



Nevada State Board of Architecture, Interior Design and Residential Design

2080 East Flamingo Road, Suite 120, Las Vegas NV 89119
Telephone: (702)486-7300 Fax: (702)486-7304
E-mail: nsbaidrd@nsbaidrd.nv.gov Web: nsbaidrd.state.nv.us

NOTICE

August 2013

To: Nevada Architects and Registered Interior Designers

From: Nevada State Board of Architecture, Interior Design and Residential Design

Re: Nevada Energy Code (NRS 701.220) and its Applicability to Nevada Design Professionals

The board has recently received many inquiries from Nevada architects regarding the recent decision by the City of Las Vegas to relax its energy efficiency standards by exempting commercial buildings constructed before 2009 from the city's energy code (Bill No. 2013-24).

NRS 701.220 is an absolute directive from the Legislature that all local jurisdictions must adopt and enforce the *International Energy Conservation Code* (IECC). Now that the City of Las Vegas has adopted Bill No. 2013-24, the board's registrants may find themselves caught between complying with state law (NRS 701.220) and the broad exemption for all structures built in Las Vegas before 2009. What is a responsible registrant to do under these circumstances?

The registrant would need to advise the client that there is an exemption process that is paraphrased below:

- A person who owns a building, which is subject to the IECC and the provisions of NAC 701, may submit a petition to the governing body of a local government requesting an exemption from one or more provisions of the IECC.
- A petitioner whose petition is denied by the governing body of a local government may submit a petition to the Director requesting the Director to overturn the decision of the governing body of the local government.
- Any decision by the Director may be appealed pursuant to NRS Chapter 233B – Nevada Administrative Procedure Act.

Nevada architects, registered interior designers and residential designers must strive to meet their professional obligations to their clients by complying with all applicable laws. The Board advises all of its registrants to comply with NRS 701.220 and NAC 701.220 for any building on which they might work, including a building within the limits of the City of Las Vegas that might be subject to the exemption contained in Bill No. 2013-24. Bill No. 2013-24 cannot override a clear state statute related to the same issue, so a failure to comply with all applicable Nevada laws pursuant to NRS 623.270.1(f) - including NRS 701.220 and NAC 701.220 - may subject a registrant to disciplinary action by the Board.

If you have any questions regarding the Nevada energy code's applicability to Nevada design professionals registered pursuant to NRS Chapter 623, please call the board office at (702) 486-7300.