

FIRST AMENDMENT

Bill No. 82-14

ORDINANCE NO. 2273

AN ORDINANCE TO AMEND TITLE IX, CHAPTER 12A, SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION; RELATING TO REGULATION OF NEWS RACKS AND THEIR PLACEMENT IN THAT AREA OF THE CITY OF LAS VEGAS IDENTIFIED AS ZONE A BY DELETING CERTAIN PORTIONS OF THE PRESENT DESCRIPTION OF ZONE A AND ADDING TO THE PRESENT DESCRIPTION NEW LANGUAGE EXPANDING THE BOUNDARIES OF ZONE A; TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by
COMMISSIONER RON LURIE

Summary: Purpose of this ordinance is to expand the boundaries of Zone A described in Title IX, Chapter 12A, Section 6 of the Las Vegas Municipal Code, 1960 Edition.

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

SECTION 1: Title IX, Chapter 12A, Section 6 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

9-12A-6: SPECIAL DISTRICT: In addition to the other provisions of this Chapter no news rack may be placed in the area of the City identified as Zone A described below unless they shall comply with the provisions of this Chapter.

ZONE A: [That part of the downtown] The area of the City included in the boundary beginning at the center point of the intersection of 7th and Ogden Streets and proceeding [w]West down the [middle] center of said Ogden Street to the [w]West side of the sidewalk area on the [w]West side of North Main Street, thence [s]South to a point where the [center] South side of the sidewalk area on the South side of Carson [Street] Avenue projected intersects with the [w]West side of the sidewalk area on the [w]West side of South Main Street, thence [e]East down the [center] South side of the sidewalk area on the South side of Carson [Street] Avenue to the [center of its intersection with 7th Street,] West side of the sidewalk area on the West side of Las Vegas Boulevard South, thence

1 South to a point where the center of Sahara Avenue intersects
2 with the projected line of the West side of the sidewalk area on
3 the West side of Las Vegas Boulevard South, thence proceeding
4 East down the center of said Sahara Avenue to the East side of
5 the sidewalk area on the East side of Las Vegas Boulevard South,
6 thence North to a point where the East side of the sidewalk area
7 on the East of Las Vegas Boulevard South intersects with the
8 South side of the sidewalk area on the South side of Carson
9 Avenue, thence East to a point where the South side of the side-
10 walk area on the South side of Carson Avenue projected intersects
11 with the center of South 7th Street, thence [n]North to the
12 point of, beginning.

13 (A) All news racks must be of similar design and appearance in
14 accordance with the standards on file in the office of the
15 Director of Public Services and approved by the Board of
16 Commissioners by resolution.

17 (B) All news racks must be installed on steel frames and in the
18 manner as set forth in the standards on file in the office
19 of the Director of Public Services and approved by the Board
20 of Commissioners by resolution.

21 (C) The placement of a news rack in Zone A shall be deemed to be
22 a grant of permission and consent for others to attach to or
23 extend the frames of such news rack to allow for placement
24 of additional news racks adjacent thereto.

25 (D) The Director of Public Services shall first be notified prior
26 to the removal of any news rack in Zone A. Any person
27 removing a news rack shall also remove its base in such a
28 manner as to insure that any remaining news racks will not
29 be damaged or disturbed and that they will have adequate
30 support.

31 (E) The order of placement of news racks in Zone A shall be
32 under the direction of the Director of Public Services. If

1 a person requests a designated place to locate a news rack,
2 but thereafter fails to occupy that location for a period
3 of fifteen (15) days after notice, then the Director of
4 Public Services may declare a forfeiture of the designation
5 and allow other persons to occupy said location with news
6 racks. Notification shall be deemed complete upon depositing
7 same with the U.S. Mail Service using the address supplied
8 to the Department of Public Services by the person securing
9 the location.

10 (F) In directing the placement of news racks in Zone A, the
11 Director of Public Services shall proceed as follows:

12 1. Immediately following the effective date of this Ordinance,
13 the Director shall classify all publications having news
14 racks in Zone A on the effective date of this Ordinance into
15 three classes: Class A shall consist of those daily publi-
16 cations having a circulation within the City of Las Vegas of
17 twenty five thousand (25,000) or more; Class B shall consist
18 of other daily publications; Class C shall consist of all
19 other publications.

20 2. The Director shall notify in writing each publication in
21 each class that by a date certain its representative is to
22 notify him of those street corners or other general locations
23 at which it desires to have news racks and as to whether the
24 publication desires its news rack to occupy any particular
25 position, such as that position nearest the corner, or
26 nearest a particular building entrance within the general
27 location requested. Based upon the notifications received
28 from the publications the Director shall assign fixed news
29 rack locations for each publication, giving first priority
30 to publications in Class A, second priority to publications
31 in Class B, and third priority to publications in Class C.
32 In assigning locations the Director shall accommodate every

1 publication desiring to display a news rack at any given
2 street corner or other general location, if possible, and
3 shall employ the described classification system primarily
4 to determine which publication shall be entitled to exact
5 positions within the general location.

6 3. The priority of locations among publications in the same
7 class shall be resolved either by agreement among the publi-
8 cations or by a random drawing conducted by the Director of
9 Public Services or his agent.

10 4. After the initial assignment of locations, any publication
11 desiring an additional news rack location in Zone A or any
12 publication desiring a news rack location in Zone A for the
13 first time shall be assigned a location on a first-come,
14 first-served basis.

15 (G) News rack cards shall not be placed upon or attached to any
16 news rack in Zone A.

17 SECTION 2: If any section, subsection, subdivision,
18 paragraph, sentence, clause or phrase in this Chapter or any
19 part thereof, is for any reason held to be unconstitutional, or
20 invalid or ineffective by any court of competent jurisdiction,
21 such decision shall not affect the validity or effectiveness of
22 the remaining portions of this Chapter or any part thereof. The
23 Board of Commissioners of the City of Las Vegas hereby declares
24 that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of
26 the fact that any one or more sections, subsections, subdivisions,
27 paragraphs, sentences, clauses or phrases be declared unconstitu-
28 tional, invalid or ineffective.

29 SECTION 3: All ordinances or parts of ordinances,
30 sections, subsections, phrases, sentences, clauses or paragraphs
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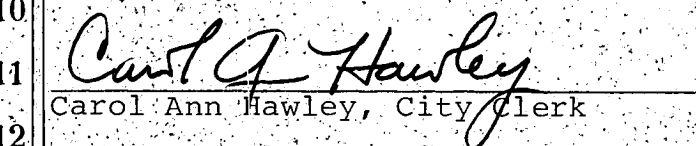
1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1960 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 7th day of
4 April, 1982.

5 APPROVED:

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7 By
8 WILLIAM H. BRIARE, Mayor

9 ATTEST:

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11 Carol Ann Hawley, City Clerk
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1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 17th day of March
3 _____, 1982, and referred to the following committee composed
4 of Commissioners Levy and Christensen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 7th day of April
7 1982, which was a regular meeting of said Board;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the Board of Commissioners as amended and
10 adopted by the following vote:

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12 VOTING "AYE" Commissioners: Levy, Lurie, Woofter and Mayor Briare

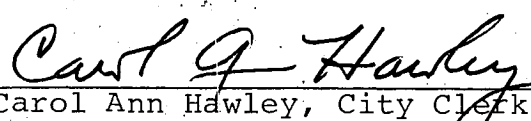
13 VOTING "NAY" Commissioners: None

14 ABSENT: None

15 APPROVED:

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18 By WILLIAM H. BRIARE, Mayor

19 ATTEST:

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21 
22 Carol Ann Hawley, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of March 24, 1982 to March 24, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

March 24, 1982

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

SIGNED

George J. Vasconi

GEORGE J. VASCONI

FIRST AMENDMENT
BILL NO. 82-14
AN ORDINANCE TO AMEND TITLE IX, CHAPTER 12A, SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, RELATING TO REGULATION OF NEWS-RACKS AND THEIR PLACEMENT IN THAT AREA OF THE CITY OF LAS VEGAS IDENTIFIED AS ZONE A BY DELETING CERTAIN PORTIONS OF THE PRESENT DESCRIPTION OF ZONE A AND ADDING TO THE PERSENT DESCRIPTION NEW LANGUAGE EXPANDING THE BOUNDARIES OF ZONE A, TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO, AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by: [Signature]
Commissioner: Ron Lurie
Summary: Purpose of this ordinance is to expand the boundaries of Zone A described in Title IX, Chapter 12A, Section 6 of the Las Vegas Municipal Code, 1960 Edition.
At a Commission Meeting on March 17, 1982.
BILL NO. 82-14 was read by title and referred to Recommending Committee.
Commissioners Levy and Christensen
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub. Mar. 24, 1982

Subscribed and sworn to before me this 24 day of March, 1982

Glenda Harris

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLEND A HARRIS
Notary Public-State of Nevada
CLARK COUNTY
My Appointment Expires Feb. 7, 1986

AFFIDAVIT OF PUBLICATION

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APR 15 9 38 AM '82

STATE OF NEVADA) SS
COUNTY OF CLARK)

CITY CLERK

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of April 10, 1982 to April 10, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

April 10, 1982

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

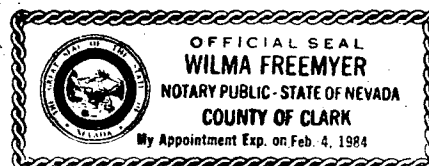
SIGNED

GEORGE J. VASCONI

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Sponsored by:
Commissioner Ron Lurie
Summary: Purpose of this ordinance is to expand the boundaries of Zone A described in Title IX, Chapter 12A, Section 6 of the Las Vegas Municipal Code, 1960 Edition. The above and foregoing amended ordinance was first proposed and read by title to the Board of Commissioners on the 17th day of March, 1982, and referred to the following committee composed of Commissioners Levy and Christensen, for recommendation; there after the said committee reported favorably on said amended ordinance on the 7th day of April, 1982, 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 amended and adopted by the following vote:
VOTING "AYE" Commissioners: Levy, Lurie, Wooler and Mayor Briare
VOTING "NAY" Commissioners: None
ABSENT: Commissioner Christensen
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Sub. Apr. 10, 1982

Subscribed and sworn to before me this 13th day of April, 1982

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



RJ-132A