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**BILL NO. 2024-24**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE RELATING TO FEES CHARGEABLE BY THE CITY FOR CONSTRUCTION ACTIVITY AND WORK WITHIN PUBLIC RIGHTS-OF-WAY; UPDATING FEE TABLES PERTAINING TO FEES CHARGEABLE UNDER THE CITY’S ADMINISTRATIVE CODE FOR CONSTRUCTION ACTIVITY, PRIMARILY TO BRING THEM INTO LINE WITH FEES ACTUALLY BEING CHARGED, BUT ALSO TO INCREASE CERTAIN FEES RELATED TO ANNUAL PERMITS; AUTHORIZING THE CITY TRAFFIC ENGINEER AND THE DEPARTMENT OF PUBLIC WORKS TO DESIGNATE ANOTHER DEPARTMENT OR FUNCTION TO CHARGE AND COLLECT FEES RELATED TO WORK WITHIN PUBLIC RIGHTS-OF-WAY AS GOVERNED BY LVMC 11.50.040 AND LVMC TITLE 13; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Joey Paskey, Director of Public Works	Summary: Updates fee tables pertaining to fees chargeable under the City’s Administrative Code for construction activity, primarily to bring them into line with fees actually being charged, but also to increase certain fees related to annual permits, and authorizes the City Traffic Engineer and the Department of Public Works to designate another department or function to charge and collect fees related to work within public rights-of-way as governed by LVMC 11.50.040 and LVMC Title 13.
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: By Ordinance No. 6769, adopted February 3, 2021, the City Council adopted the City of Las Vegas Administrative Code, 2019 Edition, as part of LVMC Chapter 16.02. Section 304 of the Administrative Code authorizes the charging of fees for permits and services under that Code and includes the adoption of a schedule of such fees, a schedule that specifically includes Tables 3-A through 3-H. Those tables set forth fee amounts that became effective July 1, 2021, and are so labeled as effective that date. Sections 2 to 11, inclusive, of this Ordinance amend two of the fee tables in the manner specified. The amendments are shown by the use of brackets to identify deleted material and underlining to identify new material.

SECTION 2: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by amending the Plan Check Fee entries for the use type and occupancy labeled “R-3” and “Prefabricated/Manufactured Dwelling—Complete,” respectively, to read as follows:

Size Basis (square feet)	Plan Check Fee
400	[ <del>\$195</del> ] <u>\$176</u>
1,000	[ <del>\$189</del> ] <u>\$176</u>
2,000	\$176
2,800	[ <del>\$182</del> ] <u>\$176</u>
4,000	[ <del>\$184</del> ] <u>\$176</u>

SECTION 3: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by amending the Plan Check Fee entries for the use type and occupancy labeled “A-5” and “Amusement Park Structure: Deposit only,” respectively, to read as follows:

Size Basis (square feet)	Plan Check Fee
5,000	[ <del>\$195</del> ] <u>\$176</u>
20,000	[ <del>\$189</del> ] <u>\$176</u>
50,000	\$176
100,000	[ <del>\$182</del> ] <u>\$176</u>
250,000	[ <del>\$184</del> ] <u>\$176</u>

SECTION 4: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by amending the Plan Check Fee entries for the use type and occupancy labeled “A-5” and “Stadium: Deposit only,” respectively, to read as follows:

Size Basis (square feet)	Plan Check Fee
10,000	[ <del>\$205</del> ] <u>\$185</u>
40,000	[ <del>\$198</del> ] <u>\$185</u>
100,000	\$185
200,000	[ <del>\$192</del> ] <u>\$185</u>
500,000	[ <del>\$193</del> ] <u>\$185</u>

SECTION 5: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by amending the Plan Check Fee entries for the use type and occupancy labeled “CSR” and “Commercial TI—

1 Structural Review Add-on,” respectively, to read as follows:

2 Size Basis (square feet)	Plan Check Fee
3 200	[\$195] <u>\$176</u>
4 800	[\$189] <u>\$176</u>
5 2,000	\$176
6 4,000	[\$182] <u>\$176</u>
7 10,000	[\$184] <u>\$176</u>

8 SECTION 6: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by  
9 amending the Plan Check Fee entries for the use type and occupancy labeled “RSR” and “Residential  
10 Remodel/Addition—Structural Review Add-on,” respectively, to read as follows:

11 Size Basis (square feet)	Plan Check Fee
12 100	[\$195] <u>\$176</u>
13 400	[\$189] <u>\$176</u>
14 1,000	\$176
15 2,000	[\$182] <u>\$176</u>
16 5,000	[\$184] <u>\$176</u>

17 SECTION 7: Table 3-A, labeled “Fee Schedule—New Construction,” is amended by  
18 amending the Plan Check Fee entries for the occupancy labeled “Foundation—Non-Highrise” to read as  
19 follows:

20 Size Basis (square feet)	Plan Check Fee
21 100	[\$398] <u>\$358</u>
22 400	[\$385] <u>\$358</u>
23 1,000	\$359
24 2,000	[\$372] <u>\$358</u>
25 5,000	[\$375] <u>\$358</u>

26 SECTION 8: Table 3-E, labeled “Other Construction Fees—Miscellaneous Items,” is

1 amended by amending the Plan Check Fees and Permit/Inspection Fees entries for the fees titled “Annual  
2 Facilities Permit—Annual Registration” and “Annual Facilities Permit—Services (per hour),” as listed under  
3 the heading “Special Programs,” to read as follows:

Fee Title	Plan Check Fees	Permit/Inspection Fees
Annual Facilities Permit—Annual Registration	<del>[\$113]</del> <u>\$500</u>	<del>[\$0]</del> <u>\$750</u>
Annual Facilities Permit—Services (per hour)	\$73	<del>[\$173]</del> <u>\$176</u>

7 SECTION 9: Table 3-E, labeled “Other Construction Fees—Miscellaneous Items,” is  
8 amended by deleting in their entirety the Plan Check Fees and Permit/Inspection Fees entries for all fees  
9 listed under the heading “Additional New Potential Fees,” located at the end of Table 3-E.

10 SECTION 10: Section 304.6 of the Administrative Code authorizes the City’s Building  
11 Official to implement annual increases to the fees listed in the Fee Tables as being effective July 1, 2021.  
12 Since that date and at the time of the adoption of this Ordinance, no such fee increases have been implemented  
13 under Section 304.6. However, nothing in this Ordinance precludes the future implementation of such  
14 increases by the Building Official, at the Building Official’s discretion.

15 SECTION 11: Title 11, Chapter 50, Section 40, of the Municipal Code of the City of Las  
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **11.50.040:** (A) The City is authorized to charge fees related to the placement of traffic barricades in  
18 accordance with the fee schedule established pursuant to LVMC 13.40.050. The fees may include, without  
19 limitation, fees relating to the approval and renewal of traffic barricade plans, and the fees described in this  
20 Section.

21 (B) In the case of a violation referred to in LVMC 11.50.030, failure on the part of the  
22 violator to correct any such deficiencies within the two-hour period described in that Section shall be  
23 sufficient authorization for the City to correct the existing deficiencies. The City Traffic Engineer or designee  
24 is authorized to charge the violator a noncompliance correction fee in accordance with the fee schedule  
25 established pursuant to LVMC 13.40.050. The City Traffic Engineer, in his discretion, may order a cessation  
26 of work on the operation with respect to which such deficiencies exist until the same shall have been

1 corrected.

2 (C) Where barricades or other traffic-control devices are left within the travel lanes or  
3 sidewalk areas of a right-of-way for longer than the period authorized by a permit, the City is authorized to  
4 charge a noncompliance correction fee and lane/sidewalk rental fees, including fees charged on a per-unit of  
5 equipment basis, in accordance with the fee schedule established pursuant to LVMC 13.40.050.

6 SECTION 12: Title 13, Chapter 40, Section 50, of the Municipal Code of the City of Las  
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **13.40.050:** (A) The Department of Public Works or designee is authorized to charge fees in  
9 connection with the issuance of permits and the construction of improvements pursuant to this Chapter. Such  
10 fees may include fees associated with plan checking and inspection, fees for services performed by or on  
11 behalf of the City in implementing this Chapter, fees relating to noncompliance with the provisions of this  
12 Chapter, and fees associated with corrective action required under this Chapter.

13 (B) In connection with the issuance of a permit, the City is authorized to establish and  
14 collect an additional fee to cover work that was previously performed by or on behalf of the applicant without  
15 the benefit of a valid permit. In addition, the City is authorized to charge fees for noncompliance with permit  
16 requirements set forth in this Title.

17 (C) The City is authorized to charge fees related to the patching and resurfacing of  
18 pavement that is cut or disturbed in connection with utility installations and other development-related work.  
19 The fees may include the costs of slurry seal installation, asphalt resurfacing or reinstallation, or may be  
20 based upon reimbursement for lost value.

21 (D) The fees chargeable by the City pursuant to this Section shall be those that are set  
22 forth in a fee schedule that may be approved and amended from time to time by resolution of the City Council.  
23 The fee schedule may contain fees chargeable under other Chapters of this Code.

24 SECTION 13: The Division of Building and Safety is authorized to insert the amendments  
25 made by Sections 1 to 11, inclusive, of this Ordinance into the Division's official publication of the Fee  
26 Tables.

1                   SECTION 14: If any section, subsection, subdivision, paragraph, sentence, clause or phrase  
2 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by  
3 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the  
4 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby  
5 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase  
6 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,  
7 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

8                   SECTION 15: All ordinances or parts of ordinances or sections, subsections, phrases,  
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
10 Edition, in conflict herewith are hereby repealed.

11                   PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2024.

12                                   APPROVED:

13  
14                                   By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

15                   ATTEST:

16 \_\_\_\_\_  
17 DR. LUANN D. HOLMES, MMC  
City Clerk

18                   APPROVED AS TO FORM:

19                   *Val Steed*      7-24-24  
20                   Val Steed,                                   Date  
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_ day  
2 of \_\_\_\_\_, 2024, and referred to a committee for recommendation, the committee being  
3 composed of the following members \_\_\_\_\_;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2024, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first  
7 introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 \_\_\_\_\_  
16 DR. LUANN D. HOLMES, MMC  
City Clerk

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