

# Department of Building & Fire Prevention

4701 W. Russell Road • Las Vegas, NV 89118  
(702) 455-3000 • Fax (702) 221-0630

Jerome A. Stueve, P.E., Director  
Samuel D. Palmer, P.E., Assistant Director • Girard W. Page, Fire Marshal

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## CLARK COUNTY BOARD OF FIRE CODE APPEALS

### MINUTES of October 9, 2017

**MEMBERS PRESENT:** Patrick Burke, Fire Alarm Contractor  
Diane Cravotta, Specialist/Hazardous Materials  
Bill Laub, Specialist/Trade Partnerships  
Todd Steadham, PE, LEED AP  
Allyn Vaughn, PE, FSFPE, LEED AP  
Roy Mares, Fire Safety Specialist  
Corey Wallace, Fire Sprinkler Contractor

**STAFF PRESENT:** Jerry Stueve, Director/Building & Fire Code Official  
Timothy Baldwin, Deputy District Attorney  
Samuel D. Palmer, P.E., Assistant Director  
Girard W. Page, Sr. Deputy Fire Chief  
Fulton Cochran, Assistant Fire Chief  
Steve Coburn, Assistant Fire Chief  
Kurt Gottschalk, Deputy Fire Marshal  
Brian Kern, Fire Inspector  
Carol Carter, Executive Assistant

**MEMBERS ABSENT:** Gregory Cassell, Fire Chief, Clark County Fire Department  
Martie Sparks, CMP

**APPELLANTS PRESENT:** John Netzorg, Attorney for the Appellant  
Joe Planck, Assistant Fire Chief – CCFD Retired  
Melody Spearman  
Jerry Walton, Land Owner  
Jose Garavito, Eagle Auto Body  
Adriana Garavito, Eagle Auto Body

**A. Call to Order**

The meeting was called to order at approximately 1:31 p.m. by Chairman.

1. Introductions were made around the table.
2. It was determined by Chairman Vaughn that a quorum was present.

#### BOARD OF COUNTY COMMISSIONERS

STEVE SISOLAK, Chairman • CHRIS GUINCHIGLIANI, Vice Chair  
SUSAN BRAGER • LARRY BROWN • JAMES B. GIBSON • MARILYN KIRKPATRICK • LAWRENCE WEEKLY  
YOLANDA T. KING, County Manager

B. Public Comment

There were no public comments.

C. Meeting Minutes – May 2, 2016

Member Bill Laub advised under the Rules & Procedures that were adopted earlier, there is no date listed when it was adopted. On Page 2 of the Rules & Procedures, it should read “The Board shall “Use Revised Robert’s Rules of Order” to conduct meetings. A motion was made by Bill Laub, seconded by Diane Cravotta approving unanimously the Minutes of May 2, 2016, as written.

D. Elect the Chairman and Vice Chairman for 2017

A motion was made by Diane and Pat Burke seconded to elect Allyn Vaughn as Chairman and Bill Laub as Vice Chairman.

E. Appeal Determination /Vote

Chairman Vaughn noted there are four (4) Walton Trust Property appeal determinations on the Agenda regarding the property. Girard Page, Fire Marshal indicated the Walton’s attorney filed four separate appeals and in accordance with Rules and Procedures each of the Board of Fire Code appeals shall be heard separately.

John Netzorg, Attorney representing the Land Owner provided a list of documents for the appeal initially received on October 9, 2017. In addition, the attorney also submitted substantial enhancement to those documents at the Fire Board of Appeals Meeting. (See attached).

Appellant’s attorney stated his appeal for the following:

- The Notice of Violations should be addressed to the occupants, not landowners relative to the operational permits required per the 2012 Clark County Fire Code.
- Fire hydrant and fire access fire code violations are the responsibility of the building owner.
- A path to successfully obtain all permits for the landowner and occupants managing their separate businesses.
- A solution to reflect the actual history of the property and structures originally built to an earlier code of record.

Chairman Allyn Vaughn asked Girard Page, Fire Marshal to summarize the Notice of Violations.

Girard Page, Fire Marshal, completed a review of the code violations. (See attachments submitted by Attorney Netzorg).

The property owner asked if the spray booth had to be protected by a water based system. The currently installed system is a chemical system. The fire inspector, Brian Kern, presented details on the location of the existing fire hydrants showing noncompliance with the required code, one fire hydrant was measured at 1112 feet away from the building. The attorney advised there were prior repairs to the front office from an earlier fire in 2009. Jerry Stueve advised when new tenant or remodeled construction is done, the building needs to be brought up to code.

The attorney asked why this particular inspection was conducted. The Southern Nevada Health District contacted Clark County advising the building was not up to code.

It was determined that the landowners need to submit plans to bring the property into code compliance or why the code of records would support the current conditions. No vote was taken at this meeting;

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however, advised if this issue is not resolved within 3 months, another hearing will be held and a decision rendered on the information submitted at the time. A motion was made by Allyn and Bill Laub seconded the motion.

F. Appeal Determination/Vote

The appeal determination was held in no more than 3 months from the date of the hearing. No vote was taken at this meeting; however, advised if this issue is not resolved within 3 months, another hearing will be held and a decision rendered on the information submitted at the time. A motion was made by Allyn and Bill Laub seconded the motion.

G. Appeal Determination/Vote

No vote was taken at this meeting; however, advised if this issue is not resolved within 3 months, another hearing will be held and a decision rendered on the information submitted at the time. A motion was made by Allyn and Bill Laub seconded the motion.

H. Appeal Determination/Vote

No vote was taken at this meeting; however, advised if this issue is not resolved within 3 months, another hearing will be held and a decision rendered on the information submitted at the time. A motion was made by Allyn and Bill Laub seconded the motion.

I. Comments from Staff

There were no staff comments.

J. Public Comment

There was no public comments.

K. Adjournment

The meeting was adjourned at approximately 2:50 p.m. by Allyn Vaughn.

Respectfully submitted,

*Jerome A. Stueve*

Jerome A. Stueve  
Director/Building & Fire Official  
Acting Ex-Officio Member, Board of Fire Code Appeals

JAS: cfc

Attachment:

List of Documents for Appeal dated October 6, 2017

Appeal of Fire Code Violations submitted October 9, 2017