

FIRST AMENDMENT

BILL NO. 2011-27

ORDINANCE NO. 6157

AN ORDINANCE TO EXEMPT FROM THE CITY'S NOISE REGULATIONS CERTAIN ACTIVITIES WITHIN THE DISTRICT KNOWN AS "18B THE LAS VEGAS ARTS DISTRICT," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District."

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 9, Chapter 16, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.040: None of the terms or prohibitions that are contained in this Chapter shall apply to or be enforced against:

(A) Any vehicle that belongs to, or is used by, the City or its authorized garbage collection contractor while it is engaged in any necessary public business;

(B) The excavation or repair, or both, of streets, highways or bridges that are made during the night by or on behalf of the City, Clark County or the State, if the public welfare and convenience renders it impracticable to perform such work during the day;

(C) The emission of sound to alert persons to the existence of an emergency;

(D) Sounds that are emitted in the performance of emergency work;

(E) Any event that:

(1) Is authorized by a special event permit issued by the City; or

(2) Takes place on the premises of a business that is licensed pursuant to

Chapter 6.50 and is located within the Downtown Entertainment Overlay District, as described in LVMC [19.06.120; or] 19.10.120;

(F) The exempt portion of any event that takes place on the premises of a business that is located within 18B the Las Vegas Arts District, as described in the Las Vegas Downtown Centennial Plan. The "exempt portion" of an event includes the following:

1 (1) For events beginning on Sunday through Wednesday, event activities
2 that do not extend beyond ten p.m.:

3 (2) For events beginning on Thursday, event activities that do not extend
4 beyond midnight; and

5 (3) For events beginning on Friday and Saturday, event activities that do
6 not extend beyond two a.m. the following morning; or

7 [(F)] (G) Civic functions, including without limitation parades, concerts, athletic events,
8 group use of public facilities and other public gatherings for which a license or permit has been issued
9 pursuant to any chapter of this Code.

10 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
11 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
12 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
13 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
14 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
15 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
16 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
17 invalid or ineffective.

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SECTION 3: 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 17TH day of August, 2011.

APPROVED:

By 
CAROLYN G. GOODMAN, Mayor

ATTEST:


BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:


Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 1st day of June, 2011, and referred to a committee for recommendation; thereafter
3 the said committee reported favorably on said ordinance on the 17th day of August, 2011,
4 which was a regular meeting of said Council; that at said regular meeting, the proposed
5 ordinance was read by title to the City Council as amended and adopted by the following
6 vote:

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

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11 DID NOT VOTE: None

12 APPROVED:

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14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC City Clerk

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**BUSINESS IMPACT STATEMENT
BILL NO. 2011-27**

(Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District")

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-27, that would exempt from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District."

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

No comments solicited

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None identified

Beneficial effects:

Potential cost and time savings to affected businesses no longer required to obtain a special event permit

Direct effects:

Potential cost and time savings to affected businesses no longer required to obtain a special event permit

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: May 17, 2011

AFFP DISTRICT COURT
Clark County, Nevada

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

7392899

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/20/2011 to 08/20/2011, on the following days:

08/20/2011

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BILL NO. 2011-27
ORDINANCE NO. 6157

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Sponsored by: Councilman Gary Reese
Summary: Exempts from the City's noise regulations certain activities within the district known as "18B The Las Vegas Arts District."

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of June 2011 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 17th day of August 2011, 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 amended and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Wolfson, Tarkanian, Ross, Barlow, Anthony and Coffin
VOTING "NAY": NONE
EXCUSED: NONE

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: August 20, 2011
LV Review-Journal

Signed:

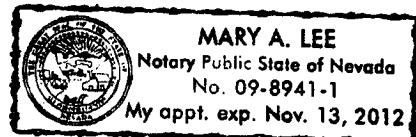
Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

22nd day of *August*, 2011.

Notary Public

Mary Lee



AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2011 SEP -6 P 1:05

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 7257376

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/23/2011 to 06/23/2011, on the following days:

06/23/2011

BILL NO. 2011-27

AN ORDINANCE TO EXEMPT FROM THE CITY'S NOISE REGULATIONS CERTAIN ACTIVITIES WITHIN THE DISTRICT KNOWN AS "188 THE LAS VEGAS ARTS DISTRICT," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese
Summary: Exempts from the City's noise regulations certain activities within the district known as "188 The Las Vegas Arts District."

At the City Council meeting of JUNE 1, 2011
BILL NO. 2011-27 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: June 23, 2011
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
23rd day of June, 2011.

Mary Lee
Notary Public

