

**PROPOSED REGULATION OF THE  
STATE PUBLIC WORKS BOARD**

**LCB File No. R205-09**

June 25, 2010

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

AUTHORITY: §1; NRS 341.100, 341.110, 341.119 and 341.145.

A REGULATION relating to public works; revising provisions concerning the duties of the Deputy Manager for Compliance and Code Enforcement of the State Public Works Board; and providing other matters properly relating thereto.

**Section 1.** Section 1 of LCB File No. R188-07, which was adopted by the State Public Works Board and filed with the Secretary of State on April 17, 2008, is hereby amended to read as follows:

Section 1. Chapter 341 of NAC is hereby amended by adding thereto a new section to read as follows:

1. ~~[The]~~ *Except as otherwise provided in this section, the* Deputy Manager for Compliance and Code Enforcement appointed pursuant to NRS 341.100 shall:

(a) Check the plans for buildings and structures on property of the State or held in trust for any division of the State Government for compliance with the codes adopted pursuant to NAC 341.045;

(b) Inspect the construction of buildings and structures on property of the State or held in trust for any division of the State Government for compliance with the codes adopted pursuant to NAC 341.045; and

(c) Issue temporary and final certificates of occupancy for buildings and structures on property of the State or held in trust for any division of the State Government.

2. *The Deputy Manager for Compliance and Code Enforcement shall not carry out the duties set forth in subsection 1 for a building or structure on property of the State or held in trust for any division of the State Government:*

*(a) If the Deputy Manager for Compliance and Code Enforcement determines that none of the codes, standards and guidelines adopted by the Board pursuant to NAC 341.045 apply to the building or structure;*

*(b) If the building or structure is:*

*(1) A road, highway, bridge, tunnel or other structure constructed within a right-of-way that is owned or controlled by the Department of Transportation;*

*(2) A building used by the Department of Transportation in the construction or maintenance of a highway if the building is normally unoccupied and is not constructed to receive electrical, natural gas, water or sewer service;*

*(3) A non-structural improvement to a building or structure that is normally unoccupied and is not constructed to receive electrical, natural gas, water or sewer service;*

*(4) An improvement to the site of a building or structure if the improvement:*

*(I) Does not affect a route, path, walkway or other means of access to or egress from the building or structure that is required to comply with the Americans with Disabilities Act, as adopted by reference in NAC 341.045; and*

*(II) Is not constructed to receive electrical, natural gas, water or sewer service;*  
*or*

*(5) A defined or identified outdoor trail that is not required to comply with the Americans with Disabilities Act, as adopted by reference in NAC 341.045; or*

*(c) To the extent that the Board delegates to an agency, pursuant to NRS 341.119, the authority granted to the Board in subsection 9 of NRS 341.145 to accept a building or structure, or any portion thereof, as completed or to require necessary alterations to conform to the codes adopted by the Board or to file the certificate of occupancy for the building or structure.*

3. The Deputy Manager for Compliance and Code Enforcement shall not delegate his authority as the building official for buildings and structures on property of the State or held in trust for any division of the State Government pursuant to subsection 9 of NRS 341.100.