

ASSEMBLY BILL NO. 249—ASSEMBLYWOMAN JAUREGUI

MARCH 12, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to common-interest communities. (BDR 10-796)

FISCAL NOTE: Effect on Local Government: May Have Fiscal Impact.
Effect on the State: No.

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

AN ACT relating to common-interest communities; prohibiting, under certain circumstances, a common-interest community from restricting the hours in which construction work may begin; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the unit-owners’ association of a common-interest
2 community to adopt bylaws and authorizes an association to amend bylaws and
3 adopt rules and regulations concerning the community. (NRS 116.3102) **Section 3**
4 of this bill prohibits the executive board and the governing documents of an
5 association from restricting the hours in which construction may begin during the
6 period beginning on May 1 and ending on September 30 to any hours other than
7 those hours which are authorized by an ordinance adopted by the governing body of
8 a county or city, if any. **Section 4** of this bill makes a conforming change to
9 indicate the placement of **section 3** in the Nevada Revised Statutes.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** Chapter 116 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. If the governing body of a county or city in which a*
6 *common-interest community is located adopts an ordinance*
7 *restricting the hours in which construction work may begin, the*
8 *executive board shall not and the governing documents must not*



1 *restrict the hours that construction work may begin in the*
2 *common-interest community during the period beginning on*
3 *May 1 and ending on September 30 to hours other than those set*
4 *forth in the ordinance.*

5 *2. The provisions of subsection 1 do not preclude the*
6 *executive board or the governing documents from restricting the*
7 *hours that construction work may begin:*

8 *(a) If a governing body of a county or city has not adopted an*
9 *ordinance restricting the hours in which construction work may*
10 *begin; or*

11 *(b) During the period beginning on October 1 and ending on*
12 *April 30.*

13 **Sec. 4.** NRS 116.1203 is hereby amended to read as follows:

14 116.1203 1. Except as otherwise provided in subsections 2
15 and 3, if a planned community contains no more than 12 units and is
16 not subject to any developmental rights, it is subject only to NRS
17 116.1106 and 116.1107 unless the declaration provides that this
18 entire chapter is applicable.

19 2. The provisions of NRS 116.12065 and the definitions set
20 forth in NRS 116.005 to 116.095, inclusive, to the extent that the
21 definitions are necessary to construe any of those provisions, apply
22 to a residential planned community containing more than 6 units.

23 3. Except for NRS 116.3104, 116.31043, 116.31046 and
24 116.31138, the provisions of NRS 116.3101 to 116.350, inclusive,
25 *and section 3 of this act*, and the definitions set forth in NRS
26 116.005 to 116.095, inclusive, to the extent that such definitions are
27 necessary in construing any of those provisions, apply to a
28 residential planned community containing more than 6 units.

29 **Sec. 5.** (Deleted by amendment.)

30 **Sec. 6.** (Deleted by amendment.)

