
ASSEMBLY BILL NO. 4—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE CITY OF RENO)

PREFILED NOVEMBER 15, 2018

Referred to Committee on Government Affairs

SUMMARY—Authorizes cities to create a district for a city fire department. (BDR 21-459)

FISCAL NOTE: Effect on Local Government: No.
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 cities; authorizing a governing body of a city to create a district for a city fire department; requiring the governing body of a city that creates a district for a city fire department to establish the boundaries of that district; authorizing the governing body of a city that creates a district for a city fire department to levy a tax for the support of the district; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a board of county commissioners may create a district for a
2 county fire department and establish the boundaries of that district, which must
3 exclude any territory within the boundaries of an incorporated city. (NRS 244.2961,
4 244.2965) **Section 2** of this bill authorizes the governing body of an incorporated
5 city to create a district for a city fire department. **Section 3** of this bill requires the
6 governing body of an incorporated city to establish the boundaries of the district for
7 a city fire department. **Section 4** of this bill authorizes the governing body of an
8 incorporated city to levy a tax for the support of the district for a city fire
9 department. **Sections 5 and 6** of this bill make conforming changes.



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

1 **Section 1.** Chapter 268 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1.** *The governing body of an incorporated city may,*
4 *by ordinance, create a district for a city fire department. The*
5 *governing body of the incorporated city is ex officio the governing*
6 *body of any district created pursuant to this section and, except as*
7 *otherwise provided in a city charter, may:*

8 (i) *Organize, regulate and maintain the fire department.*

9 (ii) *Appoint and prescribe the duties of the fire chief.*

10 (iii) *Designate arson investigators as peace officers.*

11 (iv) *Regulate or prohibit the storage of any explosive,*
12 *combustible or inflammable material in or transported through*
13 *the city, and prescribe the distance from any residential or*
14 *commercial area where it may be kept. Any ordinance adopted*
15 *pursuant to this paragraph that regulates places of employment*
16 *where explosives are stored must be at least as stringent as the*
17 *standards and procedures adopted by the Division of Industrial*
18 *Relations of the Department of Business and Industry pursuant to*
19 *NRS 618.890.*

20 (v) *Establish, by ordinance, a fire code and other regulations*
21 *necessary to carry out the purposes of this section.*

22 (vi) *Include the budget of the district in the budget of the city.*

23 (vii) *Hold meetings of the governing body of the district in*
24 *conjunction with the meetings of the governing body of the*
25 *incorporated city without posting additional notices of the*
26 *meetings within the district.*

27 2. *Except as otherwise provided in subsection 5, if the fire*
28 *department transports sick or injured persons to a medical facility,*
29 *the governing body of the incorporated city may adopt an*
30 *ordinance:*

31 (i) *Requiring the fire department to defray the expenses of*
32 *furnishing such transportation by imposing and collecting fees;*
33 *and*

34 (ii) *Establishing a schedule of such fees.*

35 3. *The other officers and employees of the incorporated city*
36 *shall perform duties for the district that correspond to the duties*
37 *the officers and employees perform for the city.*

38 4. *All persons employed to perform the functions of the fire*
39 *department are employees of the incorporated city for all purposes.*

40 5. *The provisions of subsection 2 do not apply to any city for*
41 *which a nonprofit corporation has been granted an exclusive*
42 *franchise for ambulance service in that city.*



1 **Sec. 3. 1.** *Except as otherwise provided in subsection 2, the*
2 *governing body of a city which creates a district for a city fire*
3 *department shall establish the boundaries of the district and may*
4 *alter those boundaries by ordinance.*

5 2. *The boundaries of the district for a city fire department*
6 *must not be established or altered to include any territory outside*
7 *the boundaries of the city, but detachments of territory from the*
8 *city occurring after the effective date of the ordinance creating or*
9 *altering the boundaries of a district do not affect the boundaries.*

10 **Sec. 4.** *The governing body of a city which creates a district*
11 *for a city fire department may:*

12 1. *Levy a tax for the support of the district and for the*
13 *payment of the interest and principal on any indebtedness*
14 *incurred for its buildings or equipment, on all property within the*
15 *boundaries of the district; and*

16 2. *Establish a separate fund in the city treasury for the receipt*
17 *and expenditure of and accounting for the proceeds of the tax*
18 *imposed pursuant to subsection 2.*

19 **Sec. 5.** NRS 289.250 is hereby amended to read as follows:

20 289.250 1. The following persons have only those powers of
21 a peace officer necessary to enforce the provisions of the laws of
22 this State respecting forest and watershed management or the
23 protection of forests and other lands from fire:

24 (a) Paid foresters and firewardens appointed pursuant to
25 paragraph (a) of subsection 2 of NRS 472.040.

26 (b) Citizen-wardens appointed pursuant to paragraph (b) of
27 subsection 2 of NRS 472.040.

28 (c) Voluntary firewardens appointed pursuant to paragraph (c)
29 of subsection 2 of NRS 472.040.

30 2. A paid forester or firewarden appointed as an arson
31 investigator pursuant to paragraph (d) of subsection 2 of NRS
32 472.040 has the powers of a peace officer.

33 3. An arson investigator designated as a peace officer pursuant
34 to:

35 (a) Paragraph (c) of subsection 1 of NRS 244.2961; ~~or~~

36 (b) Subsection 3 of NRS 266.310 ~~or~~; *or*

37 (c) *Paragraph (c) of subsection 1 of section 2 of this act,*

38 ↪ *has the powers of a peace officer.*

39 **Sec. 6.** NRS 350.538 is hereby amended to read as follows:

40 350.538 1. "Municipality" means any county, any
41 incorporated city or town, including, without limitation, any city or
42 town organized under the provisions of a special legislative act
43 or other special charter, any unincorporated town, any school district
44 or any quasi-municipal district, including, without limitation, the
45 Nevada rural housing authority and any district created pursuant to



1 NRS 244.2961 *or section 2 of this act*, or governed by title 25 of
2 NRS, of this state, or any other public agency authorized to issue
3 general or special obligations on behalf of any of these. Where the
4 context so indicates, “municipality” means the geographical area
5 comprising the municipality.
6 2. “Municipality” does not include an irrigation district or other
7 special district governed by title 48 of NRS.

