

1 **BILL NO. 2007-57**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO CONFORM THE CITY'S DROUGHT PLAN REGULATIONS TO THE
4 MOST RECENT VERSION OF THE SOUTHERN NEVADA WATER AUTHORITY'S DROUGHT
5 PLAN BY REMOVING CERTAIN TURF-PLANTING RESTRICTIONS AND PROVIDING A
6 LIMITED EXEMPTION FROM THE MANDATORY WATERING SCHEDULE FOR
7 PROPERTIES USING SMART CONTROLLERS, AND TO PROVIDE FOR OTHER RELATED
8 MATTERS.

9 Sponsored by: Councilwoman Lois Tarkanian

Summary: Amends the City's drought plan regulations to remove certain turf-planting restrictions and to provide a limited exemption from the mandatory watering schedule for properties using smart controllers.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
11 AS FOLLOWS:

12 SECTION 1: Title 14, Chapter 11, Section 110, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **14.11.110:** The following are exempt from the watering restrictions described in Section 14.11.100
15 above:

16 (A) Hand watering for the purpose of preserving lawn or shrubbery so that
17 vegetation does not die;

18 (B) Irrigation of new lawns or re-seeding of an existing lawn, for a period of thirty
19 days from the date of planting or installation;

20 (C) Drip and/or bubbler irrigation systems, provided that they are not run more
21 frequently than would be permitted for spray irrigation;

22 (D) Irrigation of commercial stock by commercial gardens or plant nurseries that
23 are licensed by the City, provided that the licensee or a representative is personally on the premises
24 at the time the irrigation is taking place;

25 (E) Testing of landscape irrigation systems, provided that the person performing
26 the test is present to observe system performance;

27 (F) Municipal operations or procedures that are necessary to protect the health,
28 safety and well-being of the public; and

(G) Such other activities as may be exempted under the service rules[.] including

1 an exemption from the mandatory watering schedule for properties that use automated weather-based
2 controllers (“smart controllers”). The availability and duration of any such exemption shall be in
3 accordance with the service rules and subject to the approval of the District.

4 SECTION 2: Title 14, Chapter 11, Section 150, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **14.11.150:** During drought alert conditions:

7 (A) Except as otherwise provided in Subsection (B), no new turf may be installed
8 in residential front yards. In single-family residential development, the installation of new turf shall
9 not exceed fifty percent of the gross area of the side and rear yard or one hundred square feet,
10 whichever is greater (up to a maximum of five thousand square feet). No turf area may be installed
11 in the side or rear yard if any dimension thereof is less than ten feet.

12 (B) The owner of a single family dwelling may apply to the Director for an
13 exemption from the prohibition in Subsection (A) regarding new turf in residential front yards.
14 Approval of an exemption authorizes the applicant to install new turf in the front yard, but only if the
15 total quantity of turf in the front, side and rear yards does not exceed the amount otherwise allowable
16 in the side and rear yards under Subsection (A). An application for exemption shall include such
17 information regarding the applicant’s plans as the Director may require, including authorization for
18 City representatives to gain access to the property for purposes of determining compliance with this
19 Section.

20 (C) [During the months of May through August, the planting of cool-season grasses
21 (i.e. tall fescue or rye grass) is prohibited. The planting of warm-season grasses (i.e. bermuda and
22 zoysia) is permitted.

23 (D)] The restrictions applicable to nonresidential development during drought watch
24 conditions shall apply during drought alert conditions as well.

25 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
26 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
27 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
28 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this _____ day of _____, 2007.

9 APPROVED:

10 By _____
11 OSCAR B. GOODMAN, Mayor

12 ATTEST:

13 _____
14 BEVERLY K. BRIDGES, CMC
City Clerk

15 APPROVED AS TO FORM:

16 Val Steed 9-20-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2007, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2007, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, CMC
City Clerk

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