

AN ORDINANCE CONCERNING CONSTRUCTION, SEPARATION AND REMOVAL OF RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL CURBS AND SIDEWALK DRIVEWAY CROSSINGS IN THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA; PROVIDING REGULATIONS THEREFOR; PROVIDING FOR CERTAIN FEES; PROVIDING FOR OTHER MATTERS RELATED THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DO ORDAIN AS FOLLOWS:

SECTION 1. PURPOSE. The purpose of this ordinance is to standardize, regulate and control the location, size, type, construction, maintenance and quantity of curb cuts, driveway aprons, and sidewalk driveway crossings in the City of Las Vegas from the standpoint of proper design, safe and efficient entry to and exit from city streets to private property, safety of vehicular traffic in the streets, and safety of pedestrian traffic on the sidewalk area.

In establishing permissible curb cuts, driveway aprons, and resultant sidewalk driveway crossings for access to private property, authorization by the City of Las Vegas, through permit application, will be given only where said curb cuts are necessary and do not interfere with the rights of the public, or vehicular and pedestrian traffic.

SECTION 2. DEFINITIONS. For the purpose of this ordinance, the following definitions shall apply:

- a. "Curb Cut" shall mean the portion of street curbing that is removed to permit access to driveways.
- b. "Curb Return" shall mean the curved portion of a street curb at street or alley intersections or the curved portion of a curb in the end slopes of a driveway apron.
- c. "Driveway" shall mean an area on private property where automobiles and other vehicles are operated or allowed to stand.
- d. "Driveway Apron" shall mean an area, construction or improvement between a public street and private property to provide access for vehicles from the public street of a definite area of the private property, such as a parking area, a driveway, or a garage having a door at least seven (7) feet wide, intended and used for the ingress and egress of vehicles.
- e. "Right-of-Way" shall mean public property dedicated for street, alley, or other public use.
- f. "Sidewalk" shall mean that portion of a street between curb lines and the outer lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- g. "Traffic" shall mean pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together while using any street for purposes of travel.
- h. "Street" shall mean the entire width between the boundary lines of the right-of-way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

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- i. "Alley" shall mean a narrow public thoroughfare giving access to the rears of the abutting properties.
- j. "Intersection" shall mean (a) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two streets which join one another at or approximately at right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict; and

(b) Where a street includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two roadways 30 feet or more apart, then every crossing of two roadways of such streets shall be regarded as a separate intersection.

SECTION 3. PERMIT REQUIRED.

SEC. 3.1 - It shall be unlawful for any person either as owner, agent, servant, contractor or employee to cut, break, remove or alter any curbing, driveway apron, or sidewalk, or cause to have cut, broken, or removed any curbing, driveway apron, or sidewalk, or to install or cause to have installed any driveway on any public street in the City without having first obtained a permit to do so from the Department of Public Works and having paid the fee as herein specified.

SEC. 3.2 - At the time the permit application is made, the City Traffic Engineer is to be advised of any parking meters, traffic or street signs that will be affected.

SECTION 4. CONSENT OF PROPERTY OWNER REQUIRED. Before a permit is granted for the breaking of the curb and the construction of driveways on streets that have portland cement concrete curbs constructed thereon, the applicant for the driveway must produce evidence satisfactory to the City engineer of the City to show that the construction of such driveway is agreeable to and in accordance with the desire of the owners of the property to which such driveway will be an entrance.

SECTION 5. FEES. Permit, Inspection and Service Fees shall be charged by the City of Las Vegas in accordance with the following schedule:

CONCRETE WORK

Permit Fee (In addition to inspection charge)	\$1.00
Inspection Charges:	
Curb, and Curb and Gutter	
1 to 100 feet	.10 per foot
100 to 1000 feet	10.00 plus \$0.05 per foot
Sidewalks:	
1 to 200 square feet	.02 per sq. ft. minimum charge of \$1.00
201 to 1000 square feet	4.00 plus \$0.01 per sq. ft. for each foot over 200
All over 1000 square feet	12.00 plus \$0.005 per sq. ft. for each foot over 1000
Driveway Approach:	
Single - curb cut of 14 ft. or less	3.00 each
Double - curb cut of 14 to 20 ft.	5.50 each
Triple - curb cut of 20 to 32 ft.	7.50 each
Over 32 ft. (where allowed)	7.50 plus \$0.15 for each ft. over 32 ft.

SECTION 6. DEPOSIT. In addition to the permit fees specified in Section 5 of this Ordinance and inspection charges therefor, the applicant for a permit shall deposit with the City of Las Vegas the sum of \$25.00 per day per man for office engineering and the further sum of \$60.00 per day for field survey parties, where necessary, and the further sum of \$10.00 per day for final certificate of work performed.

SECTION 7. CITY TO FURNISH INSPECTOR.

SEC. 7.1 - The City engineer shall furnish an inspector for each and every piece of curb, driveway and driveway apron to be constructed, whose duties will be to check the forms for alignment and grade and see that the work is done, in accordance with the specifications hereinafter referred to.

SEC. 7.2 - The City engineer shall be notified at least twenty-four hours in advance of the time when the work is proposed to be started.

SECTION 8. ALLOWABLE CURB CUT LENGTHS.

SEC. 8.1 - In Ranch Estates, Residence Estates, and Single Family Residence District, (R-A, R-E, and R-1), the maximum curb cut length shall be eighteen (18) feet and is not to exceed 40% of the frontage upon any street abutting the lot or parcel of land measured at right angles from the curb.

SEC. 8.2 - In Two-Family, Trailer, Multiple, and Apartment Residence Districts (R-2, R-2-T, R-3, R-3-T, and R-4), the maximum curb cut length shall be twenty-five (25) feet, the minimum width not less than twelve (12) feet and is not to exceed 40% of the frontage upon any street abutting the lot or parcel of land measured at right angles from the curb.

SEC. 8.3 - In Neighborhood Commercial, General Commercial, Light Industry and Heavy Industry Districts (C-C, C-1, C-2, C-S, M-1, and M-2), the maximum curb cut length shall be thirty-two (32) feet and the minimum width not less than twelve (12) feet and is not to exceed 65% of the frontage upon any individual street abutting the lot or parcel of land measured at right angles from the curb.

SECTION 9. REGULATIONS.

SEC. 9.1 - General - Every curb cut and driveway apron constructed or altered in the street right-of-way, shall conform to the following regulations;

SEC. 9.11 - No Curb cut or driveway apron shall be constructed closer than four (4) feet from the side property line or as may be regulated by city specifications in effect at the time of such work.

SEC. 9.12 - No curb cut or driveway apron shall be closer than six (6) feet to, or shall be located so as to interfere with intersecting sidewalks, utility facilities, light standards, fire hydrants, catch basins, street signs, signals or other public improvements or installations.

SEC. 9.13 - Any necessary adjustments to such utility facilities, light standards, fire hydrants, catch basins, street signs, signals, underground conduits for street lighting or fire alarm systems, or other public improvements or installations shall be accomplished without cost to the city.

SEC. 9.14 - No curb cut shall be made between the points of curvature of any curb return at intersections, or closer than five (5) feet from the said point of curvature, or between the points of curvature of any curb return of short radius if deemed hazardous by the Traffic and Parking Commission.

SEC. 9.15 - No curb cut or driveway apron shall be located so as to create a hazard to pedestrians or motorists, or invite or compel illegal or unsafe traffic movements.

SEC. 9.16 - Every curb cut and/or driveway apron must provide complete access to a parking space, building or loading dock on private property requiring the entrance of vehicles.

SEC. 9.17 - All curb cuts and driveway aprons are to be constructed of portland cement concrete of a quality and type as specified by the Department of Public Works, and in accordance with city specifications in effect at the time of such work. Curb cuts shall be permitted only with construction of adjoining portland cement concrete aprons having minimum width of five (5) feet.

SEC. 9.18 - All work shall be done under the supervision of the Department of Public Works and in accordance with city specifications in effect at the time of such work.

SEC. 9.19 - The owner and/or contractor, or his agent doing the construction or alteration work shall maintain the premises in a safe manner, and shall provide adequate barricades and lights at his own expense to protect the safety of the public using the adjacent streets or sidewalks, and shall hold the city free from any damages incurred by his operations.

SEC. 9.20 - The angle between any driveway and the street and/or curb line shall be 90° to the street tangent or on a radial line to the street curve.

SEC. 9.21 - The two side borders of each driveway apron between the curb line and property line shall be parallel.

SEC. 9.22 - City streets right-of-way may not be used for private commercial purposes. A permit for the construction of a curb cut - driveway shall not be issued unless vehicles which will use said driveway can be parked entirely within the private property lines.

SEC. 9.23 - Any curb cut or driveway apron which has become abandoned or unused through a change of the conditions for which it was originally intended, shall be closed and the owner shall replace any such curb cut and/or driveway apron with a standard curb and sidewalk (if necessary) to be constructed according to the city's specifications in effect at the time of such work. In the event the owner does not make such replacement within sixty (60) days after notice, the city may do so at the expense of said owner.

SEC. 10.1 - Ranch Estates District (R-A)
Residence Estate District (R-E)
Single Family Residence District (R-1)
Two-Family Residence District (R-2)
Two-Family Residence-Trailer District (R-2-T)
Limited Multiple Residence District (R-3)
Limited Multiple Residence-Trailer District (R-3-T)
Apartment Residence District (R-4)

In addition to the preceding General Regulations under Section 9, curb cuts and driveway aprons to be constructed or altered in R-A, R-E, R-1, R-2, R-2-T, R-3, R-3-T, and R-4 Districts must conform to the following:

Only one curb cut will be permitted for each residence and/or principal building. However, in order to permit a semi-circle loop driveway two curb cuts will be allowed providing that at least thirty (30) feet separates the curb cuts to allow proper turning radius for vehicles.

SEC. 10.2 - Neighborhood Commercial Center District (C-C)
Limited or Neighborhood Commercial District (C-1)
General Commercial District (C-2)
Light Industry District (M-1)
Heavy Industry District (M-2)

In addition to the preceding General Regulations under Section 9, curb cuts and driveway aprons to be constructed or altered in C-C, C-1, C-2, C-S, M-1, and M-2 districts must conform to the following:

(a) Where a curb cut-driveway is to serve an area adjoining a building, and the building and adjoining area are owned or under the control of the same owner, only the frontage of the adjoining area shall be considered in determining the maximum curb cut length, as defined under Section 8.3.

(b) Where a property abuts more than one city street and/or alley the maximum curb cut permitted on each street and/or alley shall be considered separately and shall be governed by the frontage of the property on that street and/or alley only.

(c) Two or more curb cuts serving the same property must be separated by islands with full height curb not less than twenty-two (22) feet long.

SECTION 11. DEVIATION. Permission to deviate from the requirements and regulations of this ordinance shall be granted by the Board of City Commissioners only where unusual conditions, or where strict adherence to this ordinance would cause undue and extreme hardship.

SECTION 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$500.00 and/or six (6) months in jail, or by a combination of both such fine and imprisonment.

SECTION 14. This ordinance shall be in full force and effect as in the next section provided, and final passage.

SECTION 15. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption in the Las Vegas Review Journal, a daily newspaper published in the City of Las Vegas.

APPROVED: Oran K. Gragson
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST: Edwina M. Cole
/s/ Edwina M. Cole
EDWINA M. COLE, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of February, 1960, and referred to the following committee composed of Commissioners Sharp and Whipple for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of March, 1960, which was the regular meeting, that at said regular meeting held on said day the proposed ordinance was read by title to the Board of Commissioners and adopted by the following vote:

VOTING "AYE": Mayor Oran K. Gragson and Commissioners Elwell, Fountain, Sharp and Whipple.

VOTING "NAY": None.

ABSENT: None.

APPROVED: Oran K. Gragson
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST: Edwina M. Cole
/s/ Edwina M. Cole
EDWINA M. COLE, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,)
COUNTY OF CLARK) SS.

A. F. Schellack, being first duly sworn
deposes and says, That he is Foreman of the LAS VEGAS REVIEW-
JOURNAL, a daily newspaper, of general circulation, printed
and published at Las Vegas, in the County of Clark, State of
Nevada, and that the attached was continuously published in
said newspaper for a period of Two (2) insertions
from March 21, 1960 to March 28, 1960

inclusive, being the issues of said newspaper for the follow-
ing dates, to-wit: March 21, 28, 1960

That said newspaper was regularly issued and circulated on
each of the dates above named.

SIGNED

A. F. Schellack
A. F. Schellack, Foreman

Subscribed and sworn to
before me

this 28th day of March 19 60

Paul J. Pinbent
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA
My Commission Expires April 14, 1962

Ordinance No. 825
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- h. "Street" shall mean the entire width between the boundary lines of the right-of-way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- i. "Alley" shall mean a narrow public thoroughfare giving access to the rear of the abutting properties.

J. "Intersection" shall mean (a) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two streets which join another at or approximately at right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict; and

(b) Where a street includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided street by an intersecting street shall be regarded as a separate intersection. In the event such intersecting street also includes two roadways 30 feet or more apart, then every crossing of two roadways of such streets shall be regarded as a separate intersection.

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SECTION 4. CONSENT OF PROPERTY OWNER REQUIRED. Before a permit is granted for the breaking of the curb and the construction of driveways on streets that have portland cement concrete curbs constructed hereon, the applicant for the driveway must produce evidence satisfactory to the City engineer of the City to show that the construction of such driveway is agreeable to and in accordance with the desire of the owners of the property to which such driveway will be an entrance.

SECTION 5. FEES. Permit, Inspection and Service Fees shall be charged by the City of Las Vegas in accordance with the following schedule:

CONCRETE WORK Permit Fee (In addition to inspection charge) \$1.00.
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 100 to 1000 feet: 10.00 plus \$0.05 per foot.
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 All over 1000 square feet: 12.00 plus

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Driveway Approach:

Single — curb cut of 14 ft. or less: 3.00 each
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SEC. 8.2 — In Two-Family, Trailer, Multiple, and Apartment Residence Districts (R-2, R-2-T, R-3, R-3-T, and R-4), the maximum curb cut length shall be twenty-five (25) feet, the minimum width not less than twelve (12) feet and is not to exceed 40% of the frontage upon any street abutting the lot or parcel of land measured at right angles from the curb.

SEC. 8.3 — In Neighborhood Commercial, General Commercial, Light Industry and Heavy Industry Districts (C-C, C-1, C-2, C-S, M-1, and M-2), the maximum curb cut length shall be thirty-two (32) feet and the minimum width not less than twelve (12) feet and is not to exceed 65% of the frontage upon any individual street abutting the lot or parcel of land measured at right angles from the curb.

SECTION 9. REGULATIONS.

SEC. 9.1 — General — Every curb cut and driveway apron constructed or altered in the street right-of-way, shall conform to the following regulations:

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SEC. 9.1.3 — Any necessary adjustments to such utility facilities, light standards, fire hydrants, catch basins, street signs, signals, underground conduits for street lighting or fire alarm systems, or other public improvements or installations shall be accomplished without cost to the city.

SEC. 9.1.4 — No curb cut shall be made between the points of curvature of any curb return at intersections, or closer than five (5) feet from the said point of curvature, or between the points of curvature of any curb return of short radius if deemed hazardous by the Traffic and Parking Commission.

SEC. 9.1.5 — No curb cut or driveway apron shall be located so as to create a hazard to pedestrians or motorists, or invite or compel illegal or unsafe traffic movements.

SEC. 9.1.6 — Every curb cut and/or driveway apron must provide complete access to a parking space, building or loading

dock on private property, requiring the entrance of vehicles.

SEC. 9.17 — All curb cuts and driveway aprons are to be constructed of portland cement concrete of a quality and type as specified by the Department of Public Works, and in accordance with city specifications in effect at the time of such work. Curb cuts shall be permitted only with construction of adjoining portland cement concrete aprons having minimum width of five (5) feet.

SEC. 9.18 — All work shall be done under the supervision of the Department of Public Works and in accordance with city specifications in effect at the time of such work.

SEC. 9.19 — The owner and/or contractor, or his agent doing the construction or alteration work, shall maintain the premises in a safe manner, and shall provide adequate barricades and lights at his own expense to protect the safety of the public using the adjacent streets or sidewalks, and shall hold the city free from any damages incurred by his operations.

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Residence Estate District (R-E)

Single Family Residence District (R-1)

Two-Family Residence District (R-2)

Two-Family Residence—Trailer District (R-2-T)

Limited Multiple Residence District (R-3)

Limited Multiple Residence—Trailer District (R-3-T)

Apartment Residence District (R-4)

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SEC. 10.2 — Neighborhood Commercial Center District (C-C)

Limited or Neighborhood Commercial District (C-1)

General Commercial District (C-2)

Light Industry District (M-1)

Heavy Industry District (M-2)

In addition to the preceding General Regulations under Section 9, curb cuts and driveway aprons to be constructed or altered in C-C, C-1, C-2, C-S, M-1, and M-2 districts must conform to the following:

(a) Where a curb cut-driveway is to serve an area adjoining a building, and the building and adjoining area are owned or under the control of the same owner, only the frontage of the adjoining area shall be considered in determining the maximum curb cut length, as defined under Section 3.3.

(b) Where a property abuts more than one city street and/or alley the maximum curb cut permitted on each street and/or alley shall be considered separately and shall be governed by the frontage of the property on that street and/or alley only.

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SECTION 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 13. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not more than \$500.00 and/or six (6) months in jail, or by a combination of both such fine and imprisonment.

SECTION 14. This ordinance shall be in full force and effect as in the next section provided, and final passage.

SECTION 15. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its first reading and adoption in the Las Vegas Review-Journal, a daily newspaper published in the City of Las Vegas.

APPROVED:
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:
/s/ Edwina M. Cole
EDWINA M. COLE, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of February, 1960, and referred to the following committee composed of Commissioners Sharp and Whipple for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of March, 1960, which was the regular meeting, that at said regular meeting held on said day the proposed ordinance was read by title to the Board of Commissioners and adopted by the following vote:

VOTING: AYE: Mayor Oran K. Gragson and Commissioners Elwell, Fountain, Sharp and Whipple.

VOTING: NAY: None.

ABSENT: None.

APPROVED: /s/ Oran K. Gragson

ORAN K. GRAGSON, Mayor

/s/ Edwina M. Cole

EDWINA M. COLE, City Clerk

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