

1 **BILL NO. 2010-38**

2 **ORDINANCE NO. 6111**

3 AN ORDINANCE TO ESTABLISH TIME LIMITS WITHIN WHICH A MEMBER OF THE CITY
4 COUNCIL MAY REQUEST RECONSIDERATION OF COUNCIL ACTION TO DENY A
ZONING-RELATED APPLICATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steven D. Ross

Summary: Establishes time limits within which
6 a member of the City Council may request
7 reconsideration of Council action to deny a
zoning-related application.

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

10 SECTION 1: Title 19, Chapter 18, Section 10, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subsection, designated
12 as Subsection (I), reading as follows:

13 (I) Reconsideration of Council Action to Deny an Application

14 (1) Action by the City Council to deny an application, where such action is "final action"
15 under the provisions of this Chapter, shall be deemed final action for purposes of judicial review,
16 subject to the provisions of Paragraph (2) below. However, for purposes other than judicial review,
17 City Council action taken pursuant to this Paragraph (1) or Paragraph (2) below shall be subject to the
18 provisions of Paragraphs (3) through (5) below.

19 (2) Any member of the City Council who voted with the majority regarding an application
20 referred to in Paragraph (1) above may, at the same meeting at which the action was taken, request that
21 the item be reconsidered at that meeting.

22 (3) During the period of fourteen calendar days following action taken pursuant to
23 Paragraphs (1) or (2) above to deny an application, any member of the City Council who voted with
24 the majority regarding the application may file with the City Clerk a written request for the item to be
25 rescinded and reconsidered. If such a request is made (and subject to the provisions of Paragraph (4)
26 below), an appropriate item to rescind the previous vote shall be put on the next available Council
27 agenda, and a follow-up item to reconsider the vote may be put on that same agenda or the next
28 available agenda.

1 (4) No agenda item to rescind or to reconsider an item under this Subsection (I) shall be
2 considered unless:

3 (a) Consideration of the item is in compliance with the requirements of NRS
4 Chapter 241; and

5 (b) Notice of consideration of the item has been provided to property owners (and
6 published) to the same extent as when the item was heard previously.

7 (5) The provisions of this Subsection (I) shall apply notwithstanding any other provision
8 of this Chapter, and notwithstanding any custom or procedural rule that governs or has governed
9 action by the City Council.

10 SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.010
11 is deemed to be a subchapter rather than a section.

12 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
13 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
14 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
15 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
16 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
17 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
18 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
19 invalid or ineffective.

20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


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

PASSED, ADOPTED and APPROVED this 15TH day of September, 2010.

APPROVED:

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 8-4-10
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 18th day of August, 2010, and referred to a committee for recommendation;
3 thereafter the committee reported favorably on said ordinance on the 15th day of
4 September, 2010, which as a regular meeting of said Council; that at said regular meeting,
5 the proposed ordinance was read by title to the City Council as first introduced and
6 adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Wolfson, Tarkanian,
8 Ross, Barlow and Anthony

9 VOTING "NAY": None

10 EXCUSED: None

11 ABSTAINED: None

12 DID NOT VOTE: None

13 APPROVED:

14 
15 _____
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 
19 _____
20 BEVERLY K. BRIDGES, MMC City Clerk
21
22
23
24
25
26

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2010 SEP 16 A 11:01

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 6608942

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/03/2010 to 09/03/2010, on the following days:

09/03/2010

BILL NO. 2010-38

AN ORDINANCE TO ESTABLISH TIME LIMITS WITHIN WHICH A MEMBER OF THE CITY COUNCIL MAY REQUEST RECONSIDERATION OF COUNCIL ACTION TO DENY A ZONING-RELATED APPLICATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Establishes time limits within which a member of the City Council may request reconsideration of Council action to deny a zoning-related application.

At the City Council meeting of August 18, 2010
BILL NO. 2010-38 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA

PUB: September 3, 2010
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
16th day of Sept., 2010.

Emily Gonzalez
Notary Public



RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

2010 SEP 28 P 12:07

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

6645453

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/18/2010 to 09/18/2010, on the following days:

09/18/2010

BILL NO. 2010-38
ORDINANCE NO. 6111

AN ORDINANCE TO ESTABLISH TIME LIMITS WITHIN WHICH A MEMBER OF THE CITY COUNCIL MAY REQUEST RECONSIDERATION OF COUNCIL ACTION TO DENY A ZONING-RELATED APPLICATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross
Summary: Establishes time limits within which a member of the City Council may request reconsideration of Council action to deny a zoning-related application.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of August 2010 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 15th day of September 2010, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Wolfson, Tarkanian, Ross, Barlow and Anthony
VOTING "NAY": NONE
EXCUSED: NONE
NOT VOTING Councilman Reese

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA
PUB: September 18, 2010
LV Review-Journal

Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

21st day of Sept, 2010.

Emily Gonzalez

Notary Public

