

BILL NO. 2023-18

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE UNIFORM HOUSING CODE, AS ADOPTED BY THE CITY, TO REQUIRE AIR CONDITIONING IN DWELLING UNITS, GUEST ROOMS AND CONGREGATE FACILITIES, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Nancy Brune

Summary: Amends the Uniform Housing Code, as adopted by the City, to require air conditioning in dwelling units, guest rooms and congregate facilities.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 16, Chapter 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 15, reading as follows:

16.20.015: (A) The Uniform Housing Code and its supplemental document, as adopted by LVMC 16.20.010, are hereby amended so that the heading to Section 701, which currently pertains to heating and ventilation, reads as follows:

SECTION 701 -- Heating, Air Conditioning, Cooking Equipment and Ventilation

(B) The Uniform Housing Code and its supplemental document, as adopted by LVMC 16.20.010, are hereby amended so that Subsections 701.1 and 701.1.1, which currently pertain to heating and cooling facilities and cooking equipment, read as follows:

701.1 Heating and Air Conditioning. All dwelling units, as defined in the International Building Code (IBC) and International Residential Code (IRC) shall be equipped with active or passive heating/cooling systems.

A. One and two-family dwellings that are designed in accordance with the IRC shall also comply with the International Energy Conservation Guide and Air Conditioning Contractors of America, Manual J – Residential Load Calculation, including Appendix 2. The drawings submitted for permit in accordance with the provisions of this paragraph A

1 must include a statement of compliance with this requirement by either the design
2 professional or mechanical contractor.

3 B. Dwelling units, except one and two-family dwellings, shall be designed in a
4 manner such that an interior temperature can be maintained between 68° F and 85° F, by
5 the use of active or passive heating or cooling systems. A Certificate of Compliance
6 certifying that the design meets the requirements of the Section and applicable building
7 codes must be sealed and signed by a Nevada Registered Design professional and submitted
8 to the Department of Community Development as a part of the permit submittal package.

9 C. As used in this Section:

10 1. An active heating/cooling system refers to any heating or cooling system
11 that requires a non-naturally occurring heating or cooling source in order to adjust the
12 temperature in a space.

13 2. A passive heating/cooling system refers to any heating or cooling system
14 that does not introduce a non-naturally occurring heating or cooling source in order to
15 adjust the temperature in a space.

16 701.1.1 Cooking Equipment. Cooking equipment, if provided, shall be maintained or
17 replaced so as to be in a functional and safe working condition.

18 (C) In Subsection (B) of this Section 16.20.015, the portion of Section 701.1 of the
19 Housing Code that requires air conditioning facilities shall apply as follows:

20 (1) As of October 1, 2023, with respect to new construction of dwelling units,
21 guest rooms and congregate facilities whose permits are issued on or after that date.

22 (2) With respect to dwelling units, guest rooms and congregate facilities
23 existing on October 1, 2023, or whose permits were issued before October 1, 2023, as of the date of either of
24 the following, as defined in the International Existing Building Code, as adopted by the City pursuant to
25 LVMC 16.06.010:

26 (a) A change of occupancy; or

1 (b) Any Level 3 alteration, where the work area exceeds 50 percent of
2 the building area.

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

10 SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
16 of this ordinance shall constitute a separate offense.

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1 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 2023.

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 8-1-23
13 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 _____, 2023, 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 _____, 2023, 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 LUANN D. HOLMES, MMC
City Clerk

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