

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 13, UNIFORM BUILDING CODE BY CREATING A NEW SECTION 13.16.150 ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWTH.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES HEREBY ORDAIN:

SECTION 1: Fireplaces. Chapter 13 of the North Las Vegas Municipal Code is hereby amended by creating a new section designated as Section 13.16.150 which shall read as follows:

13.16.150: Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective October 1, 1991, no fireplace shall be constructed in any residential dwelling unit in North Las Vegas unless it is one of the following:

- A. A fireplace equipped with gas logs with a nationally recognized listing approved by the Building Official;
- B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the Building Official;
- C. A dedicated woodburning factory-built fireplace that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a nationally recognized listing approved by the Building Official;
- D. A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (C) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or
- E. A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2: The City Council of the City of North Las Vegas has been informed by its legal department as to the constitutionality of this ordinance, and based upon such information, we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the Constitution or by laws providing for equal rights of citizens or persons.

SECTION 3: Severability. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such sections, paragraph, clause, or provision, shall in no way affect the validity and enforceability of the remaining provisions of this ordinance.

SECTION 4: Repealer. All ordinances, parts of ordinances or chapters, sections, subsections or paragraphs or resolutions previously adopted by the North Las Vegas City Council which are in conflict herewith are hereby repealed.

SECTION 5: Effective Date. This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, shall be published once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: Publication. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED AND APPROVED THIS 18TH DAY OF SEPTEMBER, 1991

AYES: MAYOR SEASTRAND, COUNCILMEN GOYNES, KINGAID, ROBINSON AND HARDY

NAYES: NONE

ABSENT: NONE

APPROVED:

/s/ James K. Seastrand

JAMES K. SEASTRAND, MAYOR

ATTEST:

/s/ Eileen M. Sevigny
EILEEN M. SEVIGNY, CITY CLERK