

ORDINANCE NO. 3089

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING TITLE 15 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY REPEALING EXISTING CHAPTER 15.04 OF THE MUNICIPAL CODE BY REPEALING ORDINANCE NO. 3004 AND BY ADOPTING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, AND ADOPTING A REVISED VERSION OF THE SOUTHERN NEVADA AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE AS AMENDED BY THE CITY OF NORTH LAS VEGAS TO INCLUDE REQUIREMENTS REGARDING SINGLE-STALL RESTROOMS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, during the 2021 Nevada legislative session, the Nevada Legislature enacted Assembly Bill 280, an act relating to public restrooms which requires places of public accommodation and public buildings, and facilities owned by a public body that provide a single-stall restroom to the public, to make the single-stall restroom as inclusive and accessible as possible to a person of any gender, identity, or expression.

WHEREAS, AB 280 was approved by the Nevada Governor on June 4, 2021.

WHEREAS, Section 9 of AB 280 requires that each governmental entity in Nevada that adopts a building code shall include certain requirements related to single-stall restrooms for buildings constructed on or after October 1, 2021 in the building code that the governmental entity adopts.

WHEREAS, the City of the North Las Vegas has amended the “Southern Nevada Amendments to the 2018 International Building Code as Amended by the City of North Las Vegas” identified in North Las Vegas Municipal Code Section 15.04.010(B) to include the following amendments as required by AB 280:

Section 202: Include the following definition for single-stall restroom:

SINGLE-STALL RESTROOM. A single-user toilet facility that is intended for individual use that contains a single toilet, or a toilet and a urinal, neither of which is separated from the other by enclosure within a stall.

Section 2902.1.2. Amend Section 2901.1.2 and add a new subsection 2901.1.2.1 as follows:

[P] 2902.1.2 Single-user toilet facility and bathing room and single-stall restroom fixtures. The plumbing fixtures located in single-user toilet facilities and bathing rooms and *single-stall restrooms*, including family or assisted-use toilet rooms and bathing rooms that are required by Section 1109.2, shall contribute toward the total number of required plumbing fixtures for a building or tenant space. Where a *single-stall restroom* is provided a water closet shall be

included. Single-user toilet facilities and bathing rooms, *single stall restrooms*, and family or assisted-use toilet rooms and bathing rooms shall not be identified for use solely by a particular sex, but may be labeled for use by any person, including, without limitations, by posting a sign that reads “All-Gender Bathroom,” “All-Accessible Bathroom,” “All-Gender Restroom,” or “All-Accessible Restroom.”

[P] 2902.1.2.1 Single-user facility use. Single-user toilet facilities and bathing rooms and *single-stall restrooms*, including family or assisted-use toilet rooms and bathing rooms, shall be as inclusive and accessible as possible to a person of any gender identity or expression, including, without limitation, by allowing:

1. A parent or guardian of a child to enter the single-user facility with the child;
2. A person with a disability to enter the single-user facility with his or her caregiver; and
3. A person of any gender identity or expression to use the single-user facility as needed.

Section 2902.4. Amend Section 2902.4 as follows:

[P] 2902.4 Signage. Required public facilities shall be provided with signs that designate the sex, as required by Section 2902.2. Single-user toilet facilities and bathing rooms, *single-stall restrooms*, and family or assisted-use toilet rooms and bathing rooms shall be provided with signage as required by Section 2902.1.2. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities shall comply with Section 1111.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: Ordinance No. 3004, which amended Chapter 15.04 of the North Las Vegas Municipal Code to reflect the City’s adoption of the 2018 International Building Code with amendments, is hereby repealed.

SECTION 2: Title 15 of the North Las Vegas Municipal Code is hereby amended by adding a new chapter, designated as Chapter 15.04, which shall read as follows:

15.04.010 Adoption.

A. That certain document, one (1) copy of which is on file in the office of the City Clerk of the City of North Las Vegas, Nevada, which is marked and designated as the “International Building Code, 2018 Edition” published by the International Code Council, together with all tables of contents, definitions, sections, tables, indexes, examples, and appendices, is hereby adopted and made a part of this chapter, the same as if it was fully set forth herein, except as amended by the “Southern Nevada Amendments to the 2018 International Building Code as Amended by the City of North Las Vegas (includes requirements of AB 280 (2021)).”

B. That certain document, one (1) copy of which is on file in the office of the City Clerk of the City of North Las Vegas, Nevada, which is marked and designated as the “Southern Nevada Amendments to the 2018 International Building Code as Amended by the City of North Las Vegas (includes requirements of AB 280 (2021))” is hereby adopted and made a part of this chapter, the same as if it was fully set forth herein.

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney 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 laws providing for equal rights of citizens or persons.

SECTION 4: 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 section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas. Publication 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 AND ADOPTED THIS _____ day of _____, 2021.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

JACKIE RODGERS, ACTING CITY CLERK