

ORDINANCE NO. 1485

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (A), PARAGRAPH 4; SECTION 24, SUBSECTION (B), PARAGRAPH 3 OF SAID TITLE AND CHAPTER, AND SECTION 25, SUBSECTION (B), PARAGRAPH 2 OF SAID TITLE AND CHAPTER OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, PROVIDING FOR TIME PERIODS FOR THE ACCEPTANCE OF REZONING APPLICATION, USE PERMIT, AND VARIANCE; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

SECTION 1. Title XI, Chapter 1, Section 24, Subsection (A), Paragraph 4 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (A) 4. Application: An application for any permissible variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Planning Department. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department. Said application shall be signed and acknowledged by the record owner of the property for which said variance is sought. Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Department as a public record. An application for a variance on property for which all or any part had been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same use, a similar use, or a more intensive use, shall not be accepted. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same use, a similar use, or a more intensive use. Any application for a Variance for which there has been previously filed an application for a Use Permit or a Reclassification for the same use, a similar use, or a more intensive use, shall not be accepted until the above time limits have elapsed.

SECTION 2. Title XI, Chapter 1, Section 24, Subsection (B), Paragraph 3 of said Municipal Code is hereby amended to read as follows:

11-1-24 (B) 3. Application: An application for a permissible use permit shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department, upon a form provided by the Planning Department. Said application shall be executed and verified by the record owner of the property, for which the use permit is requested, in the same manner as is provided under Subsection (A) of this Section. An application for a use permit on property for which all or any part had been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same use, a similar use, or a more intensive use, shall not be accepted. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same use, a similar use, or a more intensive use. Any application for a use permit for which there has been previously filed an application for a Variance or a reclassification for the same use, a similar use, or a more intensive use shall not be accepted until the above time limits have elapsed.

SECTION 3. Title XI, Chapter 1, Section 25, Subsection (B), Paragraph 2 of said Municipal Code is hereby amended to read as follows:

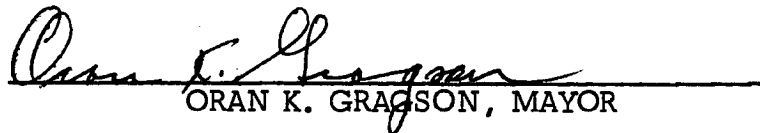
11-1-25 (B) 2. A petition for the reclassification of property shall be made in the form of an application to be provided by the Planning Department. Said application shall be filed with the Secretary of the Planning Commission at the office of the Planning Department. Said application shall be signed and acknowledged by a record owner or owners of property within the area sought to be reclassified. Upon receipt of a properly executed application, the Secretary of the Planning Commission shall maintain said application,

together with all pertinent attachments and exhibits, in the permanent files of the Planning Commission as public record. An application for reclassification of property for which all or any part had been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a less restrictive zone, shall not be accepted. An application for a zone change for a use permitted in a more restricted zone will be considered as an application for the more restricted zone. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same or less restrictive zone. Any application for a rezoning for which there has been previously filed an application for a Use Permit or a Variance for the same use, a similar use, or a more intensive use shall not be accepted until the above time limits have elapsed.

SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the city jail for not more than six months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 5. All ordinances or parts or ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 21st day of October, 1970.

  
ORAN K. GRAGSON, MAYOR

ATTEST:

  
Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of October, 1970, and referred to the following committee composed of Commissioners Corey and Coblentz for recommendation; thereafter the said committee reported favorably on said ordinance on

the 21st day of October, 1970, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

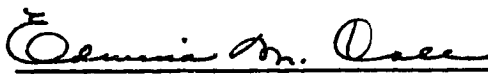
VOTING "AYE": Commissioners Coblentz, Thornley, Howery, Corey and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

  
ORAN K. GRAGSON, MAYOR

ATTEST:

  
Edwina M. Cole, City Clerk

# AFFIDAVIT OF PUBLICATION

RECEIVED  
Nov 6 11 13 AM '70  
CITY CLERK

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

Robert E. Hunter, being first duly sworn,

deposes and says: That he is Composing Room Foreman of the LAS VEGAS SUN, 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 8 days

from October 24, 1970 to October 31, 1970

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

October 24, 31, 1970  
That said newspaper was regularly issued and circulated on each of the dates above named.

Signed *Robert E. Hunter*

Subscribed and sworn to before me this 4th  
day of November, 1970

*Ruthe V. Deskin*

My Commission Expires

Notary Public in and for Clark County, Nevada  
**RUTHE V. DESKIN**  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires April 14, 1973



**ORDINANCE No. 1485**

An ordinance to amend Title XI, Chapter 1, Section 24; Subsection (A), paragraph 4; Section 24, Subsection (B), paragraph 3 of said title and chapter; and Section 25, Subsection (B), paragraph 2 of said title and chapter of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, providing for time periods for the acceptance of rezoning application, use permit, and variance; providing other matters properly relating thereto; providing penalties for the violation hereof; and repealing all ordinances or parts of ordinances in conflict herewith.

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

Section 1. Title XI, Chapter 1, Section 24, Subsection (A), Paragraph 4 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (A) 4. Application: An application for any permissible variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Planning Department. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department. Said application shall be signed and acknowledged by the record owner of the property for which said variance is sought. Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Department as a public record. An application for a variance on property for which all or any part had been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same use, a similar use, or a more intensive use, shall not be accepted. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same use, a similar use, or a more intensive use. Any application for a Variance for which there has been previously filed an application for a Use Permit or a Reclassification for the same use, a similar use, or a more intensive use, shall not

(cont.)

be accepted until the above time limits have elapsed.

Section 2. Title XI, Chapter 1, Section 24, Subsection (B), Paragraph 3 of said Municipal Code is hereby amended to read as follows:

11-1-24 (B) 3. Application: An application for a permissible use permit shall be filed with the Secretary of the Board of Zoning Adjustment of the office of the Planning Department, upon a form provided by the Planning Department. Said application shall be executed and verified by the record owner of the property, for which the use permit is requested, in the same manner as is provided under Subsection (A) of this Section. An application for a use permit on property for which all or any part had been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same use, a similar use, or a more intensive use, shall not be accepted. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same use, a similar use, or a more intensive use. Any application for a use permit for which there has been previously filed an application for a Variance or a reclassification for the same use, a similar use, or a more intensive use shall not be accepted until the above time limits have elapsed.

Section 3. Title XI, Chapter 1, Section 25, Subsection (B), Paragraph 2 of said Municipal Code is hereby amended to read as follows:

11-1-25 (B) 2. A petition for the reclassification of property shall be made in the form of an application to be provided by the Planning Department. Said application shall be filed with the Secretary of the Planning Commission of the office of the Planning Department. Said application shall be signed and acknowledged by a record owner or owners of property within the area sought to be reclassified. Upon receipt of a properly executed application, the Secretary of the Planning Commission shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Commission as public record. An application for reclassification of property for which all or any part has been previously denied, or an application which was withdrawn subsequent to a public hearing, within the four (4) months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a less restrictive zone, shall not be accepted. An application for a zone change for a use which is in a more restricted zone, shall be considered as an application for the more restricted zone. In addition, a period of eight (8) months from the date of a second denial must elapse before an application may be filed for the same or less restrictive zone. Any application for a rezoning for which there has been previously filed an application for a Use Permit or a Variance for the same use, a similar use, or a more intensive use shall not be accepted until the above time limits have elapsed.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the city jail for not more than six months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

Section 5. All ordinances or parts of ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

Passed, adopted and approved this 21st day of October, 1970.

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

ATTEST:

/s/ Edwina M. Cole  
Edwina M. Cole, City Clerk  
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of October, 1970, and referred to the following committee composed of Commissioners Corex and Coblenz for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of October, 1970, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners  
Coblenz, Thornley, Howery, Corey  
and Mayor Gragson  
VOTING "NAY": None  
ABSENT: None

APPROVED:

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

ATTEST:

/s/ Edwina M. Cole  
Edwina M. Cole, City Clerk  
(SEAL)

PUB: Oct. 24, 31, 1970