

1 **FIRST AMENDMENT**

2 **BILL NO. 2011-7**

3 **ORDINANCE NO. _____**

4 AN ORDINANCE RELATING TO ZONING AND LAND DEVELOPMENT; REPEALING TITLES
5 18 AND 19 OF THE MUNICIPAL CODE AND ADOPTING BY REFERENCE A UNIFIED
6 DEVELOPMENT CODE, TO BE CONTAINED IN A NEW TITLE 19; AND PROVIDING FOR
OTHER RELATED MATTERS.

7 Proposed by: Flinn Fagg, Acting Director of
8 Planning and Development

Summary: Adopts by reference a Unified
Development Code for the City.

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

11 SECTION 1: Titles 18 and 19 of the Municipal Code of the City of Las Vegas,
12 Nevada, 1983 Edition, are hereby repealed in their entirety.

13 SECTION 2: The Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,
14 is hereby amended by adding thereto a new title, designated as Title 19, consisting of that certain
15 document entitled "Unified Development Code," which is hereby adopted by reference and by
16 incorporation as a specialized code of the City of Las Vegas. Although not initially published as a
17 physical part of the Municipal Code, the Unified Development Code, as Title 19 of the Municipal
18 Code, shall be considered as part of the Municipal Code and shall be numbered and subdivided
19 accordingly. Copies of the Unified Development Code shall be maintained in the Office of the City
20 Clerk and in the departments charged with its administration and enforcement.

21 SECTION 3: The provisions of the Unified Development Code, adopted as Title 19
22 of the Municipal Code, may be amended from time to time by the adoption of an ordinance specifying
23 the amendments to be made. Amendments may be accomplished by the means set forth in Section
24 2.100(3) of the City Charter. However, because the Unified Development Code is a specialized code
25 capable of adoption by reference, amendments to the Unified Development Code may also be made
26 by any means reasonably calculated to indicate the deletion or repeal of existing language and the
27 addition or substitution of new language.

28 SECTION 4: Whenever in the Las Vegas Municipal Code there is a reference to a

1 provision of Title 18 or Title 19, the City Council intends for the equivalent or successor provision
2 set forth in the Unified Development Code (the Title 19 adopted by this Ordinance) to apply, unless
3 the context requires otherwise. In implementing, interpreting and enforcing the provisions of the
4 Municipal Code which make reference to Title 18 or Title 19, the City Manager and City staff are
5 vested with the authority and discretion to determine the intent of the Council and to implement that
6 intent by reference to appropriate provisions of the Unified Development Code, any other provision
7 of the Municipal Code, or any combination thereof.

8 SECTION 5: The Planning and Development Department is authorized and directed
9 to:

10 (A) Include the date of the adoption of this Ordinance and its assigned ordinance
11 number within the document referred to in Section 2 at such locations as are designed to reflect that
12 information;

13 (B) Replace any page within the document that may indicate it is in "draft" form
14 with a final version of that page;

15 (C) Publish the document in final form; and

16 (D) File the final document with the City Clerk within three business days following
17 the adoption of this Ordinance.

18 SECTION 6: This Ordinance shall become effective on May 1, 2011. However, the
19 departments charged with its administration and enforcement shall have the discretion to implement
20 the various provisions of this Ordinance immediately or gradually, using a transitional approach and
21 time frames that take into account practicality, convenience and notice to the public and to those
22 affected.

23 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 8: Whenever in this ordinance any act is prohibited or is made or declared
4 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
5 required or the failure to do any act is made or declared to be unlawful or an offense or a
6 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
7 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
8 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
9 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

10 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
12 1983 Edition, in conflict herewith are hereby repealed.

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

14 APPROVED:

15 By _____
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 _____
19 BEVERLY K. BRIDGES, MMC
City Clerk

20 APPROVED AS TO FORM:

21 Val Steel 2-15-11
22 Date
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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 amended 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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