

ORDINANCE NO. 1311

AN ORDINANCE TO AMEND TITLE XI OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW CHAPTER, TO BE DESIGNATED CHAPTER 3, PROVIDING REGULATIONS GOVERNING THE LOCATION, DESIGN AND ILLUMINATION OF SIGNS AND ADVERTISING STRUCTURES, FOR THE PRESERVATION OF URBAN AMENITIES, URBAN AESTHETICS, EFFICIENT AND SAFE AUTOMOBILE AND PEDESTRIAN TRAFFIC MOVEMENTS, PROPERTY VALUES, THE CONTINUED WELL-BEING OF THE CITY'S ECONOMY AND THE PREVENTION OF UNDUE VISUAL COMPETITION; AMENDING SECTION 12 AND SECTION 25 OF TITLE IV, CHAPTER 6 OF SAID CODE TO CONFORM HERETO; PROVIDING FOR OTHER MATTERS PROPERLY RELATING HERETO; 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 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding thereto a new Chapter to be designated Chapter 3 to read as follows:

CHAPTER 3

SIGN AND BILLBOARD REGULATIONS

11-3-1: PURPOSE AND SCOPE: It is the purpose of this Chapter to provide regulations governing the location, design and illumination of signs and advertising structures, in addition to the requirements of Title IV, Chapter 6 of this Code, for the preservation of urban amenities, urban aesthetics, efficient and safe automobile and pedestrian traffic movements, property values, the continued well-being of the City's economy and the prevention of undue visual competition.

11-3-2: DEFINITIONS: For the purpose of this Chapter, certain words and terms are defined as follows:

A. Generally:

All words in the present tense include the future. All words in the singular number include the plural and the plural shall include the singular. The word "shall" is mandatory. The word "person" shall include a firm, corporation and municipal corporation. The term "governing body" shall mean the Board of City Commissioners of the City of Las Vegas. The word "city" shall mean the City of Las Vegas. The word "used" shall include the words "arranged", "designed", or "intended to be used". The word "erect" shall include the words "construct" or "reconstruct".

B. Specifically:

(1) Advertising: Any writing, printing, painting, display, emblem, drawing, sign or other device designed, used or intended for outdoor display or any type

of publicity or propaganda for the purpose of making anything known or attracting attention to a place, product, service or an idea.

(2) Alteration: Changes in structural components or increase in size, height and location and/or increases in electrical load. It shall also mean any change in advertising content if such change causes the sign to change in classification from on-premise to off-premise or vice versa.

(3) Attention Gaining Devices: Any streamers, flags, wheels, propellers, bunting or other artificial devices, figures, shapes, color, sounds, lights, exhibits; live, animated, or still, intended for attracting attention of passers-by.

(4) Building Official: Director of the Department of Building and Safety or his duly authorized representative.

(5) Contractor: Any outdoor advertising or electric sign contractor licensed by the City of Las Vegas, Nevada.

(6) Decorative Lighting: Superfluous light, not actually required for vision and intended to increase attractiveness or other incidental use.

(7) Direct Lighting: Lighting within the sign fixture, but not including gaseous tube lighting.

(8) Display Surface: Any surface made available by the structure for the mounting of material to carry the advertising message.

(9) Free Standing Sign: Same as Ground Sign.

(10) General Lighting: An artificial means of providing light inside, or in the area adjacent to, a building for ordinary lighting purposes.

(11) Ground Sign: An advertising sign which is supported by one (1) or more uprights set in a fixed position, located in the ground as specified by the Building Official.

(12) Illuminated Sign: A sign or structure which is illuminated by a source of light located near the surfaces of the sign either in the interior or exterior of the sign or structure.

(13) Indirect Lighting: Lighting which is remote from the sign fixture.

(14) Location: A lot or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

(15) Maintenance: For the purpose of this Chapter, maintenance shall mean the replacement of broken, faulty or worn-out parts, painting, tightening, or any act necessary to keep an existing sign in safe operation and in a neat and presentable condition. The word "maintenance" shall not include, however, any act which requires that a permit be obtained.

(16) Major Street Plan: The plan adopted by the City of Las Vegas to reserve street rights-of-way.

(17) Non-structural Trim: The moulding, battens, capping, nailing strips, borders or lattice work.

(18) Off-Premise Sign: Advertising sign that pertains to goods or services or any announcement whose subject is not available on the premise. "Available on the premise" shall not include minor, incidental uses and/or products such as those contained in vending machines.

(19) On-Premise Sign: A display designed, used or intended to be used, to advertise the principal purpose of the business such as the major category of goods, materials or services sold or provided on the premises where the sign is located.

(20) Protruding Sign: A sign which is affixed to any building, wall or structure and extends beyond the building wall or structure or building line more than twelve inches (12").

(21) Resort Facility: A hotel, motel and/or a gambling casino.

(22) Roof Sign: An on-premise or off-premise sign erected, constructed or maintained upon the roof of any building.

(23) Repair: For the purposes of this Chapter, repair shall mean the re-erecting or reconstruction of signs damaged or knocked down by wind or any other force or condition. Repair shall not include minor damage not affecting the structural parts.

(24) Sign: Any medium including its structure and component parts which is used for, or intended to be used for, attracting to the subject matter other than

decorative or protective coating on a building or structure.

(25) Sign Area: "Off-premise" is the total area of the face of a sign including all elements such as boards or frames. The structural elements necessary to support a sign need not be included as a sign area.

(26) Sign Area: "On-premise" is the area utilizing standard mathematical formulas for common shapes formed by drawing lines around the extremity of the sign. "Copy area" is the area encompassed by straight lines bordering the letters used.

(27) Temporary Sign: Any sign, banner, exhibit, attention gaining device or advertising display intended to be viewed for a period of time not exceeding ninety (90) days or other time limit as specified by this Ordinance, and wherein the sign does not extend beyond any exterior building line or roof line.

(28) Wall Sign: A sign applied to or mounted on the wall or surface of a building or a structure, the display surface of which is parallel to the supporting surface, not more than twelve inches (12") from the wall. Marquees, facades, false fronts, etc. shall be considered to be wall surface.

(29) Zone: Refers to Zoning Districts as defined in the Zoning Ordinance of the City of Las Vegas.

11-3-3: COMPLIANCE WITH ORDINANCE: It is unlawful for any person, firm or corporation to erect, install, repair, alternate or relocate any sign or advertising structure without obtaining from the Director of Building and Safety a written permit to do so, paying the fees prescribed and conforming to and complying with all of the provisions of this Ordinance.

11-3-4: REMOVAL OF NON-CONFORMING SIGNS:

A. Any signs not in conformance with the provisions of this Ordinance, and which were erected or installed without a permit, shall be removed within thirty (30) days upon notification from the City.

B. Signs for which permits were previously issued and which are made non-conforming by the provisions of this Ordinance shall be removed upon notification from the City within five (5) years. Additional time may be approved by the Board of City Commissioners upon application to the Planning Commission to allow

the sign to remain until termination of an existing lease, if said lease were entered into prior to adoption of this Ordinance and further provided, that in no case shall more than five (5) years' additional time be allowed.

C. Any existing sign, conforming to the provisions of this Ordinance relative to size and location, but not conforming to structural requirements as provided in Title IV, Chapter 6, Section 12 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, shall be removed or replaced within one (1) year upon written notice from the City. However, if they are deemed to be a hazard or more than fifty percent (50%) damaged, they shall be removed or repaired in accord with the structural requirements of the aforesaid Title IV, Chapter 6, Section 12, ten (10) days after receiving notice from the City.

D. Any sign determined to be abandoned shall be removed within thirty (30) days of notification to the property owner and/or owner of the business advertised and/or owner of the sign.

11-3-5: INSPECTION OF NON-CONFORMING SIGNS: Following the passage of this Ordinance, city inspectors will check existing signs for conformance to the Code and for structural safety. The owner or lessee of the property and/or owner or lessee of the business advertised, will be notified by letter if a non-conforming sign exists on the property and further advised of what corrective action must be taken.

11-3-6: TEMPORARY POLITICAL SIGNS: All political signs shall be placed within the property lines and shall conform to the requirements for advertising sale or lease signs of that zone unless noted otherwise. All political signs, regardless of size, shall be placed in conformance to all requirements of the governing Codes and Ordinances. Sign permits shall be required for all political signs over thirty-two square feet (32 sq. ft.) in area, whether they are installed on ground supports or on frames and wheels. In all zones, the sign shall be so placed as to not constitute a traffic hazard. No political sign can be placed on any public property or right-of-way or posted on any utility pole or device. Political signs shall be treated as temporary

signs in any "R" zone except that no agreement or bond will be required. In any "R" or "P-R" zone, the maximum size of sign shall be thirty-two square feet (32 sq. ft.), except as may be modified by the area location as determined by the Building Official. For all political signs thirty-two square feet (32 sq. ft.) and less in area, no sign permit will be required; however, each candidate shall pay an administration permit fee of twenty-five dollars (\$25.00) to place any such signs within the city limits. All political signs shall be removed within fifteen (15) days after the primary election, except the successful candidates may leave them in their present location until after the general election; these signs must then be removed within fifteen (15) days after that election date.

11-3-7:

ON-PREMISE SIGN REGULATIONS:

A. PERMITTED IN RESIDENTIAL ZONES (Any zone with an "R" prefix):

(1) One (1) name plate containing the name, title and occupation of occupant attached to the wall or fence; not more than two square feet (2 sq. ft.) in area.

(2) Warning or Trespassing Sign: One three square feet (3 sq. ft.) maximum size for each street frontage not closer than one hundred feet (100') from each other.

(3) For Rent, Lease or Sale Sign pertaining to the property where it is located: Non-lighted, maximum twelve square feet (12 sq. ft.), not closer than ten feet (10') to property line and not higher than five feet (5'); provided, however, in apartment zones, for rent signs may be increased in area two square feet (2 sq. ft.) for each four apartment units in excess of twenty, but in no case shall the sign area exceed thirty-two square feet (32 sq. ft.).

(4) Subdivision Development Sale Signs: A subdivision that is under construction may place temporary sale signs on the site of the development provided that each development may have no more than one (1) major sign of not more than six hundred square feet (600 sq. ft.) in area for each street frontage and no more than two (2) minor signs for each street frontage of not more than fifty square feet (50 sq. ft.) in area.

In addition, there may be two (2) directional signs not on the site provided they are less

than twenty-five square feet (25 sq. ft.) in area and located no closer than fifty feet (50') to a residential use. All subdivision signs shall be removed when the last unit is sold or if the subdivision sales office becomes inactive and is closed for more than thirty (30) days.

(5) Public or Semi-Public and Professional Uses as allowed by a Use Permit: Not greater than twelve square feet (12 sq. ft.) in size and not more than six feet (6') in height, except if the name of the institution is permanently set in the wall as approved by the Board of Zoning Adjustment. This restriction does not apply to institutional identification of a public building.

(6) Motor vehicles used in a business and having signs painted on the surface of the body may be parked in a residential zone, provided the owner or driver resides in the immediate area and is using the vehicle for transportation purposes, or is making a business trip in the area, but shall not be allowed primarily for advertising purposes.

B. PERMITTED IN PROFESSIONAL OFFICE (P-R) ZONES: One (1) wall sign of not more than twelve square feet (12 sq. ft.) in size and no higher than six feet (6'), and one (1) free standing sign no larger than twelve square feet (12 sq. ft.) and no higher than five feet (5'). No exposed neon, exposed gaseous tube, flashing or animated signs or other attention gaining devices may be used.

C. PERMITTED IN LIMITED COMMERCIAL (C-1) ZONES:

(1) Sign Ratio: The total area for all types of on-premise signs shall be as follows: Two square feet (2 sq. ft.) of sign area for each one (1) front foot or fraction of one foot (1') of the lot along a public right-of-way. Permitted sign area shall be exclusive of wall sign area.

(2) Maximum Size: No single sign shall be greater than one hundred square feet (100 sq. ft.) in area.

(3) Distribution of Signs: For each parcel of land there shall be no more than one (1) ground sign and one (1) protruding sign per fifty feet (50') of street frontage or fraction thereof.

(4) Location: Ground Signs shall be so located that they cause the least interference with adjacent sign locations. No sign may cover more than fifty per cent (50%) of the total distance along the front of the lot regardless of the position of the sign.

(5) Protruding Signs: Business signs may protrude over the public street right-of-way for a distance of not more than three feet (3') from the property line, and the sign must be at least eight feet (8') above the sidewalk grade. The Planning Commission may waive the three foot (3') limitation upon a finding of unusual circumstances but only in the case of signs existing prior to adoption of this Ordinance.

(6) Roof Signs: Roof signs may be permitted when structurally clean when the supporting members are free of any extra bracing, guy wires, cables, etc., and when they appear to be an architectural and integral part of the building.

(7) Sidewalk Signs: Name plates on sidewalk planters, etc., are permitted provided they do not exceed six inches (6") in height and twenty-four inches (24") in width. Sidewalk benches and approved bus stops may contain advertising thereon, restricted to surface of bench.

(8) Signs on Vehicles: No signs will be permitted on any non-self propelled vehicle or portable structure stored on the property.

(9) Landscaping for Ground Signs: A landscaping island shall be provided at all free standing (ground) signs. A decorative base designed to screen the structural members of the sign may be substituted for screen planting.

(10) Temporary Special Attraction Signs: Each business firm, in addition to the maximum allowable permanent sign area, may have temporary signs in the same amount as permitted permanent sign areas for special attraction signs. No more than one(1) special attraction event per month, no longer than seven (7) days' duration is permitted, except during December when all of the month may be used for temporary signs and attention gaining devices. All temporary signs shall be removed the first working day after the event. Attention gaining devices may be employed only during these special events and must be removed after the temporary sign period expires. The Department of Building and Safety must be notified by letter three (3) days in advance that

an outdoor temporary sign display is to be used, and a brief description of the type of display must be given.

(11) Illumination of Signs: No ray of light shall extend into any residential zone and sign lighting shall not increase the illumination more than two (2) foot candles into any residential zone. Where ray is used in these provisions, it shall mean direct visual access or the direct reflection of the source of light.

(12) Obstructing Traffic Signs: No sign may be constructed or maintained that will obstruct or can interfere with traffic or directional signs.

D. PERMITTED IN GENERAL COMMERCIAL (C-2), COMMERCIAL INDUSTRIAL (C-M) AND INDUSTRIAL (M) ZONES:

(1) Sign Ratio: The total area for on-premise signs shall be as follows: Four square feet (4 sq. ft.) of sign area for each one foot (1') of lot frontage along the street. Corner lots may be computed to allow a sign for each street frontage based on the individual front width. Permitted sign area shall be exclusive of wall sign area.

(2) Maximum Size: No single sign may be greater than three hundred square feet (300 sq. ft.) in area for each fifty feet (50') of frontage but in no case shall any sign be larger than six hundred square feet (600 sq. ft.).

(3) Temporary Special Attraction Signs: Each business firm in addition to the maximum allowable permanent sign area may have temporary signs in the same amount as the permanent sign area for special attraction signs. No more than one (1) special attraction event per month, no longer than seven (7) days' duration is permitted, except during December when all of the month may be used for temporary signs and attention gaining devices. All temporary signs shall be removed the first working day after the event. Attention gaining devices may be employed only during these special events and must be removed after the temporary sign period expires. The Department of Building and Safety must be notified by letter three (3) days in advance that an outdoor temporary sign display is to be used and a brief description of the type of display must be given.

(4) Distribution of Signs: For each business establishment there

shall be no more than one (1) ground sign or one (1) protruding sign per street frontage; however, each parcel of land occupied by a single business establishment shall be permitted one (1) ground sign and one (1) protruding sign.

(5) Protruding Signs: Business signs may protrude over the public street to within three feet (3') of the curb provided that the sign is at least eight feet (8') above the sidewalk area or surface; provided, however that the Planning Commission may waive the three foot (3') limitation in the case of signs in existence prior to the adoption of this Ordinance upon a finding of unusual circumstances.

(6) Sidewalk Signs: Name plates on sidewalk planters, etc. are permitted provided they do not exceed six inches (6") in height and twenty-four inches (24") in width. Sidewalk benches and approved bus stops may contain advertising on the surface of the bench.

(7) Signs on Vehicles: No signs will be permitted on any non-self propelled vehicles or portable structure stored on the property.

(8) Screening Sign Structures: A landscaping island shall be provided at all free standing (ground) signs when other landscaping is required. A decorative base designed to screen the structural members of the sign may be substituted for screen planting when practical.

(9) Illumination of Signs: No ray of light shall extend into any residential zone and sign lighting shall not increase the illumination more than two (2) foot candles into any residential zone. Where ray is used in these provisions, it shall mean direct visual access or the direct reflection of the source of light.

(10) Obstructing Traffic Signs: No sign may be constructed or maintained that will obstruct or can interfere with traffic or directional signs.

(11) Exception: The requirements set forth in this Ordinance relative to size, height, area, illumination and type of sign shall not apply to any business or property located within the areas wherein gaming is permitted as defined by Title V, Chapter 16, Paragraph 6 of this Code, excepting therefrom the area wherein only slot machines are permitted.

11-3-8:

OFF-PREMISE SIGN REGULATIONS:

A. Generally:

Off-premise signs are to be considered primarily as a specific type of land use rather than as an incidental use to an existing land use in that off-premise signs produce a revenue to the property owner as a land use rather than as in the case of on-premise signs wherein the advertising in itself does not produce a revenue but is incidental to a revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and/or structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts.

B. Specifically:

(1) Off-premise signs are permitted only in the "C-1", "C-2", "C-M", and "M" zoning districts, and subject to the following requirements and regulations:

- a. Size - no more than eight hundred square feet (800 sq. ft.).
- b. Location -
 1. May be located on property in accordance with the setback provisions of the zone in which it is located.
 2. No closer than one hundred feet (100') to any other off-premise sign on the same street frontage (each side of a street shall be considered a separate frontage).
 3. Must be free standing or roof mounted.
 4. Must be orientated toward the street frontage of the zone in which it is located.
 5. May not be located on property used for residential purposes.

(2) In addition, the following provisions shall apply to off-premise signs which are erected along a freeway in a manner that provides for exposure of the advertising copy to the freeway:

a. No off-premise sign may be located closer than ten feet (10') to the right-of-way line of a freeway and shall not be larger than twelve hundred square feet (1200 sq. ft.).

b. No off-premise sign may be located closer than three hundred feet (300') to any other off-premise sign along a freeway and located on the same side of the freeway and orientated in the same direction.

c. Applicants for off-premise signs shall be subject to entering into an agreement to remove sign at owner's expense if it proves to be in conflict with any State or Federal regulations that may be adopted.

SECTION 2. Title IV, Chapter 6, Section 12 of said Municipal Code is hereby amended to read as follows:

4-6-12: CONSTRUCTION AND INSTALLATION REQUIREMENTS:

(A) All signs on the exterior of any building, whether electrically illuminated, or otherwise, shall be installed so as to be held rigidly in position, vertically and horizontally. All signs and their supports shall be designed, constructed and installed in accordance with the applicable Codes of the City.

(B) No sign or any portion thereof shall be anchored to or supported by any fire escape or standpipe, or be erected so as to obstruct or prevent the free ingress or egress from any window, door or fire escape.

(C) No sign shall be placed on top or suspended from the bottom of another sign over public property, unless application is made to the Building Official with necessary calculations to show that the sign is structurally sound and safe to support the additional weight, display area and wind resistance and properly fastened to the existing sign structure.

(D) No series switches, flashers, or animators shall be installed

in the high voltage or secondary circuit. Condensers of proper capacity shall be installed in the primary circuits of all signs using flashers, animators or spellers. Devices which cause excessive radio or television interference shall not be used.

(E) No sign shall be installed between the hours of 5:00 P.M. and 8:00 A.M. including Saturdays, Sundays and holidays, unless special permission has been granted by the Department of Building and Safety.

(F) No sign or sign structure shall be erected in such a manner that any part will be closer to high voltage conductors than the following table allows:

<u>Voltage</u>	<u>Horizontal Proximity</u>	<u>Vertical Proximity</u>
Up to 8,700	3 feet	8 feet
8,700 to 15,000	8 feet	8 feet
15,000 to 50,000	10 feet	10 feet
Over 50,000	10 feet plus 1/2" KV over 50,000	10 feet plus 1/2" KV over 50,000

The Southern Nevada Power Company shall determine the line voltage for any given location.

(G) Signs or billboards whose advertising matter pertains to something or some place remote from the origin of such sign shall not be placed in any "R" Zone.

SECTION 3. Title IV, Chapter 6, Section 25 of said Municipal Code is hereby amended to read as follows:

4-6-25: GENERAL PROVISIONS:

(A) All signs, supports and footings shall be completely within the property line except as provided by the Building Code regarding marquee and related overhang provisions. Signs may be permitted within the setback areas as prescribed by the Major Street Plan providing that the owner of the property signs an agreement for the removal of said sign within fifteen (15) days' written notice by the City, at the property owner's expense, when such setback area is needed to widen the street.

(B) Display of unauthorized signs, signals or markings.

(1) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an

imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, which is existing or which will eventually be necessary.

(2) No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.


(3) This Section shall not be deemed to prohibit the erection of signs giving useful directional information and of a type that cannot be mistaken for official signs upon private property adjacent to highways.

(4) Every prohibited sign, signal or marking is hereby declared to be a public nuisance and the Building Official is hereby empowered to remove the same or cause it to be removed without notice.

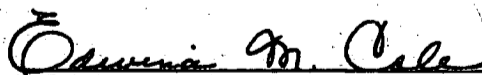
SECTION 4. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 5. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, 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 7th day of February, 1968.


ORAN K. GRAGSON, Mayor

ATTEST:


City Clerk


The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of January, 1968, and referred to the following committee

composed of Commissioners Stewart and Mirabelli for recommendation; thereafter the said committee reported favorably on said Ordinance on the 7th day of February, 1968, 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:

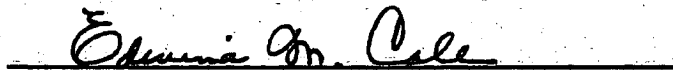
VOTING "AYE": Commissioners Mirabelli, Stewart, Corey, Howery and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

ROBERT E. HUNTER, being first duly sworn,

FOREMAN

deposes and says: That he is _____ 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
TWO PUBLICATIONS

from **FEBRUARY 9, 1968** to **FEBRUARY 16, 1968**

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

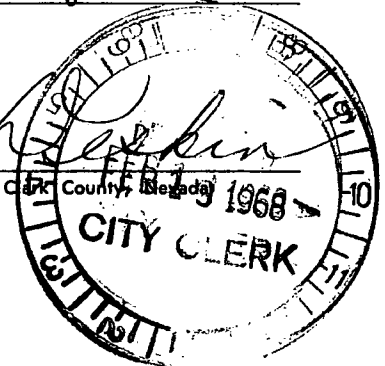
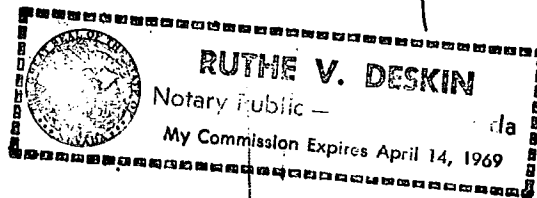
FEBRUARY 9, 16, 1968

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

Signed _____

Subscribed and sworn to before me this **16th**
day of **FEBRUARY, 1968**

Notary Public in and for Clark County, Nevada



ORDINANCE NO. 1311
AN ORDINANCE TO AMEND TITLE XI OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW CHAPTER, TO BE DESIGNATED CHAPTER 3, PROVIDING REGULATIONS GOVERNING THE LOCATION, DESIGN AND ILLUMINATION OF SIGNS AND ADVERTISING STRUCTURES, FOR THE PRESERVATION OF URBAN AMENITIES, URBAN AESTHETICS, EFFICIENT AND SAFE AUTOMOBILE AND PEDESTRIAN TRAFFIC MOVEMENTS, PROPERTY VALUES, THE CONTINUED WELL-BEING OF THE CITY'S ECONOMY AND THE PREVENTION OF UNDUE VISUAL COMPETITION; AMENDING SECTION 12 AND SECTION 25 OF TITLE IV, CHAPTER 6 OF SAID CODE TO CONFORM HERETO; PROVIDING FOR OTHER MATTERS PROPERLY RELATING HERETO; 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 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding thereto a new Chapter to be designated Chapter 3 to read as follows:

**CHAPTER 3
SIGN AND BILLBOARD
REGULATIONS**

11-3-1:
PURPOSE AND SCOPE: It is the purpose of this Chapter to provide regulations governing the location, design and illumination of signs and

advertising structures, in addition to the requirements of Title IV, Chapter 6 of this Code, for the preservation of urban amenities, urban aesthetics, efficient and safe automobile and pedestrian traffic movements, property values, the continued well-being of the City's economy and the prevention of undue visual competition.

11-3-2:
DEFINITIONS: For the purpose of this Chapter, certain words and terms are defined as follows:

A. Generally:
All words in the present tense include the future. All words in the singular number include the plural and the plural shall include the singular. The word "shall" is mandatory. The word "person" shall include a firm, corporation and municipal corporation. The term "governing body" shall mean the Board of City Commissioners of the City of Las Vegas. The word "city" shall mean the City of Las Vegas. The word "used" shall include the words "arranged," "designed," or "intended to be used." The word "erect" shall include the words "construct" or "reconstruct."

B. Specifically:
(1) **Advertising:** Any writing, printing, painting, display, emblem, drawing, sign or other device designed, used or intended for outdoor display or any type of publicity or propaganda for the purpose of making anything known or attracting attention to a place, product, service or on idea.

(2) **Alteration:** Changes in structural components or increase in size, height and location and/or increases in electrical load. It shall also mean any change in advertising content if such change causes the sign to change in classification from on-premise to off-premise or vice versa.

(3) **Attention Gaining Devices:** Any streamers, flags, wheels, propellers, bunting or other artificial devices, figures, shapes, color, sounds, lights, exhibits, live, animated, or still, intended for attracting attention of passers-by.

(4) **Building Official:** Director of the Department of Building and Safety or his duly authorized representative.

(5) **Contractor:** Any outdoor advertising or electric sign contractor licensed by the City of Las Vegas, Nevada.

(6) **Decorative Lighting:** Superfluous light, not actually required for vision and intended to increase attractiveness or other incidental use.

(7) **Direct Lighting:** Lighting within the sign fixture, but not including gaseous tube lighting.

(8) **Display Surface:** Any surface made available by the structure for the mounting of material to carry the advertising message.

(9) **Free Standing Sign:** Same as Ground Sign.

(10) **General Lighting:** An artificial means of providing light inside, or in the area adjacent to, a building for ordinary lighting purposes.

(11) **Ground Sign:** An advertising sign which is supported by one (1) or more uprights set in a fixed position, located in the ground as specified by the Building Official.

(12) **Illuminated Sign:** A sign or structure which is illuminated by a source of light located near the surfaces of the sign either in the interior or exterior of the sign or structure.

(13) **Indirect Lighting:** Lighting which is remote from the sign fixture.

(14) **Location:** A lot or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

(15) **Maintenance:** For the purpose of this Chapter, maintenance shall mean the replacement of broken, faulty or worn-out parts, painting, tightening, or any act necessary to keep an existing sign in safe operation and in a neat and presentable condition. The word "maintenance" shall not include, however, any act which requires that a permit be obtained.

(16) **Major Street Plan:** The plan adopted by the City of Las Vegas to reserve street rights-of-way.

(17) **Non-structural Trim:** The moulding, battens, capping, nailing strips, borders or lattice work.

(18) **Off-Premise Sign:** Advertising sign that pertains to goods or services or any announcement whose subject is not available on the premises. "Available on the premises" shall not include minor, incidental uses and/or products such as those contained in vending machines.

(19) **On-Premise Sign:** A display designed, used or intended to be used to advertise the principal purpose of the business such as the major category of goods, materials or services sold or provided on the premises where the sign is located.

(20) **Protruding Sign:** A sign which is affixed to any building, wall or structure and extends beyond the building wall or structure or building line more than twelve inches (12").

(21) **Resort Facility:** A hotel, motel and/or a gambling casino.

(22) **Roof Sign:** An on-premise or off-premise sign erected, constructed or maintained upon the roof of any building.

(23) **Repair:** For the purposes of this Chapter, repair shall mean the re-erecting or reconstruction of signs damaged or knocked down by wind or any other force of condition. Repair shall not include minor damage not affecting the structural parts.

(24) **Sign:** Any medium including its structure and component parts which is used for, or intended to be used for, attracting to the subject matter, other than decorative or protective coating on a building or structure.

(25) **Sign Area: "Off-premise"** is the total area of the face of a sign including all elements such as boards or frames. The structural elements necessary to support a sign need not be included as a sign area.

(26) **Sign Area: "On-premise"** is the area utilizing standard mathematical formulas for common shapes formed by drawing lines around the extremity of the sign. "Copy area" is the area encompassed by straight lines bordering the letters used.

(27) **Temporary Sign:** Any sign, banner, exhibit, attention gaining device or advertising display intended to be viewed for a period of time not exceeding ninety (90) days or other time limit as specified by this Ordinance, and wherein the sign does not extend beyond any exterior building line or roof line.

(28) **Wall Sign:** A sign applied to or mounted on the wall or surface of a building or a structure; the display surface of which is parallel to the supporting surface, not more than twelve inches (12") from the wall. Marquees, facades, false fronts, etc. shall be considered to be wall surface.

(29) **Zone:** Refers to Zoning Districts as defined in the Zoning Ordinance of the City of Las Vegas.

11-3-3:

COMPLIANCE WITH ORDINANCE: It is unlawful for any person, firm or corporation to erect, install, repair, alterate or relocate any sign or advertising structure without obtaining from the Director of Building and Safety a written permit to do so, paying the fees prescribed and conforming to and complying with all of the provisions of this Ordinance.

11-3-4:

REMOVAL OF NON-CONFORMING SIGNS:
A. Any signs not in conformance with the provisions of this Ordinance, and which were erected or installed without a permit, shall be removed within thirty (30) days upon notification from the City.

B. Signs for which permits were previously issued and which are made non-conforming by the provisions of this Ordinance shall be removed upon notification from the City within five (5) years. Additional time may be approved by the Board of City Commissioners upon application to the Planning Commission to allow the sign to remain until termination of an existing lease, if said lease were entered into prior to adoption of this Ordinance and further provided, that in no case shall more than five (5) years' additional time be allowed.

C. Any existing sign, conforming to the provisions of this Ordinance relative to size and location, but not conforming to structural requirements as provided in Title IV, Chapter 6, Section 12 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, shall be removed or replaced within one (1) year upon written notice from the City. However, if they are deemed to be a hazard or more than fifty percent (50%) damaged, they shall be removed or repaired in accord with the structural requirements of the aforesaid Title IV, Chapter 6, Section 12, ten (10) days after receiving notice from the City.

O. Any sign determined to be abandoned shall be removed within thirty (30) days of notification to the property owner and/or owner of the business advertised and/or owner of the sign.

11-3-5:

INSPECTION OF NON-CONFORMING SIGNS: Following the passage of this Ordinance, city inspectors will check existing signs for conformance to the Code and for structural safety. The owner or lessee of the property and/or owner or lessee of the business advertised, will be notified by letter if a non-conforming sign exists on the property and further advised of what corrective action must be taken.

11-3-6:

TEMPORARY POLITICAL SIGNS: All political signs shall be placed within the property lines and shall conform to the requirements for advertising sale or lease signs of that zone unless noted otherwise. All political signs, regardless of size, shall be placed in conformance to all requirements of the governing Codes and Ordinances. Sign permits shall be required for all political signs over thirty-two square feet (32 sq. ft.) in area, whether they are installed on ground supports or on frames and wheels. In all zones, the sign shall be so placed as to not constitute a traffic hazard. No political sign can be placed on any public property or right-of-way or posted on any utility pole or device. Political signs shall be treated as temporary signs in any "R" zone except that no agreement or bond will be required. In any "P-R" or "R-R" zone, the maximum size of sign shall be thirty-two square feet (32 sq. ft.) except as may be modified by the area location as determined by the Building Official. For all political signs thirty-two square feet (32 sq. ft.) and less in area, no sign permit will be required; however, each candidate shall pay an administration permit fee of twenty-five dollars (\$25.00) to place any such signs within the city limits. All political signs shall be removed within fifteen (15) days after the primary election, except the successful candidates may leave them in their present location until after the general election; these signs must then be removed within fifteen (15) days after that election date.

11-3-7:

ON-PREMISE SIGN REGULATIONS:

A. **PERMITTED IN RESIDENTIAL ZONES** (Any zone with an "R" prefix):

(1) One (1) name plate containing the name, title and occupation of occupant attached to the wall or fence; not more than two square feet (2 sq. ft.) in area.

(2) **Warning or Trespassing Sign:** One three square feet (3 sq. ft.) maximum size for each street frontage not closer than one hundred feet (100') from each other.

(3) **For Rent, Lease or Sale Sign** pertaining to the property where it is located: Non-lighted, maximum twelve square feet (12 sq. ft.), not closer than ten feet (10') to property line and not higher than five feet (5'); provided, however, in apartment zones, for rent signs may be increased in area two square feet (2 sq. ft.) for each four apartment units in excess of twenty, but in no case shall the sign area exceed thirty-two square feet (32 sq. ft.).

(4) **Subdivision Development Sale Signs:** A subdivision that is under construction may place temporary sale signs on the site of the development provided that each development may have no more than one (1) major sign of not more than six hundred square feet (600 sq. ft.) in area for each street frontage and no more than two (2) minor signs for each street frontage of not more than fifty square feet (50 sq. ft.) in area. In addition, there may be two (2) directional signs on the site provided they are less than twenty-five square feet (25 sq. ft.) in area and located no closer than fifty feet (50') to a residential use. All subdivision signs shall be removed when the last unit is sold or if the subdivision sales office becomes inactive and is closed for more than thirty (30) days.

(5) **Public or Semi-Public and Professional Uses as allowed by a Use Permit:** Not greater than twelve square feet (12 sq. ft.) in size and not more than six feet (6') in height, except if the name of the institution is permanently set in the wall as approved by the Board of Zoning Adjustment. This restriction does not apply to institutional identification of a public building.

(6) **Motor vehicles** used in a business and having signs painted on the surface of the body may be parked in a residential zone, provided the owner or driver resides in the immediate area and is using the vehicle for transportation purposes, or is making a business trip in the area, but shall not be allowed primarily for advertising purposes.

B. **PERMITTED IN PROFESSIONAL OFFICE (P-R) ZONES:** One (1) wall sign of not more than twelve square feet (12 sq. ft.) in size and no higher than six feet (6'), and one (1) free standing sign no larger than twelve square feet (12 sq. ft.) and no higher than five feet (5'). No exposed neon, exposed gaseous tube, flashing or animated signs or other attention gaining devices may be used.

C. **PERMITTED IN LIMITED COMMERCIAL (C-1) ZONES:**

(1) **Sign Ratio:** The total area for all types of on-premise signs shall be as follows: Two square feet (2 sq. ft.) of sign area for each one (1) front foot or fraction of one foot (1') of the lot along a public right-of-way. Permitted sign area shall be exclusive of wall sign area.

(2) **Maximum Size:** No single sign shall be greater than one hundred square feet (100 sq. ft.) in area.

(3) **Distribution of Signs:** For each parcel of land there shall be no more than one (1) ground sign and one (1) protruding sign per fifty feet (50') of street frontage or fraction thereof.

(4) **Location:** Ground Signs shall be so located that they cause the least interference with adjacent sign locations. No sign may cover more than fifty per cent (50%) of the total distance along the front of the lot regardless of the position of the sign.

(5) **Protruding Signs:** Business signs may protrude over the public street right-of-way for a distance of not more than three feet (3') from the property line, and the sign must be at least eight feet (8') above the sidewalk grade. The Planning Commission may waive the three foot (3') limitation upon a finding of unusual circumstances but only in the case of signs existing prior to adoption of this Ordinance.

(6) **Roof Signs:** Roof signs may be permitted when structurally clean when the supporting members are free of any extra bracing, guy wires, cables, etc., and when they appear to be an architectural and integral part of the building.

(7) **Sidewalk Signs:** Name plates on sidewalk planters, etc., are permitted provided they do not exceed six inches (6") in height and twenty-four inches (24") in width. Sidewalk

benches and approved bus stops may contain advertising thereon, restricted to surface of bench.

(8) Signs on Vehicles: No signs will be permitted on any non-self propelled vehicle or portable structure stored on the property.

(9) Landscaping for Ground Signs: A landscaping island shall be provided at all free standing (ground) signs. A decorative base designed to screen the structural members of the sign may be substituted for screen planting.

(10) Temporary Special Attraction Signs: Each business firm, in addition to the maximum allowable permanent sign area, may have temporary signs in the same amount as permitted permanent sign areas for special attraction signs. No more than one (1) special attraction event per month, no longer than seven (7) days' duration is permitted, except during December when all of the month may be used for temporary signs and attention gaining devices. All temporary signs shall be removed the first working day after the event. Attention gaining devices may be employed only during these special events and must be removed after the temporary sign period expires. The Department of Building and Safety must be notified by letter three (3) days in advance that an outdoor temporary sign display is to be used, and a brief description of the type of display must be given.

(11) Illumination of Signs: No ray of light shall extend into any residential zone and sign lighting shall not increase the illumination more than two (2) foot candles into any residential zone. Where ray is used in these provisions, it shall mean direct visual access or the direct reflection of the source of light.

(12) Obstructing Traffic Signs: No sign may be constructed or maintained that will obstruct or interfere with traffic or directional signs.

D. PERMITTED IN GENERAL COMMERCIAL (C-2), COMMERCIAL INDUSTRIAL (C-M) AND INDUSTRIAL (M) ZONES:

(1) Sign Ratio: The total area for on-premise signs shall be as follows: Four square feet (4 sq. ft.) of sign area for each one foot (1') of lot frontage along the street. Corner lots may be computed to allow a sign for each street frontage based on the individual front width. Permitted sign area shall be exclusive of wall sign area.

(2) Maximum Size: No single sign may be greater than three hundred square feet (300 sq. ft.) in area for each fifty feet (50') of frontage but in no case shall any sign be larger than six hundred square feet (600 sq. ft.)

(3) Temporary Special Attraction Signs: Each business firm in addition to the maximum allowable permanent sign area may have temporary signs in the same amount as the permanent sign area for special attraction signs. No more than one (1) special attraction event per month, no longer than seven (7) days' duration is permitted, except during December when all of the month may be used for temporary signs and attention gaining devices. All temporary signs shall be removed the first working day after the event. Attention gaining devices may be employed only during these special events and must be removed after the temporary sign period expires. The Department of Building and Safety must be notified by letter three (3) days in advance that an outdoor temporary sign display is to be used and a brief description of the type of display must be given.

(4) Distribution of Signs: For each business establishment there shall be no more than one (1) ground sign or one (1) protruding sign per street frontage; however, each parcel of land occupied by a single business establishment shall be permitted one (1) ground sign and one (1) protruding sign.

(5) Protruding Signs: Business signs may protrude over the public street to within three feet (3') of the curb provided that the sign is at least eight feet (8') above the sidewalk area or surface; provided, however that the Planning Commission may waive the three foot (3') limitation in the case of signs in existence prior to the adoption of this Ordinance upon a finding of unusual circumstances.

(6) Sidewalk Signs: Name plates on sidewalk planters, etc. are permitted provided they do not exceed six inches (6") in height and twenty-four inches (24") in width. Sidewalk benches and approved bus stops may contain advertising on the surface of the bench.

(7) Signs on Vehicles: No signs will be permitted on any non-self propelled vehicles or portable structure stored on the property.

(8) Screening Sign Structures: A landscaping island shall be provided at all free standing (ground) signs when other landscaping is required. A decorative base designed to screen the structural members of the sign may be substituted for screen planting when practical.

(9) Illumination of Signs: No ray of light shall extend into any residential zone and sign lighting shall not increase the illumination more than two (2) foot candles into any residential zone. Where ray is used in these provisions, it shall mean direct visual access or the direct reflection of the source of light.

(10) Obstructing Traffic Signs: No sign may be constructed or maintained that will obstruct or interfere with traffic or directional signs.

(11) Exception: The requirements set forth in this Ordinance relative to size, height, area, illumination and type of sign shall not apply to any business or property located within the areas wherein gaming is permitted as defined by Title V, Chapter 16, Paragraph 6 of this Code, excepting therefrom the area wherein only slot machines are permitted.

11-3-8: OFF-PREMISE SIGN REGULATIONS:

A. Generally: Off-premise signs are to be considered primarily as a specific type of land use rather than as an incidental use to an existing land use in that off-premise signs produce a revenue to the property owner as a land use rather than as in the case of on-premise signs wherein the advertising in itself does not produce a revenue but is incidental to a revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and/or structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts.

B. Specifically:

(1) Off-premise signs are permitted only in the "C-1," "C-2," "C-M," and "M" zoning districts, and subject to the following requirements and regulations:

a. Size — no more than eight hundred square feet (800 sq. ft.).

b. Location—

1. May be located on the property in accordance with the setback provisions of the zone in which it is located.

2. No closer than one hundred feet (100') to any other off-premise sign on the same street frontage (each side of a street shall be consider a separate frontage).

3. Must be free standing or roof mounted.

4. Must be orientated toward the street frontage of the zone in which it is located.

5. May not be located on a property used for residential purposes.

(2) In addition, the following provisions shall apply to off-premise signs which are erected along a freeway in a manner that provides for exposure of the advertising copy to the freeway:

a. No off-premise sign may be located closer than ten feet (10') to the right-of-way line of a freeway and shall not be larger than twelve hundred square feet (1200 sq. ft.).

b. No off-premise sign may be located closer than three hundred feet (300') to any other off-premise sign along a freeway and located on the same side of the freeway and orientated in the same direction.

c. Applicants for off-premise signs shall be subject to entering into an agreement to remove sign at owner's expense if it proves to be in conflict with any State or Federal regulations that may be adopted.

SECTION 2. Title IV, Chapter 6, Section 12 of said Municipal Code is hereby amended to read as follows: 4-6-12:

CONSTRUCTION AND INSTALLATION REQUIREMENTS:

(A) All signs on the exterior of any building, whether electrically illuminated, or otherwise, shall be installed so as to be held rigidly in position, vertically and horizontally. All signs and their supports shall be designed, constructed and installed

In accordance with the applicable Codes of the City.

(B) No sign or any portion thereof shall be anchored to or supported by any fire escape or standpipe, or be erected so as to obstruct or prevent the free ingress or egress from any window, door or fire escape.

(C) No sign shall be placed on top or suspended from the bottom of another sign over public property, unless approval is made to the Building Official with necessary calculations to show that the sign is structurally sound and safe to support the additional weight, display area and wind resistance and properly fastened to the existing sign structure.

(D) No series switches, flashers, or animators shall be installed in the high voltage or secondary circuit. Condensers of proper capacity shall be installed in the primary circuits of all signs using flashers, animators or spellers. Devices which cause excessive radio or television interference shall not be used.

(E) No sign shall be installed between the hours of 5:00 P.M. and 8:00 A.M. including Saturdays, Sundays and holidays, unless special permission has been granted by the Department of Building and Safety.

(F) No sign or sign structure shall be erected in such a manner that any part will be closer to high voltage conductors than the following table allows:

Voltage	Horizontal Proximity	Vertical Proximity
Up to 8,700	3 feet	8 feet
8,700 to 15,000	8 feet	8 feet
15,000 to 50,000	10 feet	10 feet
Over 50,000	10 feet plus 1/4"	10 feet plus 1/4"
	KV over 50,000	KV over 50,000

The Southern Nevada Power Company shall determine the line voltage for any given location.

(G) Signs or billboards whose advertising matter pertains to something or some place remote from the origin of such sign shall not be placed in any "R" Zone.

SECTION 3. Title IV, Chapter 6, Section 25 of said Municipal Code is hereby amended to read as follows: 4-6-25:

GENERAL PROVISIONS:

(A) All signs, supports and footings shall be completely within the property line except as provided by the Building Code regarding marquee and related overhanging provisions. Signs may be permitted within the setback areas as prescribed by the Master Street Plan providing that the owner of the property signs an agreement for the removal of said sign within fifteen (15) days' written notice by the City, at the property owner's expense, when such setback area is needed to widen the street.

(B) Display of unauthorized signs, signals or markings.

(1) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hinders from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal, which is existing or which will eventually be necessary.

(2) No person shall place or maintain, nor shall any public authority permit, upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(3) This Section shall not be deemed to prohibit the erection of signs giving useful directional information and of a type that cannot be mistaken for official signs upon private property adjacent to highways.

(4) Every prohibited sign, signal or marking is hereby declared to be a public nuisance and the Building Official is hereby empowered to remove the same or cause it to be removed without notice.

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 (6) 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, sentences, 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 7th day of February, 1968.

/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor
ATTEST:
/s/ Edwina M. Cole
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of January, 1968, and referred to the following committee composed of Commissioners Stewart and Mirabelli for recommendation; thereafter the said committee reported favorably on said Ordinance on the 7th day of February, 1968, 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 Mirabelli, Stewart, Carey, Howery and Mayor Gragson.
VOTING "NAY": None. ABSENT: None.

APPROVED:
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor
ATTEST:
/s/ Edwina M. Cole
City Clerk

Pub.: Feb. 9, 16, 1968.