

ORDINANCE NO. 390

AN ORDINANCE TO AMEND SECTION 7 OF ORDINANCE NO. 244 OF THE CITY OF LAS VEGAS, ENTITLED: "AN ORDINANCE OF THE CITY OF LAS VEGAS LICENSING, FOR PURPOSES OF REGULATION AND REVENUE, EVERY KIND OF LAWFUL BUSINESS HEREINAFTER SPECIFIED, TRANSACTED OR CARRIED ON WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, STATE OF NEVADA: FIXING THE RATES OF LICENSE TAX, AND A PUNISHMENT FOR CARRYING ON OR CONDUCTING ANY SUCH BUSINESS WITHOUT A LICENSE, AND REPEALING ORDINANCES NUMBERED 1, 2, 4, 13, 14, 35, 48, 62, 74, 75, 81, 95, 102, 105, 108, 112, 117, 145, 184, 192 and 243." ALSO REFERRED TO AS SECTION 10, CHAPTER 17 OF THE LAS VEGAS CITY CODE.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. Section 7 of Ordinance No. 244 of the City of Las Vegas, also referred to as Section 10, Chapter 17, of the Las Vegas City Code, is hereby amended to read as follows:

Every person, firm, association, or corporation engaged in the telephone business, or in the business of furnishing and supplying heating or illuminating gas to others through gas mains, or electrical current for power, lighting, or domestic purposes, or who supplies water for domestic purposes to others through water mains, shall pay for and obtain a quarterly license to carry on each of such businesses, as per the schedule hereinafter recited in this section.

Every telephone company shall pay for such license a sum equal to three-fourths ( $\frac{3}{4}$ ths) of one percent (1%) of its gross quarterly earnings.

Every gas company shall pay for such license a sum equal to three-fourths ( $\frac{3}{4}$ ths) of one percent (1%) of its gross quarterly earnings.

Every water company shall pay for such license a sum equal to three-fourths ( $\frac{3}{4}$ ths) of one percent (1%) of its gross quarterly earnings.

Every electric light or power company shall pay a sum equal to one percent (1%) of its gross quarterly earnings.

Prior to the issuance of a license hereunder, the applicant therefor shall state in writing, under oath, to the City Clerk, the probable amount of gross earnings which it is estimated will be made in the ensuing period for which the license is to be issued, and when the applicant has held a license for the next preceding period, the estimate shall be computed upon the amount of gross earnings made during such preceding period. Where the amount of gross earnings actually made in any period shall be in excess of the estimate for such period, the licensee shall be indebted to the City for any deficiency in fee paid for such period and liable therefor to the City in a civil action. No license hereunder shall be issued to such licensee for any subsequent period unless and until such deficiency is paid to the City Clerk, and when so paid, shall constitute an additional fee for any license issued hereunder for such subsequent period, and be deemed in full payment of such deficiency. Where the amount of gross earnings actually made in any period shall be less than the estimate for such period, the excess paid in the previous period shall be credited to the licensee and the same shall be applied to a license issued to such licensee for the subsequent period.

This provision shall apply to all persons conducting the abovementioned business or any of them, whether under permission and regulation of the Public Service Commission in the State of Nevada or otherwise.

CITY  
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This section shall not apply to water companies having monthly gross sales of less than \$3,000, which companies shall pay tax under Section 6 of Ordinance #244, also referred to as Section 9, Chapter 17 of the Las Vegas Code.

Section 2.. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Section 3. If any part, provision or section of this ordinance or the application thereof to any person or circumstance shall be held to be invalid by any court of competent jurisdiction, the remainder of this ordinance or the application of such part, provision or section thereof to any other person or circumstances shall not be affected thereby.

Section 4. This ordinance shall be in full force and effect upon its publication as in the next section provided, and final passage.

Section 5. 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 Evening Review Journal, a daily newspaper published in the City of Las Vegas.

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 12th day of September, 1949, and referred to the following committee composed of Commissioners Bunker and Whipple for recommendation; thereafter the said committee reported favorably on said Ordinance on the 22nd day of September, 1949, which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 22nd day of September, 1949, the proposed ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

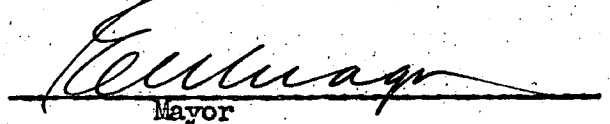
Voting "Aye": Commissioners Bunker, Moore, Peccole, Whipple and His Honor

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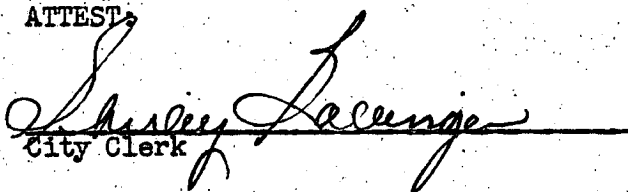
Voting "Nay": None

Absent: None

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

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Every telephone company shall pay for such license a sum equal to three-fourths (3/4ths) of one percent (1 per cent) of its gross quarterly earnings.

Every gas company shall pay for such license a sum equal to 3/4 of one percent (1 per cent) of its gross quarterly earnings.

Every water company shall pay for such license a sum equal to 3/4 of one percent (1 per cent) of its gross quarterly earnings.

Every electric light or power company shall pay a sum equal to one percent (1 per cent) of its gross quarterly earnings.

Prior to the issuance of a license hereunder, the applicant therefor shall state in writing, under oath, to the City Clerk, the probable amount of gross earnings which it is estimated will be made in the ensuing period for which the license is to be issued, and when the applicant has held a license for the next preceding period, the estimate shall be computed upon the amount of gross earnings made during such preceding period. Where the amount of gross earnings actually made in any period shall be in excess of the estimate for such period, the licensee shall be indebted to the City for any deficiency in fee paid for such period and liable therefor to the City in a civil action. No license hereunder shall be issued to such licensee for any subsequent period unless and until such deficiency is paid to the City Clerk, and when so paid, shall constitute an additional fee for any license issued hereunder for such subsequent period, and be deemed in full payment of such deficiency. Where the amount of gross earnings actually made in any period shall be less than the estimate for such period, the excess paid in the previous period shall be credited to the licensee and the same shall be applied to a license issued to such licensee for the subsequent period.

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This section shall not apply to water companies having monthly gross sales of less than \$3,000, which companies shall pay tax under Section 6 of Ordinance No. 244, also referred to as Section 9, Chapter 17 of the Las Vegas Code.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA } ss. COUNTY OF CLARK

Carl Woodbury, being first duly sworn,

deposes and says: That he is Auditor of the LAS VEGAS EVENING 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 times

from Sept. 23, 1949 to Sept 30, 1949

inclusive, being the issues of said newspaper for the following dates, to-wit:

September 23, 30, 1949

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

Signed Carl Woodbury

Subscribed and sworn to before me this 31st day of

October, 1949

[Signature]

Notary Public in and for Clark County, Nevada.

My Commission Expires

Jan. 12, 1951

Section 2. Any person violating any of the provisions of this section, shall be guilty of a misdemeanor. Section 3. If any part, provision or section of this ordinance or the application thereof to any person or circumstance shall be held to be invalid by any court of competent jurisdiction, the remainder of this ordinance or the application of such ordinance or section thereof to any other person or circumstances shall not be affected thereby. Section 4. This ordinance shall be in full force and effect upon its publication as in the next section provided, and final passage. Section 5. 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 Evening Review Journal, a daily newspaper published in the City of Las Vegas.

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