

ORDINANCE NO. 1286

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 8, SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO A NEW PARAGRAPH PROVIDING THAT DECORATIVE FOUNTAINS, LILY PONDS, FISH PONDS AND SIMILAR ITEMS OF AESTHETIC VALUE ONLY NOT REQUIRE A PROTECTIVE BARRIER; PROVIDING FOR 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 IV, Chapter 8, Section 6 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

4-8-6: PROTECTIVE BARRIERS:

Every swimming pool, wading pool or other outside body of water shall be completely surrounded by a fence or wall not less than four feet (4') in height. The fence or wall shall be so constructed as not to have openings, holes or gaps larger than four inches (4") in any dimension, except for doors or gates; and if a picket fence is erected or maintained, the horizontal dimension shall not exceed four inches (4"). A dwelling house or accessory building may be used as part of such enclosure. A dwelling house as within this Section provided for shall mean a building designed for or occupied exclusively by not more than one family. An accessory building as provided for in this Section shall mean a subordinate building attached to or detached from the main building, the use of which is incidental to that of the main building, and not designed for or used as a place of habitation or a living room, kitchen, dining room, parlor or bedroom.

All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use; except, that the door of any dwelling house which forms a part of the enclosure need not be so equipped.

The duty of providing and maintaining such enclosure shall be upon the person occupying the tract of land upon which the pool or body of water is located, or the owner of any tract which is vacant or unoccupied.

Indoor pools shall be maintained in a separate room of any building or, if in a portion of a room, a protective barrier shall be used to enclose the pool utilizing whatever walls are available.

The legislative intent of this Section is the protection of the inhabitants of the City, particularly children, from the hazards to life and safety inherent in the presence of unenclosed pools or outside bodies of water.

The Building Official is authorized and empowered to modify in individual cases the requirements of this Section with respect to the height, nature and location of the fence, wall, gates or latches, or with respect to the necessity therefor, upon a showing of good cause and satisfactory assurances that the degree of protection is not thereby reduced. The Building Official also may permit the use of protective devices or structures other than those specified herein, so long as the degree of protection is not thereby reduced.

Any person now maintaining an unenclosed swimming pool, or outside body of water, in the City, shall have to and including the thirty-first day of October, 1960, to enclose said pool.

All such swimming pools or outside bodies of water not so enclosed by the thirty-first day of October, 1960, are hereby declared public nuisances.

Natural or man-made lakes, reservoirs or ponds used primarily for water conservation, irrigation, landscaping or watering of livestock shall not be deemed to require fencing as above provided where the water depth of such lakes, reservoirs, or ponds does not increase more than at a ratio of one foot of water to seven and one-half feet of lineal distance from the edge thereof for a distance of fifteen feet.

Decorative fountains, lily ponds, fish ponds and similar items of aesthetic value only, not used for recreation purposes, and not exceeding 18 inches in depth, shall not require a protective barrier.

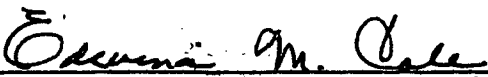
SECTION 2. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. 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 2nd day of August, 1967.


ORAN K. GRAGSON
Mayor

ATTEST:

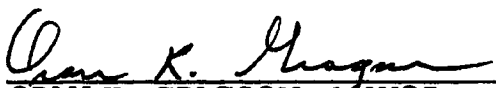

City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of June, 1967, and referred to the following committee composed of Stewart and Mirabelli for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of August, 1967, 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:

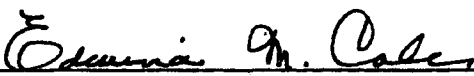
VOTING "AYE": Commissioners Howery, Corey, Stewart, Mirabelli and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


City Clerk

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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,)
COUNTY OF CLARK,) SS

LOUIE MURATORE, being first duly sworn, deposes and says that he is foreman for the Las Vegas Review-Journal, a daily newspaper 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 insertions from August 5, 1967 to August 12, 1967 inclusive, being the issue of said newspaper for the following dates, to wit:

August 5, 12 - 1967

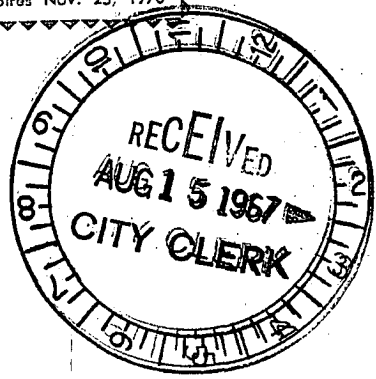
That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED *L. Muratore*
LOUIE MURATORE

Subscribed and sworn to before me this 12th day of August, 1967.

Jean E. Fidler
NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

JEAN E. FIDLER
NOTARY PUBLIC
State of Nevada, Clark County
My commission expires Nov. 25, 1970



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PASSED, ADOPTED AND APPROVED this 2nd day of August, 1967.

(s) ORAN K. GRAGSON
Mayor

ATTEST:

(s) Aleta E. Watson
Assistant City Clerk

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

VOTING "NAY": None

ABSENT: None

APPROVED:

(s) ORAN K. GRAGSON
Mayor

ATTEST:

(s) Aleta E. Watson
Assistant City Clerk
August 5, 12, 1967