisions when all Conditions of Approval are met.
- (8) The proposed Variance is in compliance with and supports the goals, objectives and policies of the 2016 Storey County Master Plan.

B. Motion for denial. Should a motion be made to deny the Variance request, the following Findings with explanation of why should be included in that motion.

- (1) This denial is for the applicants' request for a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.
- (2) There are no special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the

zoning ordinance that would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification.

- (3) *The granting of the application is not necessary for the preservation and enjoyment of substantial property rights of the applicant.*
- (4) That the granting of the application will, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the area of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the area of the subject property.
- (5) The proposed Variance is not in substantial compliance with all Federal, Nevada State, and Storey County regulations.
- (6) The proposed Variance is not in substantial compliance with and does not support the goals, objectives and recommendations of the Storey County Master Plan.
- (7) The conditions of approval under the Variance do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for the surrounding uses.
- (8) No reasonable level of conditions of approval imposed on this Variance would be sufficient to reasonably mitigate visual, safety or other potential impacts on adjacent and surrounding residences and land uses.

4. **Recommended Conditions of Approval**

- A. **Variance** This approval is for a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.
- B. **Compliance**. The Variance must comply with Storey County Codes, and submitted plans and reports, as approved. The Applicant must provide the Building Department site plans drawn to scale prior to obtaining a Building Permit.
- C. **Null and Void**. If the Variance is not exercised within 12 months of the date of approval, unless additional time is granted by the Board with action by the Planning Commission, based upon consideration of the specific circumstances of the project, then without further action, the Variance will be null and void and no non-conforming development activity may be made on the property except on the granting of a new Variance.
- D. **Hold Harmless**. The Property Owners agree to hold Storey County, its Officers and Representatives harmless from the costs and responsibilities associated with any damage

or liability, and any/all other claims now existing or which may occur as a result of this Variance.

- E. **Permits and Expiration.** The Permit Holder shall apply for all Building and Fire permits for the structure within 12 months from the date of Board approval for this Variance, and continuously maintain the validity of those permits, as appropriate, or this approval will become null and void.
- F. **Taxes Paid.** Before obtaining a Building Permit, the Permit Holder must show the Planning Department evidence that all property taxes on the land are paid to-date.
- G. **Easement.** The granting of this Variance must not affect any existing easements on the subject property. No building may be constructed over an easement, ROW within a building setback area not otherwise allowed by this Variance.
- H. **Boundary.** The Permit Holder must provide the Planning and Building Departments valid evidence from a Professional Land Surveyor indicating the proper location of the property boundaries (property corners) and the structures on the property.
- I. **Accessory Structures.** All accessory structures shall comply with the requirements identified in the Estates Zone, Chapter 17.40, and the General Provisions Chapter 17.12 of the Storey County Code.
- J. **Property Owner Association.** The Permit Holder must obtain approval from the Virginia City Highlands Property Owners Association and submit a copy of the approval to the Building Department prior to obtaining a building permit for the structure subject to the variance.

5. Public Comment

As of October 9, 2018, staff has not received any comments from the public, other than the discussion at the October 4, 2018, Planning Commission meeting.

6. Power of the Board

At the conclusion of the hearing, the Board of County Commissioners must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the Findings of the Board of County Commissioners upon which it bases its decision.

7. **Proposed Motions**

This section contains two motions from which to choose. The motion for approval is recommended by the Planning Commission with a vote of 6-1. This motion for approval may be made and is in accordance with the findings under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial is recommended by staff and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Board of County Commissioners should be made part of either motion.

A. **Motion for approval**

In accordance with the recommendation by the Planning Commission, but against the recommendation by staff, and with the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.

B. **Motion for denial**

In accordance with the recommendation by staff, but against the recommendation by the Planning Commission, and with the Findings of Fact under Section 3.B of this report, and other findings deemed appropriate by the Board of County Commissioners, I (*county commissioner*), move to deny a variance (Variance 2018-037) to the front and side yard setbacks for the construction of a detached garage, to allow for a front yard setback of 20-feet (versus the required 30-feet) and side yard setback of 8-feet (versus the required 15-feet). The property is located at 1930 Applegate Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-101-05.

Appendix A

Methodology for the garage placement at 1930 Applegate Road

Our residence faces Applegate Road to the east. The front of the lot is 147 feet wide. There is 30 feet from the north lot boundary the north side of the house, precluding placing a garage on the north side of the house. The leach line and septic system is in front of the house, precluding placing the garage east of our house. The east boundary facing Applegate is the most level, with about a 5 percent grade extending to the rear elevation of the house. The house is minimally inset into the hillside along the rear elevation, and a great deal of rock was removed for the foundation. Behind the house, the slope increases substantially, to about 15 percent grade. The well is located behind and up-slope of the house and to the north.

Our existing driveway is located at Applegate Road on the eastern lot line south of the house. The area is already open to a point aligned with the rear and south side of the house, then begins to climb steeply toward the back of the lot. The back (west) lot line is about 101 feet wide, narrowing considerably from the front. The rear of the lot consists of old growth pinyon pine and some juniper. To construct a garage to the rear of the lot without a variance would require removing about 25 old growth trees on a 15 percent slope. Based on construction activities at neighboring lots along Saddleback Road in the last 10 years, excavation into the hillside would require a large trackhoe and rock hammer to excavate sufficiently to construct and would likely be within 50 feet of our well. The resulting driveway would be steep, long and hard to maintain in the winter, and visible at a greater distance.

If the variance is approved, the garage would be constructed at a lower, more level elevation, on an already open portion of the lot, with minimal excavation. The general character of the neighborhood would be least affected by this option. The lots in our neighborhood along Applegate Road, Saddleback Road and Pinenut Road are steep and rugged, and are overly narrow across to the front lot lines. Consequently, the house on Applegate on our north lot line has been built facing north (and away from us) at the top of a long driveway. Building toward the front of our lot on the south side or to the back of our lot would not be visible to this address from any elevation.

The lot along Applegate Road directly across to the east of us is 1941 Saddleback. The house was constructed facing Applegate instead of Saddleback, south of our southern property line with an attached garage facing Applegate. The driveway is about 30 feet east of their western property line and blocks the view in the direction of our lot. The back of their lot is directly facing our property and has a well-maintained corral and outbuildings. Building toward the front of our lot on the south side would not be visible to this address from any elevation. Building to the back of our lot would also not be visible from any elevation.

The two lots directly south of us have been combined into a single lot, and a house has been constructed uphill on the west end of both lots. The east and north portion of the lot contains the septic system and leach field, making it unlikely that any permanent structures would be built on that portion of the lots. The house faces toward Saddleback, with several outbuildings to the northeast between their house and our house. There is a steep elevation (downward) between the outbuildings and our proposed garage location on Applegate and the south lot line. Building toward the front of our lot on the south side would not be visible from the house. Building to the back would be visible from their rear elevation and would necessitate removing many of the old growth trees that reduce visibility between the two lots.

We have given considerable thought to the placement of a garage. If the variance is approved, we would have the least amount of impact to the views of our adjacent neighbors. We would not have to remove any old growth trees and would not be building near any wells, structures, or fences, including our own. The driveway would be easy to maintain in the winter. We will still be outside of the Applegate Road easement, and the road is already well developed and unlikely to expand in the future. We have spoken with our neighbors at 1970 Applegate Road, 1941 Saddleback Road and 1945 Saddleback Road. All were supportive of our project and of the variance. If the garage is constructed within the requested variance, it will also be in keeping with the character of other development in the neighborhood.



Figure 1. Facing west from Applegate Road – location of proposed garage.



Figure 2 – Facing east toward Applegate Road – location of proposed garage.



Figure 3 – facing southwest from the proposed location towards the rear of Saddleback – outbuildings and the hill obstruct the view of the residence.



Figure 4 – facing north from the rear of the lot toward 1970 Applegate Road.



Figure 5 – looking north down Applegate Road – 1930 is to the left.



Figure 6 – looking east from the front yard of 1930 Applegate. The road is in the foreground, the corral at the rear of the lot of 1941 Saddleback is center.



Storey County Board of County Commissioners Agenda Action Report

Meeting date: October 16, 2018

Estimate of time required: 15 min.

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

1. **Title: Discussion/Possible Action:** Special Use Permit 2018-038 is a request by the applicant to allow for an accessory dwelling unit on an existing developed residential property. The applicant requests an accessory dwelling unit be approved within a previously constructed garage. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.
2. **Recommended motion by the Planning Commission:** In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve Special Use Permit 2018-038, a request by the applicant to allow for an accessory dwelling unit on an existing developed residential property. The applicant desires an accessory dwelling unit within a previously approved garage with a shop/office be legally established with the special use permit. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.
1. **Prepared by:** Kathy Canfield
4. **Department:** Planning **Telephone:** 775.847.1144
5. **Staff summary:** See enclosed Staff Report No. 2018-038
6. **Supporting materials:** Enclosed Staff Report No. 2018-038
7. **Fiscal impact:** None on local government.

Funds Available:

Fund:

_____ Comptroller
8. **Legal review required:** _____ District Attorney
9. **Reviewed by:**

Department Head

_____ Department Name: Planning

_____ County Manager

_____ Other agency review: _____
10. **Board action:**

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No. 17

**Storey County
Planning Department**
Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, Nevada 89440
Phone 775-847-1144 – Fax 775-847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: October 16, 2018

Meeting Location: Storey County Courthouse, 26 South "B" Street, Virginia City, Nevada

Staff Contact: Kathy Canfield

File: Special Use Permit File 2018-038

Applicant: Bryan Burlison

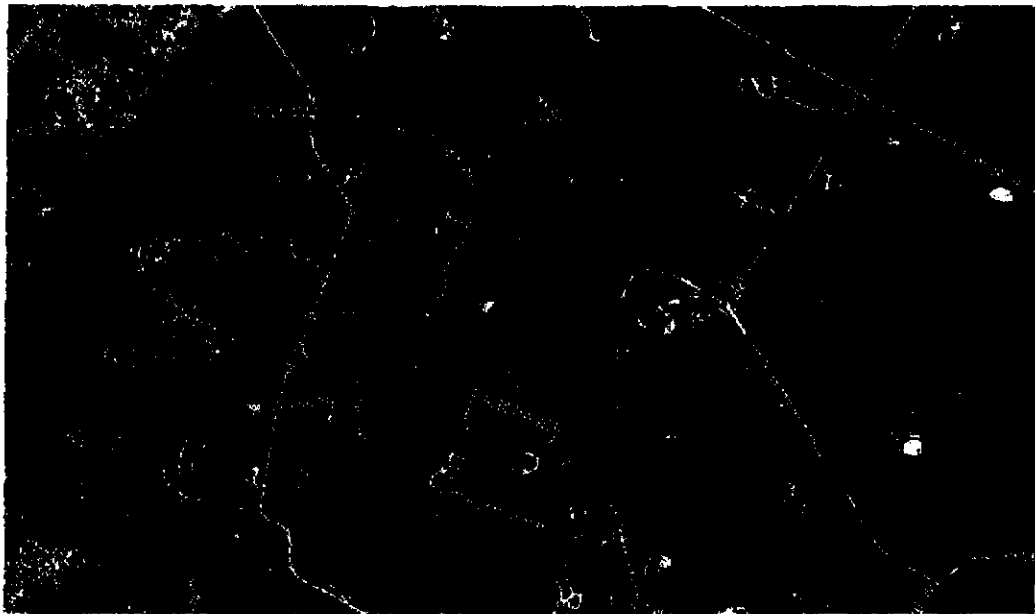
Property Owner: Amanda and Bryan Burlison

Property Location: 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada

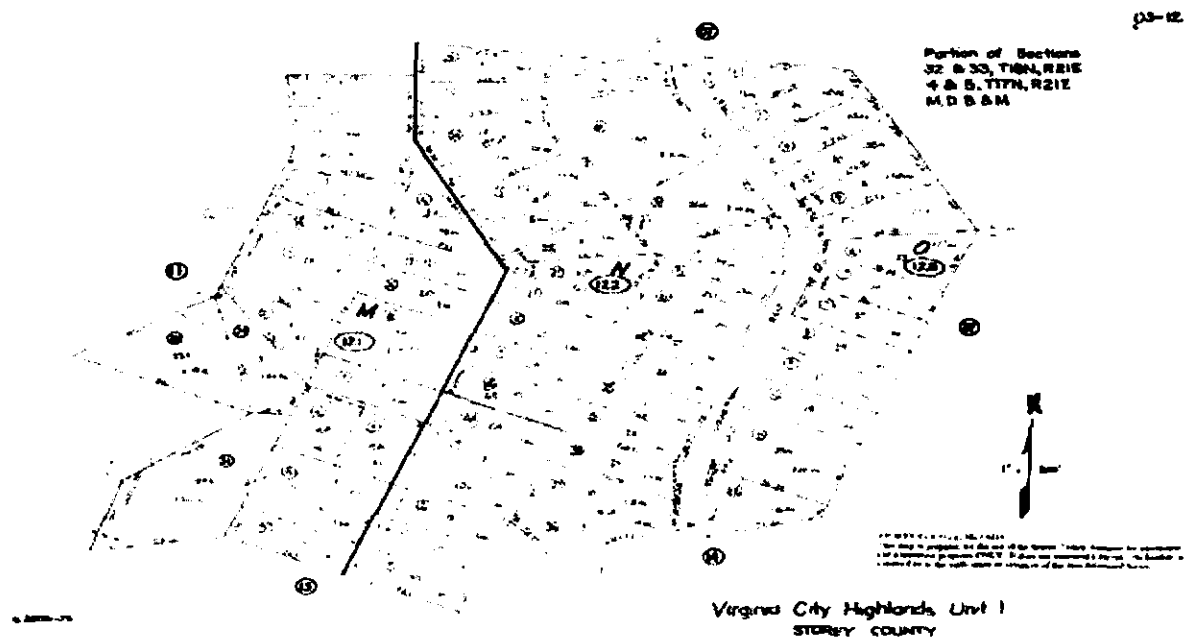
Request: Special Use Permit 2018-038 is a request by the applicant to allow for an accessory dwelling unit on an existing developed residential property. The applicant requests an accessory dwelling unit be approved within a previously constructed garage. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.

Summary of the Planning Commission Action:

The Planning Commission at its October 4, 2018, meeting heard testimony from the applicant, county staff and the public regarding the proposed special use permit. There was discussion regarding the history of the parcel development and accessory dwelling unit. A neighbor, Jeanne Gribbin, was concerned that the accessory dwelling unit had been created without going through the permit process. The Planning Commission voted 7-0 to recommend approval of the special use permit with a modification to Condition G to correct a typographical error (17.12.046.C.8 and add the wording "The submitted Affidavit of Family shall be revised to be consistent with Section 17.12.046.C.7."



Property Location



Assessor's Parcel Map

Based on the stated sizes for the building permits, the garage shop/office was approved to be 828 square feet, which is a size that can be permitted for an accessory dwelling.

- C. **Zoning Ordinances.** The **1999 Zoning Ordinance** Estates zoning, Chapter 17.40 states the following as a permitted use:

“One detached family guest home, defined as a structure occupying an accessory position on a lot and used exclusively for housing members of a single family, subject to a special use permit, shall contain its own sewer and water source for that guest house.”

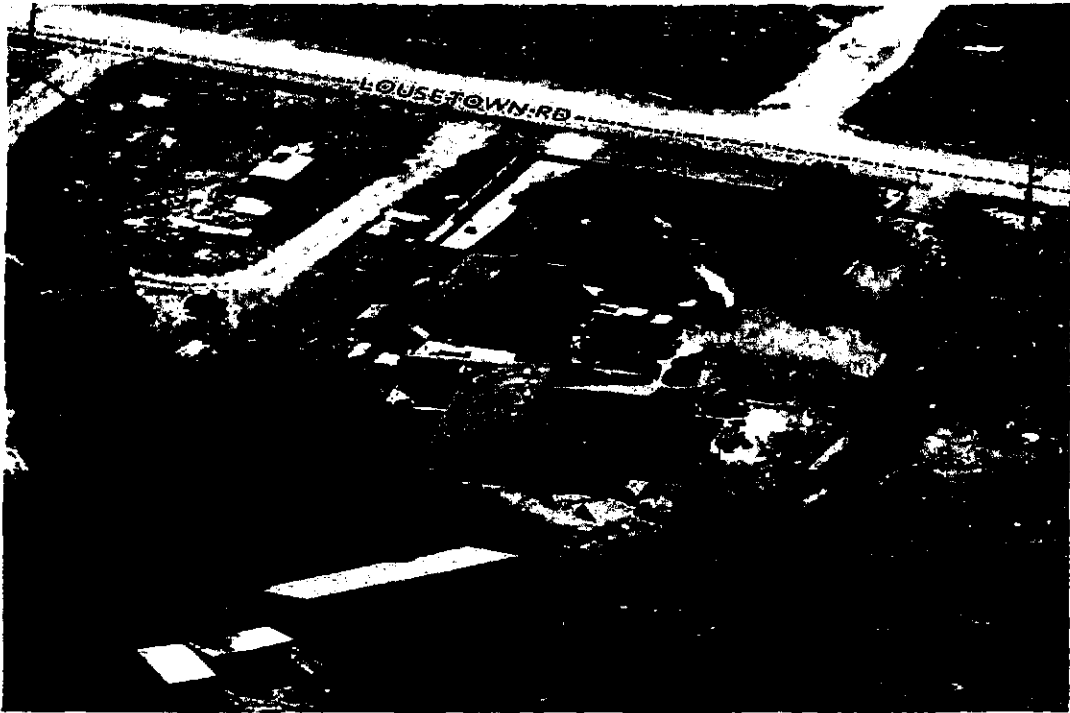
That same section goes on to identify that family guest homes meet the following standards:

1. A family guest home shall be a complete dwelling and include a kitchen and bathroom.
2. A family guest home may not be less than five-hundred (500) square feet in area, nor greater than one-thousand (1,000) square feet in area.
3. If a family guest home is occupied on a permanent basis, a signed affidavit must be filed with the county building official stating who is occupying the guest home. Affidavits will be reviewed annually.
4. Septic requirements shall be in accordance with Nevada Revised Statutes.

The 1999 Zoning Ordinance (Chapter 17.10) defines dwelling unit as “one or more rooms and a single kitchen in a dwelling or apartment hotel, designed as a unit for occupancy by not more than one family for living or sleeping purposes, and not having more than one kitchen or set of fixed cooking facilities.”

The **2015 Zoning Ordinance** defines Accessory Dwelling Unit – detached as “a separate and completely independent dwelling unit on the same lot as the principal single-family dwelling or other principal building, but which is physically separated from the principal building. A detached accessory dwelling unit includes, at a minimum, a permanent kitchen and bathroom with bathtub or shower. It may also include habitable space for living, sleeping, and eating.”

Chapter 17.12 of the 2015 Zoning Ordinance goes on to identify the following regulations associated with a proposed accessory dwelling:



Existing Site, view looking from northeast



Floor Plan

D. **General use allowances and restrictions.** Storey County Code 17.03.150, Special Use Permit, identifies the administration for the Board and Planning Commission for allowing a special use permit. The approval, approval with conditions, or denial of the Special Use Permit must be based on findings of fact that the proposed use is appropriate or inappropriate in the location. The findings listed below are the minimum to be cited in an approval.

- (1) **Complies with the general purpose, goals, objectives, and standards of the county master plan, this title, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.**

The proposed accessory dwelling will be consistent with the requirements of Section 17.12.046 which identifies the regulations for accessory dwellings. The accessory dwelling is permissible in according with the regulations for the residential zoning and is consistent with the Zoning Ordinance as conditioned and the Storey County Master Plan.

- (2) **The proposal location, size, height, operations, and other significant features will be compatible with and will not cause substantial negative impact on adjacent land uses, or will perform a function or provide a service that is essential to the surrounding land uses, community, and neighborhood.**

The accessory dwelling will be located within an existing structure that was previously approved by Storey County. No exterior construction is proposed with this Special Use Permit application.

- (3) **Will result in no substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.**

The accessory dwelling will be located within an existing structure. The site contains adequate parking area to allow for no impacts to parking on adjacent roadways. The property is located within an existing residential neighborhood where accessory dwellings can be permitted. The accessory dwelling will be utilized by family members of the primary residence owner. A signed affidavit has been submitted documenting this requirement and a deed restriction will be required in accordance with Chapter 17.12 requirements.

- (4) **The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.**

affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, this title, and any other plans, program, map or ordinance adopted or under consideration pursuant to an official notice, by the county, or other governmental agency having jurisdiction to guide growth and development.

- (5) The proposed use in the proposed area will be adequately served by and will impose no undue burden on any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.
- (6) The Special Use Permit, with the recommended conditions of approval, complies with the requirements of Chapters 17.03.150 – Special Use Permit, 17.12.046 – Accessory Dwellings, Location and Placement, and 17.40 Estate Zone.

B. **Motion for denial.** Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is for Special Use Permit 2018-038, to allow for an accessory dwelling unit on an existing developed residential property. This denial does not allow for an accessory dwelling unit within a previously constructed garage. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.
- (2) The conditions under the Special Use Permit conflict with the minimum requirements/findings in the 2015 Storey County Zoning Ordinance Sections 17.03.150 -Special Use Permit, 17.12.046 - Accessory Dwellings, Location and Placement and/or 17.40 Estate Zone.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

4. **Recommended Conditions of Approval**

- A. **Special Use Permit.** This approval is for Special Use Permit 2018-038 to allow for an accessory dwelling unit on an existing developed residential property. This approval allows for an accessory dwelling unit within a previously constructed garage. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.
- B. **Requirements.** The Permit Holder shall apply for any/all required permits and licenses, including building and fire permits, for the project within 24 months from the date of final approval of this Special Use Permit, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This permit shall remain valid

measurements from the meter must be submitted by the parcel owner to the Nevada Division of Water Resources in accordance with their requirements.

- K. **Transfer of Rights**. The special use permit belongs exclusively to Bryan and Amanda Burlison and the real property subject to this permit so long as the one or both owners own and maintain primary residence at the subject property. This special use permit is non-transferable.
- L. **Property Owners Association Approval**. The holder of the special use permit must obtain approval from the Virginia City Highlands Property Owners Association and submit a copy of the certificate to the planning department.

5. Public Comment

Staff received an email inquiry regarding the project prior to the Planning Commission meeting. As of October 9, 2018, Staff has not received any other comments from the public other than the discussion at the October 4, Planning Commission meeting.

6. Power of the Board

At the conclusion of the hearing, the Board of County Commissioners must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Board of County Commissioners upon which it bases its decision.

7. Proposed Motions

This section contains two motions from which to choose. The motion for approval is recommended by staff and the Planning Commission in accordance with the Findings of Fact under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Board of County Commissioners should be made part of either motion.

A. Recommended motion for approval

In accordance with the recommendation by staff and the Planning Commission, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Board of County Commissioners, and in compliance with the conditions of approval, I (*county commissioner*), move to approve Special Use Permit 2018-038, a request by the applicant to allow for an accessory dwelling unit on an existing developed residential property. The applicant desires an accessory dwelling unit within a previously approved garage with a shop/office be legally established with the special use permit. The subject property is located at 1931 Lousetown Road, Virginia City Highlands, Storey County, Nevada, Assessor's Parcel Number (APN) 003-123-07.



Storey County Board of County Commissioners Agenda Action Report

Meeting date:

10-16-18

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Melissa Field

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to the Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:**

Funds Available:

Fund:

___ Comptroller

7. **Legal review required:**

___ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name:

___ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved

☐

Approved with Modifications

☐ Denied

☐

Continued

Agenda Item No. 19

Storey County Community Development

Business Licensing

P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • mfield@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

October 3, 2018
Via email

Fr: Melissa Field

Please add the following item(s) to the **October 16, 2018** COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. HERITAGE CONSTRUCTION & DEVELOPMENT** – Contractor / 2351 Sunset Blvd ~ Rocklin, CA
- B. UNITED HERITAGE FINANCIAL GROUP, INC** – General/707 E. United Heritage Ct ~ Meridian, ID
- C. AXINE USA INC** – General / 108-2386 East Mall ~ Vancouver, Canada
- D. LIBERTY INTERACTIVE CORP, dba: ZULILY** – General / 2555 USA Pkwy ~ McCarran, NV

Ec: Community Development
Commissioners' Office

Planning Department
Comptroller's Office

Sheriff's Office

Vanessa Stephens

From: Pat Whitten
Sent: Thursday, October 4, 2018 4:34 PM
To: Vanessa Stephens
Cc: Anne Langer; Keith Loomis; Austin Osborne; Marshall McBride
Subject: Re: petition

Thank you Vanessa. Please inform the individual requesting this item that I have denied placement of item on the Commission per policy. Thank you.

Pat Whitten
Storey County Manager
pwhitten@storeycounty.org
(775) 847-0968 - Office
(775) 721-7001 - Cell

On Oct 4, 2018, at 1:50 PM, Vanessa Stephens <vstephens@storeycounty.org> wrote:

Attached is the petition language for the Agenda Request. She also sent several pictures of signatures. Would you like me to forward those as well?

Vanessa

Vanessa A. Stephens
Clerk & Treasurer
Storey County, Nevada

From: reflectionsdr@gmail.com <reflectionsdr@gmail.com>
Sent: Thursday, October 4, 2018 1:30 PM
To: Vanessa Stephens <vstephens@storeycounty.org>
Subject: petition

<SUPPORT THE VIRGINIA CITY.doc>



Storey County Board of County Commissioners Agenda Action Report

Meeting date: Oct 16, 2018 Estimate of time required:

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. Title: Petition To Support Virginia City Merchants

2. Recommended motion

3. Prepared by: Druscilla Thyssen

Department:

Telephone: 847-0471

4. Staff summary:

5. Supporting materials: petition 1000 signatures

6. Fiscal impact:

Funds Available:

Fund:

____ Comptroller

7. Legal review required:

____ District Attorney

8. Reviewed by:

____ Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. Board action:

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

reflectionsdr@gmail.com

847-0471