

**ADOPTED REGULATION OF THE
STATE CONTRACTORS' BOARD**

LCB File No. R209-03

Effective November 17, 2005

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

AUTHORITY: §§1 and 2, NRS 624.220.

A REGULATION relating to contractors; revising the provisions governing licensure for the specialty of landscape contracting; and providing other matters properly relating thereto.

Section 1. NAC 624.280 is hereby amended to read as follows:

624.280 1. The Board will grant to qualified applicants a license in the specialty of landscape contracting. The Board designates such a license as a “classification C-10” license.

2. A person who holds a classification C-10 license may ~~;~~

~~—(a) Grade] *grade* and prepare plots of land for architectural horticulture ~~;~~~~

~~—(b) Decoratively], *decoratively* treat, arrange, plant and maintain gardens, lawns, shrubs, vines, bushes, trees and other vegetation ~~;~~~~

~~—(c) Construct], *construct* systems of drainage and landscape irrigation ~~;~~ and~~

~~—(d) Install], *install* rocks, sand ~~[and gravel for desert landscaping-.~~~~

~~—2.— The subclassifications of the classification C-10 license and the work authorized for persons licensed in the respective subclassifications are:~~

~~—(a) LANDSCAPING (subclassification C-10a): All work authorized by a classification C-10 license except the installation of drainage and landscape irrigation systems.~~

~~—(b) LANDSCAPE IRRIGATION (subclassification C-10b): The installation of systems of drainage and landscape irrigation for lawns and shrubs.~~

~~—(c) HYDROSEEDING AND CONTROL OF SOIL EROSION (subclassification C-10c): The implantation of ground cover], gravel and other landscape materials that use xeriscape principles, hydroseed by spraying mulch, seeds and nutrients under pressure [and the use of other methods of controlling], control soil erosion [including the application of netting.] and install nonengineered decorative landscape ponds or nonengineered prefabricated trellises and arbors.~~

3. In conjunction with the work specified in subsection 2, a person who holds a classification C-10 license may install nonload-bearing walkways using brick or stone not exceeding 200 square feet in area, patio areas using brick or stone not exceeding 400 square feet in area, landscape retaining walls to a height not exceeding 3 feet and landscape lighting not exceeding 24 volts.

Sec. 2. On the effective date of this regulation:

1. A person who holds a subclassification C-10a license that was issued pursuant to the former provisions of paragraph (a) of subsection 2 of NAC 624.280 shall be deemed to hold a classification C-10 license issued pursuant to the provisions of NAC 624.280 as amended by the provisions of this regulation.

2. A person who holds a subclassification C-10b license that was issued pursuant to the former provisions of paragraph (b) of subsection 2 of NAC 624.280 shall be deemed to hold a classification C-10 license issued pursuant to the provisions of NAC 624.280 as amended by the provisions of this regulation.

3. A person who holds a subclassification C-10c license that was issued pursuant to the former provisions of paragraph (c) of subsection 2 of NAC 624.280 shall be deemed to hold a classification C-10 license issued pursuant to the provisions of NAC 624.280 as amended by the provisions of this regulation.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R209-03**

The State Contractors' Board adopted regulations assigned LCB File No. R209-03 which pertain to chapter 624 of the Nevada Administrative Code on October 20, 2005

Notice date: 11/18/2003; 7/13/2005
Hearing date: 10/20/2005

Date of adoption by agency: 10/20/2005
Filing date: 11/17/2005

INFORMATIONAL STATEMENT

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

A workshop and hearing notice to amend NAC 624 concerning the work allowed under the C10 Landscape classification was posted on November 18, 2003 for a December 19, 2003 hearing date and on July 13, 2005 for a August 25, 2005 hearing date at the following locations: Washoe County Court House; Washoe County Library; Reno City Hall; Las Vegas City Hall; Sawyer State Building; Clark County Library and Offices of the Contractors' Board in Reno and Las Vegas. In addition, the notice was posted on the agency's web site and mailed to approximately 135 interested individuals. Based upon the number of attendees on December 19, 2003 and August 25, 2005, workshops were held and the hearing was continued and held on October 20, 2005.

2. The number of persons who:

- (a) Attended each workshop & hearing: 9; 27
- (b) Testified at each workshop: 7; 13
- (c) Testified at hearing: 2
- (c) Submitted to the agency written comments: 2

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notice posting, web site and direct mail.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

N/A

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects**

(a) The proposed revisions should have a beneficial economic effect on the industry both immediately and long-term by providing a clear definition of the work allowed to be performed by a licensee holding a C10 landscape classification. The regulation enhances the scope of work previously authorized by the classification.

(b) The estimated effect on the public both immediate and long term should be beneficial since it will provide homeowners with a clear guideline of the scope of work allowed to be performed by a landscape contractor.

6. The estimated cost to the agency for enforcement of the adopted regulation.

The cost to the agency for enforcement of the proposed regulation should be minimal.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations which the proposed amendments duplicate.