

Official Record

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NORTH LYON COUNTY FIRE

Lyon County - NV
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0510062

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Name: North Lyon County Fire Pro. Dist.

Address: 195 E. Main Street

City/State/Zip: Fernley, Nevada 89408

Mail Tax Statements to:

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2012 Fire Code Ordinance

Title of Document

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North Lyon County Fire Protection District

195 East Main Street
Fernley, Nevada 89408
District Office (775) 575-3310 District Fax (775) 575-3314

Directors

Jon Osborn
Vance Edan
Ed Heston
Harry Wheeler
Rob Thran

Darryl Cleveland, Fire Chief

A resolution adopting the 2012 International Fire Code as ordinance; prescribing regulations governing conditions deemed hazardous to life and property from fire, hazardous materials, or explosion; providing for the issuance of permits for hazardous uses and/or operations; establishing a bureau of fire prevention and officers defining their powers and duties.

WHEREAS, Nevada Revised Statutes Chapter 474 authorizes a duly organized fire protection district to provide for the prevention and extinguishment of fires; and

WHEREAS, Nevada Revised Statutes Chapter 474 provides that a Board of Fire Directors shall promulgate and enforce all regulations necessary for the administration and government of the district and for the furnishing of fire protection; and

WHEREAS, Nevada Revised Statutes Chapter 474 provides that a Board of Fire Directors shall eliminate and remove fire hazards from the district wherever practicable and possible, whether on private or public premises; and

WHEREAS, the Board of Fire Directors of the North Lyon County Fire Protection District does herein find that the District has certain climatic, geological, and topographical features that can have a deleterious or negative effect on the delivery of emergency services such as fire protection and emergency medical services; and

WHEREAS, the Board of Fire Directors finds that modifications and changes to the *International Fire Code* are reasonably necessary because of the following local climatic, geological, and topographical conditions:

1. The North Lyon County Fire Protection District is situated in the northern portion of Lyon County, where essentially the entire district is located in the City of Fernley. The District is also limited in resources and distant from other departments. The District is protecting a large industrial area with some of the highest regulated occupancies. The community served has rapidly out-grown the available District resources. One of the country's major railways crosses the District boundaries with 20 or more trains a day. Furthermore, the fire and hazardous conditions described above carry the potential for overcoming the ability of the District's fire suppression forces to aid or assist in fire control, evacuations, rescues and other emergency tasks deemed inherently hazardous in such situations. The potential exists for the aforementioned conditions to life, property, and the environment of the community.



2. The North Lyon County Fire Protection District is situated near three major traffic ways, which are capable of generating incidents of significant and destructive magnitude. These are incidents capable of incapacitating the District's water supply, roadways, communications, power, and physical properties at a time of emergent need.

3. The seasonal climatic conditions during the late summer and fall create numerous serious difficulties regarding the control of the protection against fires in the District specifically. The hot, dry weather typical of this area in the summer and fall coupled with prevailing winds from the southwest frequently affect wildfires that threaten or could threaten the North Lyon County Fire Protection District, Natural vegetation occurring in the area of the district is among a the most highly flammable in the world. Winter months present additional challenges to the delivery of fire and emergency medical services where ice and accumulated snow adversely affect apparatus operation. These same climatic conditions limit fire suppression efforts and impede effective and safe access to buildings which may be involved with fire. The inclusion of built-in automatic fire suppression systems can effectively mitigate, control, or extinguish any structure fire in a protected premise, and thereby decrease the risk of structure firefighting and assist in the preservation of the community and the district's fire suppression forces.

4. Continued expansion or other additions to existing structures by property owners produces an increased assumption of risk by North Lyon County Fire Protection District and requires the addition of additional fire protection throughout the resulting structure. Automatic sprinkler systems can effectively manage this increased risk and further assist in the preservation of the community by providing the district's fire suppression forces additional control and containment strategies in the event of a structure fire.



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THEREFORE, be it resolved by the Board of Fire Directors of the North Lyon County Fire Protection District that the following amendments be adopted for the protection of persons and property within the district:

Section 1. ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE.

There is hereby adopted by the North Lyon County Fire Protection District, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain Code known as the *International Fire Code*, including Appendix A, B, C, E, F and G, published by the International Code Council, Inc., being particularly the 2012 edition thereof and the whole thereof, say and except such portions as are hereinafter deleted, modified or amended by Section 7 of this ordinance, three (3) copies of which when filed in the office of the Clerk of Lyon County and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provision thereof shall be controlling within the limits of the North Lyon County Fire Protection District, Fernley, Nevada.

Section 2. ESTABLISHMENT AND DUTIES OF DIVISION OF FIRE PREVENTION.

1. The *International Fire Code* as adopted and amended herein shall be enforced by the fire prevention in the fire district of the North Lyon County Fire Protection District, hereinafter "District" which is hereby established and which shall be operated under the supervision of the chief of the fire district.
2. The chief in charge of the Division of fire prevention shall be appointed by the chief of the fire district on the basis of examination to determine his or her qualifications, and shall retain employment as determined by District policy and procedure.
3. The fire code official and members of the fire prevention division shall have the powers of a police officer in performing their duties under this fire code.

Section 3. DEFINITIONS.

1. Wherever the words "jurisdiction" or "department" are used in the *International Fire Code*, it shall be the North Lyon County Fire Protection District.

Section 9. PENALTIES.

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1. Any person who violates any of the provisions of the *International Fire Code* as adopted and amended herein or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the board of appeals or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than \$75.00 nor more than \$1,000.00 or by imprisonment for not less than one (1) day nor more than six (6) months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each ten (10) days after receipt of a notice of violation that prohibited conditions are maintained shall constitute a separate offense.
2. Any person who willfully obstructs any fire hydrant, fire protection appliance or marked fire apparatus access by the parking of a vehicle shall be subject to a parking violation citation of \$75 dollars for the first offense.
3. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 10. REPEAL OF CONFLICTION ORDINANCES.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the *International Fire Code* as adopted and amended herein are hereby repealed.

Section 11. VALIDITY.

The Fire District Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the *International Fire Code* as adopted and amended herein be declared for any reason to be invalid, it is the intent of the North Lyon County Fire Protection District that it would have passed all other portions of this ordinance independent of the elimination there from of any such portion as may be declared invalid, the remainder of the resolution shall remain in force.

Section 12. DATE OF EFFECT.

This ordinance shall take effect and be in force on July 1, 2013 after its approval and filing with the County Clerk, or as required by law.

Section 7. AMENDMENTS TO THE *INTERNATIONAL FIRE CODE*.

The International Fire Code is amended and changed in the following respects: See Exhibit "A," Additions and adopted by Reference the 2012 Northern Nevada Fire Amendments to the 2012 Edition of the *International Fire Code*.

Section 8. APPEALS.

Whenever the fire code official disapproves an application or refuses to grant a permit applied for, and the applicant claims that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may



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appeal the decision of the fire code official in writing to the Board of Appeals within 30 days from the date of the fire code official's decision.

Be it further resolved that the Board of Fire Directors of the North Lyon County Fire Protection

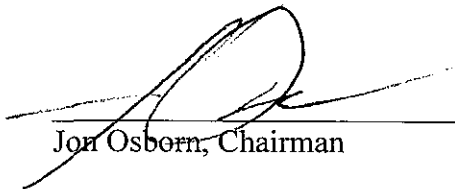
District voted to accept this resolution as follows:

Passed and adopted this (11)th day of (7), 2013 by the following vote:

Ayes:

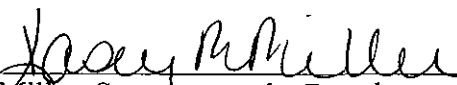
Noes:

Absent:



Jon Osborn, Chairman

Certification and Seal

Attest: 
Kasey Miller, Secretary to the Board



APPENDICIES

APPENDIX A

BOARD OF APPEALS

Revise Section A101.2 Membership, to read as follows:

A101.2 Membership. The membership of the board shall consist of the Chair of the Fire District's Board of Directors and two members appointed by the chair from a list of names submitted by the fire code official. The fire code official shall provide the chair at least two qualified names for each position to be filled.

Delete Sections A101.2.1 Design professional; A101.2.2 Fire protection engineering professional; A101.2.3 Industrial safety professional; A101.2.4 General contractor; and A101.2.5 General industry or business representative.

Revise Section A101.3 Terms of office, to read as follows:

A101.3 Terms of office. Members shall be appointed to serve until such time as the appeal has been heard and a decision has been rendered by the Board of Appeals.

Delete Sections A101.3.1 Initial appointments; and A101.3.2 Vacancies.

Revise Section A101.7 Meetings, to read as follows:

A101.7 Meetings. The board shall meet as determined by the chair. Requests for appeals must be written and properly received within deadlines established by the fire district.

Revise Section A101.10 Procedures, to read as follows:

A101.10 Procedures. The board shall operate in accordance with all laws and regulations of the State or Nevada and all policies and procedures of the North Lyon County Fire Protection District.

Amend Section 108.3 Qualifications, to read as follows:

108.3 Qualifications. The board of appeals shall consist of members appointed by the Chair of the Board of Directors of the North Lyon County Fire Protection District.

Add a new Section 108.4 Application, to read as follows:



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108.4 Application. All applications for appeal to the board shall be submitted to the fire code official in writing. A nonrefundable application fee of \$250.00 shall accompany any appeal.

See attached Northern Nevada Fire Amendments

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