

City Council Regular Meeting AGENDA ITEM

NUMBER: 31

SUBJECT:

Ordinance No. 3188; An Ordinance of the City of North Las Vegas Amending Chapter 8.28 of the Municipal Code of the City of North Las Vegas to Comply with the Nevada Legislature’s Passage of AB 189 (2023) Regarding Permissible Construction Hours for Certain Common-Interest Communities; and Providing for Other Matters Properly Related Thereto. (Citywide) (Set Final Action for September 6, 2023)

REQUESTED BY:

Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services

WARD:

(Citywide)

RECOMMENDATION OR RECOMMEND MOTION:

That City Council introduce Ordinance No. 3188 on August 16, 2023, and that City Council pass and adopt Ordinance No. 3188 on September 6, 2023.

FISCAL IMPACT:

ACCOUNT NUMBER:

N/A

STAFF COMMENTS AND BACKGROUND INFORMATION:

Assembly Bill 189 (2023) (“AB 189”) concerns permissible construction hours for certain common-interest communities. Section 4 of AB 189 provides that if the governing body of a city located in a county whose population is 700,000 or more adopts an ordinance restricting the hours that construction work may begin in a common-interest community, then the hours permitted for construction in a declarant-controlled common-interest community must be allowed to begin at five a.m. during the period beginning on April 1 and ending on September 30. Section 4 of AB 189 defines a declarant-controlled common-interest community as a common-interest community in which the original developer controls the majority of the units.

The North Las Vegas Municipal Code (“NLVMC”) 8.28.020(H) currently restricts construction between 9:00 p.m. to 6:00 a.m. This ordinance amends NLVMC 8.28.020(H) to create an exemption to allow construction to begin at 5 a.m. from April 1 to September 30 in declarant-controlled common-interest communities to comply with AB 189.

Attachment:

Ordinance No. 3188

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| CIP No. | Related Item: | |
| LIST CITY COUNCIL GOAL(S): Safe and Livable Community, Quality Municipal Services | | |
| PREPARED BY: | Respectfully Submitted | MEETING DATE: |
| Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development & Community Services | Ryann Juden, City Manager | August 16, 2023 |