

1 **BILL NO. 2011-5**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE RELATING TO NEWS RACKS; UPDATING PERMITTING AND
4 IDENTIFICATION REQUIREMENTS, INCLUDING AUTHORIZATION FOR PERMIT STICKER
5 FEES; AUTHORIZING THE BOLTING OF NEWS RACKS TO SIDEWALKS; AND PROVIDING
6 FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steven D. Ross

Summary: Updates permitting, identification
and securing requirements for news racks,
including authorization for permit sticker fees.

8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: Title 13, Chapter 24, Section 20, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **13.24.020:** (A) Every person or other entity which places or maintains a news rack on a public
13 sidewalk or parkway of the City shall: [have his or its name, address and telephone number affixed
14 thereto in a place where such information may be easily seen, but such information shall not take up
15 space on the rack in excess of six square inches. The City shall issue an identification number for each
16 authorized news rack. The identification number shall be displayed upon each news rack so that it is
17 prominent and readily visible.]

18 (1) Obtain from the City a permit sticker for that news rack in accordance
19 with Subsection (B) of this Section;

20 (2) Affix to the news rack, in a prominent location so as to be readily visible
21 from the adjacent roadway, the permit sticker referred to in Paragraph (1) above;

22 (3) Affix to the news rack, in a prominent location so as to be readily visible
23 but limited to an area no greater than six square inches, the name, address and telephone number of
24 the persons or entities responsible for the placement and maintenance of the news rack; and

25 (4) Maintain in place and in readable condition the permit sticker and other
26 information affixed to the news rack in accordance with this Subsection (A).

27 (B) Permit stickers for authorized news racks will be issued by the City on an
28 annual basis, or as needed. In accordance with Section 13.24.025, the Director is authorized to charge

1 a fee for each initial, renewal or replacement permit sticker, and the fee must be paid in order to obtain
2 such a sticker. A permit sticker must be affixed to the news rack to which it pertains within thirty days
3 after its issuance.

4 SECTION 2: Title 13, Chapter 24, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 25,
6 reading as follows:

7 **13.24.025:** (A) The Director is authorized to charge the following fees under this Chapter:

8 (1) A nonrefundable permit sticker fee of fifty dollars for each initial,
9 renewal or replacement permit sticker issued under Section 13.24.020.

10 (2) A nonrefundable application fee of two dollars for each application
11 submitted under Section 13.24.085 or 13.24.210, or two dollars for each location applied for if the
12 Director accepts multi-location applications.

13 (B) The fees authorized by this Section are intended, and may only be used, to
14 partially offset the costs of processing applications, issuing permit stickers, and administering and
15 enforcing this Chapter.

16 SECTION 3: Title 13, Chapter 24, Section 110, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **13.24.110:** Notwithstanding any other provision of this Chapter, no news racks shall be placed,
19 installed, used or maintained:

20 (A) Within five feet of any marked crosswalk;

21 (B) Within seventeen feet of the curb return of any unmarked crosswalk;

22 (C) Within five feet of any fire hydrant, fire call box, police call box or other
23 emergency facility;

24 (D) Within five feet of any driveway or alley;

25 (E) Within twenty-five feet ahead of, and five feet to the rear of, any sign marking
26 a designated bus stop;

27 (F) Within six feet of any bus bench;

28 (G) In such a manner as to impede or interfere with the reasonable use of a window

1 used for display purposes;

2 (H) In such a manner as to be [permanently] affixed to any sidewalk, street or other
3 City property[;], except as provided in LVMC 13.24.115;

4 (I) Within six feet of the boundary of the Fremont Street Experience pedestrian
5 mall, as described in LVMC 11.68.040; or

6 (J) Without displaying thereon the information and identification number described
7 in Section 13.24.020.

8 SECTION 4: Title 13, Chapter 24, of the Municipal Code of the City of Las Vegas,
9 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 115,
10 reading as follows:

11 **13.24.115:** (A) A news rack may be affixed to a sidewalk by bolts or other similar means if:

12 (1) The means of doing so is approved by the Director or is in accordance
13 with a standard established by the Director; and

14 (2) The installation is performed in a manner that does not disturb the
15 integrity of the sidewalk and that will allow the news rack to be removed without damage to the
16 sidewalk.

17 (B) The person responsible for the placement of a news rack under this Section shall
18 be responsible for any damage to the sidewalk that may remain after the news rack is removed and
19 shall ensure that the sidewalk is restored to a safe and serviceable condition.

20 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
21 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
22 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
27 invalid or ineffective.

28 SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared

1 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
2 required or the failure to do any act is made or declared to be unlawful or an offense or a
3 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
4 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
5 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
6 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

7 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
8 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
9 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this _____ day of _____, 2011.

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

17 APPROVED AS TO FORM:

18 Val Steed 1-19-11
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2011, 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 _____, 2011, 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: _____

11

12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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