

Attachment A

Business Impact Statement



NRS 237 BUSINESS IMPACT STATEMENT PROPOSED 2025 PUBLIC ACCOMMODATION REGULATIONS

SECTION A - A DESCRIPTION OF THE MANNER IN WHICH COMMENT WAS SOLICITED FROM AFFECTED BUSINESSES, A SUMMARY OF THEIR RESPONSE, AND AN EXPLANATION OF THE MANNER IN WHICH OTHER INTERESTED PERSONS MAY OBTAIN A COPY OF THE SUMMARY

Comment was solicited in the following ways:

1. The Business Impact Survey notification was emailed or mailed to 434 Environmental Health public accommodation permit contacts.
2. The Business Impact Survey notification was faxed and/or emailed to the following jurisdictions for posting at their offices: Henderson City Hall, Boulder City's City Hall, Mesquite City Hall, North Las Vegas City Hall, Las Vegas City Hall, Clark County Manager's Office, and Laughlin Community Resource Center.
3. The Business Impact Survey notification was mailed or emailed to the following associations: Vegas Chamber of Commerce, Latin Chamber of Commerce, Urban Chamber of Commerce, Nevada Hotel and Lodging Association, and the Nevada Resort Association.
4. The Business Impact Survey notification was emailed to individuals that have previously expressed interest in Environmental Health notifications.
5. SNHD held one workshop, in-person and via Teams, on January 23, 2025, to gather data and comments from the public.

During the comment period ending on February 25, 2025, the Health District received two survey responses.

Questions	Yes Responses	No Responses
Will the proposed 2025 Public Accommodation Regulations impose a direct and significant economic burden upon your business?	2	0
Do you anticipate any indirect economic effects to your business as a result of the 2025 Public Accommodation Regulations?	2	0

Will the proposed 2025 Public Accommodation Regulations have an estimated beneficial economic effect on your business?	0	2
Will the proposed 2025 Public Accommodation Regulations restrict the formation, operation, or expansion of your business?	2	0

The Business Impact Statement and Summary is available at 280 South Decatur Boulevard, Las Vegas, Nevada, or a copy may be viewed online via the September 25, 2025 Board of Health Meeting Agenda at: <https://www.southernnevadahealthdistrict.org/meetings/board-of-health-agendas-minutes-and-audio-recordings/>.

SECTION B – THE ESTIMATED ECONOMIC EFFECT OF THE PROPOSED RULE ON THE BUSINESSES WHICH IT IS TO REGULATE, INCLUDING, WITHOUT LIMITATION:

Adverse Effects:

- 4.3.5 *Mattresses must be protected from contamination with waterproof encasements.*
 - Respondent provided a conservative cost estimate to add waterproof mattress encasements across the industry of \$4 to \$6 million solely for the initial purchase of mattress encasements.
 - Respondent anticipates spending more than \$200,000 on new encasements, not including recurring costs for replacement encasements, labor costs, and training of housekeeping personnel.
- 3.9 *Ground Fault Circuit Interrupters (GFCI)*
 - Respondent estimates a total cost impact of \$300,000 for parts and labor for immediate updates to GFCI installations at all their properties.
- 3.10.3 *All sleeping rooms, bathrooms and toilet rooms must be capable of being maintained at a temperature between 60°F and 90°F while being used by guests.*
 - Respondent indicated moving this temperature threshold will cause issues for HVAC systems which will need to work harder, leading to failure or replacement ahead of schedule. This wide range could require a full upgrade of HVAC systems, wall insulation, and windows to meet the proposed ranges at all times of the year. They provided a business impact estimated at \$150,000,000 for multiple properties.
- 3.14.5 *Each hose bib must be equipped with a suitable backflow prevention device,*

such as an Atmospheric Vacuum Breaker (AVB) and installed and maintained in accordance with manufacturer guidelines.

- Respondent estimates the cost impact to their properties to add these is estimated at \$264,000 for labor and parts.
 - Another, representing about 2,500 rooms, provided a cost estimate of approximately \$8.50 per value.
- *6.5.2 Each employee restroom must be furnished with a hand washing sink, wall-mounted soap and paper towel dispensers, and hot and cold running water.*
 - Respondent states the requirement of "wall-mounted" will have a direct and economic impact on their members as many of them currently have sink-mounted soap dispensers which would require construction costs to reconfigure the soap dispensers. Given the number of employee restrooms in their members' properties, this would create a significant economic burden. Having to make this change would result in an estimated cost of approximately \$165,000 to update all employee restrooms.

Beneficial Effects:

- No beneficial effects were indicated by respondents.

Direct Effects:

- The regulation does not impose new fees on businesses.
- The passing of the regulations may have additional direct effects; however, those effects cannot be quantified at this time.

Indirect Effects:

- *3.11.7 The pumping and recirculation of fill-and-drain whirlpool spa bathtubs must be disinfected between guests.*
 - Respondent states the change reflected here elevates the process from a standard cleaning performed by a guest room attendant to a more in-depth process that would require personnel from facilities to access the mechanical equipment in a spa tub, which would affect staffing and staff hours/time at task and potentially taking rooms out of service for cleaning.
- *10.2 Plans for construction and remodeling - At least thirty days prior to beginning construction or remodeling of a public accommodation facility, the responsible person must submit construction plans with all schedules, e.g., floor plans, elevations, electrical schematics, etc., to the Health Authority for review and approval.*
 - Respondent states that given the volume of projects their members embark on throughout the year, this requirement would be

burdensome and difficult to manage, both by resorts and for the Health District. Many of these projects do not have a nexus with environmental health regulations as they may be more aesthetic in nature. One member, which represents multiple properties, provided an estimate based on the hundreds of building permits they submit each year, reporting that the estimated total impact is \$150,000 per year for the cost of labor and materials associated with preparing and submitting the plans.

- 10.3.2 *Construction or remodeling of a public accommodation facility may not begin until authorized by the Health Authority.*
 - Respondent indicated delays created by this process could have a major impact on project opening dates. Delays in opening dates due to additional regulatory review could cost thousands or even millions of dollars depending on the type of project and duration of the delay.
- 3.1 *Plans for construction, remodeling*
 - Respondent indicates SNHD will need significant time to review the substantial volume of documents resorts will be required to submit in advance of each project that requires a building permit, and delays created by this new process could have a significant impact on project opening dates. A member, representing multiple properties, estimates those delays to cost approximately \$1 million in lost business revenue per year.
- 1.1 *"Short-Term Residential Rental"...Short-Term Residential Rentals are not included in the definition of Public Accommodations and not required to maintain a Public Accommodation Health Permit.*
 - Respondent states exempting commercial short-term residential rentals from public accommodations facility regulations also creates substantial inequities that will place lawfully approved, commenced, and highly regulated public accommodations facilities at a material competitive disadvantage that may have severe economic consequences for the state.
- 12.6 *Appeal Rights*
 - Respondent notes the timeframe required for a hearing for a public accommodations facility operator who wishes to appeal revocation of their operating permit has been tripled from ten to thirty days. Delayed adjudication for a matter as urgent and existential as an appeal of an operating permit revocation is deeply troubling and will result in substantial adverse economic impacts to a public

accommodations facility operator.

- 3.11.4 *While being used by guests, the floors of the bathrooms, every surface of a bathtub, shower, shower enclosure, toilet and sinks, which may come in contact with a person's body, must be cleaned and sanitized each day, unless the guest has declined regular guest room services.*
 - Respondent indicates the proposed aggressively prescriptive daily room cleaning standard proposed by the Southern Nevada Health District will create substantial cost and resource burdens on public accommodations facilities.
- The passing of the regulations may have additional indirect effects; however, those effects cannot be quantified at this time.

SECTION C – A DESCRIPTION OF THE METHODS THAT THE GOVERNING BODY OF THE LOCAL GOVERNMENT OR ITS DESIGNEE CONSIDERED TO REDUCE THE IMPACT OF THE PROPOSED RULE ON BUSINESSES AND A STATEMENT REGARDING WHETHER THE GOVERNING BODY OR ITS DESIGNEE ACTUALLY USED ANY OF THOSE METHODS

- 4.3.5 *Mattresses must be protected from contamination with waterproof encasements.*
 - To lessen the business impact on public accommodation facilities already employing waterproof mattress pads, SNHD has agreed to modify the language to include waterproof mattress pads or similar barriers. SNHD agrees to provide an 18-month implementation period before enforcing this requirement.
- 3.9 *Ground Fault Circuit Interrupters (GFCI)*
 - SNHD agrees to add that facilities should be compliant with the latest National Electrical Code (NEC) approved by their local municipality.
- 3.10.3 *All sleeping rooms, bathrooms and toilet rooms must be capable of being maintained at a temperature between 60°F and 90°F while being used by guests.*
 - The change was to standardize the temperature range with section 2.19 in the current regulations.
- 3.14.5 *Each hose bib must be equipped with a suitable backflow prevention device, such as an Atmospheric Vacuum Breaker (AVB), and installed and maintained in accordance with manufacturer guidelines.*
 - SNHD agrees to clarify the requirement to be for hose bibs that have a hose attached. Hose bibs without a hose attached are protected by

an air gap and integrated backflow prevention devices satisfy this requirement.

- 6.5.2 *Each employee restroom must be furnished with a hand washing sink, wall-mounted soap and paper towel dispensers, and hot and cold running water.*
 - Counter and sink-mounted soap dispensers meet the intent of this change, and SNHD agrees to change the language to “mounted” dispenser.
- 3.11.7 *The pumping and recirculation of fill-and-drain whirlpool spa bathtubs must be disinfected between guests.*

This requirement for cleaning fill-and-drain whirlpool spa bathtubs is currently outlined in Appendix F, and the updated regulations only moved it to the body of the regulations.
- 10.2 *Plans for construction and remodeling At least thirty days prior to beginning construction or remodeling of a public accommodation facility, the responsible person must submit construction plans with all schedules; e.g., floor plans, elevations, electrical schematics, etc., to the Health Authority for review and approval.*
 - The building permit requirement is in the current regulations in section 3.1. SNHD only requires application for remodels of a public accommodation facility if major changes are made to hotel sections, such as guest rooms. Examples of major changes include changes in room dimensions or moving electrical or sewer. SNHD agrees to clarify when facilities are required to submit applications for remodels.
- 10.3.2 *Construction or remodeling of a public accommodation facility may not begin until authorized by the Health Authority.*
 - In the current regulations, section 3.1 states that plans must be submitted for review and approval prior to constructing or remodeling a public accommodation facility. Section 10.2 requires plans to be sent at least 30 days before beginning construction. Additionally, in the new regulations, section 10.3.1 says plans received by SNHD must be reviewed within a reasonable timeframe or a mutually agreed upon timeframe. SNHD believes that the changes made in this section do not deviate significantly from current practices.
- 3.1 *Plans for construction, remodeling*
 - Section 3.1 in the current regulations already requires submission of plans before construction or extensive remodeling of a public

accommodation facility that requires a building permit.

- 1.1 *“Short-Term Residential Rental”...Short-Term Residential Rentals are not included in the definition of Public Accommodations and not required to maintain a Public Accommodation Health Permit.*
 - The exclusion of Short-Term Residential Rentals as Public Accommodations does not prevent them from being permitted in other ways. Due to various factors, if short-term residential rentals were to be permitted, SNHD believes it would be more appropriate to create separate regulations governing their safety and sanitation.
- 12.6 *Appeal Rights*
 - Throughout the existence of SNHD’s public accommodations program, no facility has had their permit revoked or held a revocation hearing. SNHD will look at clarifying the language and timeframes in the upcoming comment period.
- 3.11.4 *While being used by guests, the floors of the bathrooms, every surface of a bathtub, shower, shower enclosure, toilet and sinks, which may come in contact with a person’s body, must be cleaned and sanitized each day, unless the guest has declined regular guest room services.*
 - This requirement has not changed from the current regulations. Sections 3.11.4 and 3.11.5 in the current regulations were consolidated to reduce redundancy.

SECTION D - THE ESTIMATED COST TO THE LOCAL GOVERNMENT FOR ENFORCEMENT OF THE PROPOSED RULE

There will be no additional enforcement costs based on the proposed regulation.

SECTION E - IF THE PROPOSED RULE PROVIDES A NEW FEE OR INCREASES IN EXISTING FEE, THE TOTAL ANNUAL AMOUNT THE LOCAL GOVERNMENT EXPECTS TO COLLECT AND THE MANNER IN WHICH THE MONEY WILL BE USED

There are no new fees, or fee increases with the proposed regulation. The proposed regulation will have no effect on EH division revenue.

SECTION F - IF THE PROPOSED RULE INCLUDES PROVISIONS WHICH DUPLICATE OR ARE MORE STRINGENT THAN FEDERAL, STATE, OR LOCAL STANDARDS REGULATING THE SAME ACTIVITY, AN EXPLANATION OF WHY SUCH DUPLICATIVE OR MORE STRINGENT PROVISIONS ARE NECESSARY


Not applicable.

SECTION G - THE REASONS FOR THE CONCLUSIONS REGARDING THE IMPACT OF THE PROPOSED RULE ON BUSINESSES

SNHD has concluded that approval of the proposed 2025 Public Accommodation Regulations is not likely to impose a direct and significant economic burden upon businesses or directly restrict the formation, operation, or expansion of businesses because there are few substantive changes that would impose additional costs. Additionally, some changes will actually result in cost savings for businesses. Burdens on industry have been reduced with the mitigation measures SNHD has implemented that are described in Section C. The proposed regulations do not create new fees or increase existing fees for Environmental Health services.

Pursuant to NRS 237.090, the Board of Health (BOH) will hold a PUBLIC HEARING considering this Business Impact Statement in-person at 280 South Decatur Boulevard and/or virtually on Thursday, September 25, 2025, at 9:00 a.m. The BOH will review and consider approval of the proposed 2025 Public Accommodation Regulations at a PUBLIC HEARING on Thursday, January 22, 2026, at 9:00 a.m. in-person at 280 South Decatur Boulevard and/or virtually.

I, Christopher Saxton, certify that, to the best of my knowledge or belief, the information contained in the statement was prepared properly and is accurate:



Christopher Saxton, MPH-EH, REHS
Director of Environmental Health

09/15/2025

Date