

SENATE BILL NO. 115—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

(ON BEHALF OF THE PUBLIC WORKS BOARD)

FEBRUARY 13, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for designation of State Plumbing Code by
State Public Works Board. (BDR 40-540)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to plumbing codes; requiring the State Public
Works Board to adopt regulations designating a plumbing
code for use in this state; providing for the adoption by
certain state entities of a plumbing code other than the
Uniform Plumbing Code; providing exceptions; and
providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 444 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2.** *As used in NRS 444.340 to 444.430, inclusive, and*
4 *sections 2 and 3 of this act, unless the context otherwise requires,*
5 *“State Plumbing Code” means the plumbing code designated for*
6 *use in this state by the State Public Works Board pursuant to*
7 *section 3 of this act.*
8 **Sec. 3.** *The State Public Works Board shall adopt regulations*
9 *designating a State Plumbing Code for use in this state.*
10 *Modifications and waivers to the State Plumbing Code proposed*
11 *by a local government need not be adopted by regulation.*



1 **Sec. 4.** NRS 444.160 is hereby amended to read as follows:
2 444.160 Every construction or labor camp must have
3 convenient and suitable toilet facilities or portable facilities for
4 temporarily holding sewage that is treated with chemicals which
5 must be kept in a clean and sanitary state. ~~[The]~~ *Notwithstanding*
6 *any provision of NRS 444.340 to 444.430, inclusive, and sections 2*
7 *and 3 of this act to the contrary, the* toilet facilities and portable
8 facilities must conform to the provisions of the Uniform Plumbing
9 Code of the International Association of Plumbing and Mechanical
10 Officials, as adopted by the Health Division, *or such other*
11 *plumbing code as may be adopted by the Health Division*, and all
12 applicable administrative regulations which pertain to the disposal
13 of sewage.

14 **Sec. 5.** NRS 444.270 is hereby amended to read as follows:
15 444.270 1. ~~[Every]~~ *Notwithstanding any provision of NRS*
16 *444.340 to 444.430, inclusive, and sections 2 and 3 of this act to*
17 *the contrary, every* children's camp must have suitable toilets and
18 disposal systems or portable facilities for temporarily holding
19 sewage that is treated with chemicals which conform to the
20 provisions of the Uniform Plumbing Code of the International
21 Association of Plumbing and Mechanical Officials, as adopted by
22 the Health Division, *or such other plumbing code as may be*
23 *adopted by the Health Division*, and all applicable administrative
24 regulations which pertain to the disposal of sewage.

25 2. A children's camp must provide one toilet or portable
26 facility for every 15 persons or fraction thereof in the camp
27 population.

28 **Sec. 6.** NRS 444.340 is hereby amended to read as follows:
29 444.340 The policy of the State of Nevada with respect to the
30 uniformity of plumbing codes throughout the State is:

31 1. That uniformity is a matter of statewide interest and concern,
32 affecting health and environmental conditions, housing costs and
33 efficiency in private housing construction.

34 2. That, by allowing local governments to waive and modify
35 provisions of the ~~[Uniform] State~~ Plumbing Code, ~~[adopted by the~~
36 ~~International Association of Plumbing and Mechanical Officials,]~~
37 based on differences in geographic , *topographic* and climatic
38 conditions only upon submission of such proposed waivers and
39 modifications to the State Public Works Board, excessive waivers
40 and modifications would be deterred.

41 **Sec. 7.** NRS 444.350 is hereby amended to read as follows:

42 444.350 1. ~~[Any]~~ *Except as otherwise provided in NRS*
43 *447.185 and 461.170, any* construction, alteration or change in the
44 use of a building or other structure in this state must be in
45 compliance with the ~~[Uniform] State~~ Plumbing Code . ~~[, of the~~



1 ~~International Association of Plumbing and Mechanical Officials in~~
2 ~~the form most recently adopted by that association, unless the] The~~
3 State Public Works Board ~~[posts a notice of disapproval of any~~
4 ~~amendment to the Code pursuant to subsection 5.] may adopt, by~~
5 ~~regulation, such amendments and changes to the State Plumbing~~
6 ~~Code as it determines necessary.~~

7 2. Any city or county may adopt such modifications *to the*
8 *State Plumbing Code* as are ~~[deemed]~~ reasonably necessary because
9 of its geographic, topographic or climatic conditions. Any city or
10 county desiring to make changes to the ~~[Uniform] State~~ Plumbing
11 Code must, before ~~[its adoption,] adopting the changes,~~ submit the
12 *State Plumbing* Code with the proposed amendments to the State
13 Public Works Board.

14 3. No city or county may allow the use of any solder or flux
15 that contains more than 0.2 percent lead or allow the use of any pipe
16 or pipe fitting that contains more than 8 percent lead in the
17 installation or repair of a public water system or any residence or
18 facility connected to a public water system. As used in this
19 subsection, "public water system" has the meaning ascribed to it in
20 NRS ~~[445A.840.] 445A.235.~~

21 4. A facility used by members of the public whose construction
22 or renovation begins on or after January 1, 1994, must provide on its
23 premises a sufficient number of water closets and urinals to comply
24 with the minimum standards set forth in the ~~[Uniform] State~~
25 Plumbing Code. As used in this subsection, "facility used by
26 members of the public" means any motion picture house, theater,
27 concert hall, community hall, sports arena, stadium, ski resort or
28 other permanent place of exhibition or entertaining to which
29 members of the public are invited or which is intended for public
30 use. The term does not include:

- 31 (a) A hotel as defined in NRS 447.010.
- 32 (b) A food establishment as defined in NRS 446.020.
- 33 (c) A children's camp as defined in NRS 444.220.
- 34 (d) A historic structure as defined in NRS 244A.6825.
- 35 (e) A public or private school.
- 36 (f) A convention hall.

37 5. ~~[The Chairman of the State Public Works Board or his~~
38 ~~designee shall review each amendment to the Uniform Plumbing~~
39 ~~Code and approve or disapprove of the amendment for use in~~
40 ~~Nevada. If the Chairman does not post a notice of disapproval~~
41 ~~within 30 days after an amendment is published, the amendment~~
42 ~~shall be deemed approved for this state.~~

43 ~~—6.]~~ As used in this section, unless the context otherwise
44 requires, "convention hall" means a facility which incorporates both
45 space for exhibitions and a substantial number of smaller spaces for



1 meetings, and which is primarily for use by trade shows, public
2 shows, conventions or related activities.

3 **Sec. 8.** NRS 444.420 is hereby amended to read as follows:

4 444.420 The State Public Works Board shall:

5 1. Review all proposed ~~adoptions of the Uniform~~ *changes to*
6 *the State* Plumbing Code by any city or county, ~~and any proposed~~
7 ~~changes to the Uniform Plumbing Code,~~ and advise ~~such~~ *the* city
8 or county on whether ~~or not such~~ *the* change is ~~deemed~~
9 warranted by geographic, topographic or climatic conditions.

10 2. Submit a copy of ~~the Uniform~~ *any approved changes to*
11 *the State* Plumbing Code adopted by any city or county to the
12 Health Division. ~~of the Department of Human Resources.~~

13 **Sec. 9.** NRS 444.430 is hereby amended to read as follows:

14 444.430 1. The governing body of any city or county shall,
15 *not less than* 60 days ~~prior to~~ *before* the adoption of any
16 regulation for the enforcement of the ~~Uniform~~ *State* Plumbing
17 Code or any other regulations *adopted* pursuant thereto, deliver ~~by~~
18 ~~certified or registered mail,~~ a copy of the proposed regulation *by*
19 *certified or registered mail* to the State Public Works Board for the
20 Board's recommendation on the proposed regulation.

21 2. The governing body of the city or county may, *at any time*
22 60 days *or more* after the State Public Works Board receives the
23 copy of the proposed regulation, adopt the regulation with or
24 without the approval of the State Public Works Board.

25 **Sec. 10.** NRS 447.185 is hereby amended to read as follows:

26 447.185 The reconstruction of existing hotels, including all
27 types of transient lodging establishments, and the construction of
28 new hotels, including all types of transient lodging establishments,
29 ~~shall~~ *must* be in accord with pertinent state laws, rules and
30 regulations of the State Board of Health or local board of health, and
31 the latest editions of ~~the~~ :

- 32 1. *The* Uniform Building Code ~~and the~~ ;
33 2. *The* Uniform Plumbing Code, *or such other plumbing code*
34 *as may be designated by the State Board of Health;* and ~~such~~
35 3. *Such* other codes as the State Board of Health may
36 designate.

37 **Sec. 11.** NRS 461.170 is hereby amended to read as follows:

38 461.170 1. Unless the Division has adopted a more recent
39 edition pursuant to paragraph (b) of subsection 2, *or a different*
40 *plumbing code pursuant to subsection 3,* the following codes and
41 standards, in the form most recently published before January 1,
42 1999, are hereby adopted for the purposes of this chapter:

- 43 (a) The Uniform Housing Code;
44 (b) The Uniform Building Code, as adopted by the International
45 Conference of Building Officials;



- 1 (c) The Uniform Plumbing Code, as adopted by the International
- 2 Association of Plumbing and Mechanical Officials;
- 3 (d) The Uniform Mechanical Code, as adopted by the
- 4 International Conference of Building Officials and the International
- 5 Association of Plumbing and Mechanical Officials;
- 6 (e) The National Electrical Code, as adopted by the National
- 7 Fire Protection Association;
- 8 (f) The Uniform Building Code, Dangerous Building, as adopted
- 9 by the International Conference of Building Officials;
- 10 (g) The Uniform Building Code Standards, as adopted by the
- 11 International Conference of Building Officials; and
- 12 (h) The American National Standards Institute Standard
- 13 No. A117.1.

- 14 2. The Division may:
- 15 (a) Adopt regulations necessary to carry out the provisions of
- 16 this chapter and the codes and standards adopted by this section.
- 17 (b) Adopt, by regulation, the most recent edition of the codes
- 18 and standards specified in subsection 1.
- 19 (c) Revise the regulations to conform substantially to any
- 20 amendments to the codes and standards.
- 21 3. *The Division may, in lieu of the Uniform Plumbing Code*
- 22 *adopted pursuant to paragraph (c) of subsection 1, adopt by*
- 23 *regulation a different plumbing code for the purposes of this*
- 24 *chapter.*
- 25 4. If approved in writing by the Division, a local enforcement
- 26 agency may impose requirements that are more stringent than the
- 27 codes, standards and regulations adopted under this section.

28 **Sec. 12.** NRS 624.3017 is hereby amended to read as follows:
29 624.3017 The following acts, among others, constitute cause
30 for disciplinary action under NRS 624.300:

- 31 1. Workmanship which is not commensurate with standards of
- 32 the trade in general or which is below the standards in the building
- 33 or construction codes adopted by the city or county in which the
- 34 work is performed. If no applicable building or construction code
- 35 has been adopted locally, then workmanship must meet the
- 36 standards prescribed in the Uniform Building Code, *the* Uniform
- 37 Plumbing Code *or such other plumbing code as may be designated*
- 38 *by the Board, or the* National Electrical Code in the form of the
- 39 code most recently approved by the Board. The Board shall review
- 40 each edition of the Uniform Building Code, Uniform Plumbing
- 41 Code or *such other plumbing code as may be designated by the*
- 42 *Board, and the* National Electrical Code that is published after the
- 43 1996 edition to ensure its suitability. Each new edition of the code
- 44 shall be deemed approved by the Board unless the edition is



1 disapproved by the Board within 60 days ~~of~~ *after* the publication
2 of the code.

3 2. Advertising projects of construction without including in the
4 advertisements the name and license number of the licensed
5 contractor who is responsible for the construction.

6 3. Advertising projects of construction beyond the scope of the
7 license.

8 **Sec. 13.** Notwithstanding any provision of this act to the
9 contrary, the Uniform Plumbing Code of the International
10 Association of Plumbing and Mechanical Officials, and the Uniform
11 Plumbing Code as adopted by any city or county in this state, that
12 were in effect on the effective date of this act remain in effect until a
13 State Plumbing Code is designated by the State Public Works Board
14 pursuant to section 3 of this act.

15 **Sec. 14.** This act becomes effective upon passage and
16 approval.

