

LCB File No. T015-02

**PROPOSED TEMPORARY REGULATION OF THE
STATE CONTRACTORS' BOARD**

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Workshop and Hearing for the Adoption, Amendment or Repeal of Regulations
Of
The State of Nevada Contractors' Board**

The State of Nevada Contractors' Board ("Board") will hold a workshop and public hearing at the Board's Reno Office located at 9670 Gateway Drive, Reno, Nevada 89521 on Tuesday, November 12, 2002. The workshop will begin at 10:00 a.m. and the hearing will commence immediately following the workshop. The purpose of the workshop and hearing is to receive comments from all interested persons regarding the adoption, amendment or repeal of regulations that pertain to Chapter 624 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.060 and 233B.0603:

1. The need for and purpose of the proposed regulation or amendment.

The purpose of the proposed regulation is to amend Chapter 624 of the Nevada Administrative Code concerning owner builder exemption pursuant to NRS 624.031(4).

2. Either the terms or the substance of the regulations to be adopted, amended or repealed or a description of the subjects and issues involved.

The proposed regulation establishes the requirements for granting an exemption to an owner of property pursuant to NRS 624.031(4). A copy of the proposed regulation may be obtained by writing to the Board's offices at 9670 Gateway Drive, Reno, Nevada 89511.

3. The estimated economic effect of this proposed regulation on the business which it is to regulate and on the public.

(a) Adverse and beneficial effects.

There should be no economic effect on either the construction business or the public.

(b) Both immediate and long-term effects.

There should be no immediate or long-term effects.

4. The estimated cost to the Agency for enforcement of the proposed regulation.

There will be minimal cost to the agency.

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

The proposed regulation does not overlap or duplicate any regulation of other state or local governmental entities.

6. If the regulation is required pursuant to federal law, a citation and description of the federal law.

Does not apply.

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

Does not apply.

8. Whether proposed regulation establishes a new fee or increases an existing fee.

Does not apply.

Persons wishing to comment upon the proposed action of the Board may appear at the scheduled public workshop and hearing or may address their comments, data, views or arguments, in written form to the Executive Officer of the Nevada State Contractors' Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 or in Reno at 9670 Gateway Drive, Suite 100, Reno, Nevada 89511. Written submissions must be received by the Board on or before Wednesday, November 6, 2002. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted, amended or repealed will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notices and the regulation to be adopted will be available at the State Contractors' Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074 and 9670 Gateway Drive, Suite 100, Reno, Nevada 89511. In all counties in which an office of the Board is not maintained, a copy of this notice and the text of the proposed regulation will also be available for public inspection and copying at the main public library during business hours. This notice and the text of the proposed regulation will be available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been mailed to all persons on the agency's mailing list of administrative regulations and posted at the following locations:

Washoe County Court House
Washoe County Library
Reno City Hall
Las Vegas City Hall
Sawyer State Building
Clark County Library
Offices of the State Contractors' Board in Reno and Las Vegas

Dated: October 7, 2002

PROPOSED TEMPORARY REGULATION OF THE STATE CONTRACTORS BOARD

October 3, 2002

Explanation: Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 624.031

Section 1. NAC 624 is hereby amended by adding a new section to read as follows:

EXEMPTIONS

Sec. 2 *NAC 624.XXXX Exemption for property owner building or improving a residential structure for his own occupancy.*

- 1. An owner of property who seeks an exemption pursuant to subsection 4 of NRS 624.031 must apply to the board for the exemption*
- 2. The board or its designee may grant an exemption if the owner of property who is building or improving a residential structure for his own occupancy and not intended for sale or lease, submits to the building official who issues a permit:
 - a. An owner-builder disclosure statement on a form provided by the board and*
 - b. Any other documentation required by the board.**

Sec. 3 *NAC 624.XXXX Owner-builder disclosure form:*

- 1. An owner builder disclosure form must include, without limitation:
 - (a) The name, mailing and physical address, and telephone number of the legal owner of the residential property;*
 - (b) The assessor's parcel number of the residential property;*
 - (c) A description of the work to be performed and type of permit the owner is seeking;*
 - (d) A declaration signed by the owner under penalty of perjury that he or she:
 - (1) is exempt from the provisions of NRS 624 and the basis for the alleged exemption;**
and
 - (2) will comply with all of the requirements for the issuance of an Owner/Builder permit and applicable laws, ordinances, codes and regulations and*
 - (e) Any other information the Board may require**