

FIRST AMENDMENT

Bill No. 2000-37

Ordinance No. 5226

AN ORDINANCE TO AMEND CHAPTER 6.42 OF THE MUNICIPAL CODE REGARDING THE DELIVERY OF UNSOLICITED MATERIALS TO RESIDENTIAL PROPERTIES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Michael Mack

Summary: Prohibits the continued delivery of unsolicited materials to residential premises after notice to discontinue has been provided.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1: Title 6, Chapter 42, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.42.030: The provisions of this Chapter shall not [be deemed to] apply to [the] :

(A) The distribution of mail by the United States [, nor to newspapers]; or

(B) Except as otherwise provided in Section 6.42.135, newspapers as defined in this Chapter.

SECTION 2: Title 6, Chapter 42, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 135, reading as follows:

6.42.135: It is unlawful for any person to deliver any unsolicited newspaper, circular, periodical, flier or other commercial or noncommercial material to or upon any residential premises if the owner or occupant has provided to the person responsible for the delivery a written notice to discontinue the delivery. In the case of a newspaper or other publication which includes its mailing address, the written notice to discontinue must be sent to that address by certified mail. In any other case, the written notice to discontinue may either be provided by hand delivery or by certified mail addressed to the person responsible for the delivery.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

1 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
2 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
3 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
4 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
5 invalid or ineffective.

6 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
7 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
8 required or the failure to do any act is made or declared to be unlawful or an offense or a
9 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
10 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
11 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
12 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

13 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 7th day of June, 2000.

17 APPROVED:

18 By Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

19 ATTEST:

20 Barbara Jo Ronemus
21 BARBARA JO RONEMUS, City Clerk

22 APPROVED AS TO FORM:

23 Val Stood 6-7-2000
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 3rd day of May, 2000 and referred to the following committee composed of the
3 Councilmen Weekly and Mack for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 7th day of June, 2000 which was a regular meeting of said
5 Council; that at said regular meeting, the proposed ordinance was read by title to the City
6 Council as amended and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers M. McDonald, Reese, Brown,
8 Weekly and Mack

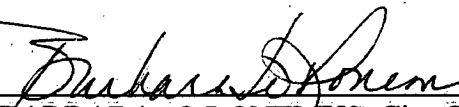
9 VOTING "NAY": Councilwoman L. B. McDonald

10 EXCUSED: NONE

11 APPROVED:

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14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk
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Bill No. 2000-37

Ordinance No. _____

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Sponsored by:
Councilman Michael Mack

Summary: Prohibits the continued delivery of unsolicited materials to residential premises after notice to discontinue has been provided.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
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SECTION 1: Title 6, Chapter 42, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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(B) Except as otherwise provided in Section 6.42.135, newspapers as defined in this Chapter.

SECTION 2: Title 6, Chapter 42, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 135, reading as follows:

6.42.135: It is unlawful for any person to deliver any unsolicited newspaper, circular, periodical, flier or other commercial or noncommercial material to or upon any residential premises if the owner or occupant has provided reasonable notice to discontinue the delivery.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2000.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Vil Steed 4-19-2002
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2000, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2000, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BARBARA JO RONEMUS, City Clerk
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AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1250974

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 05/26/00 to 05/26/2000, on
the following days: MAY 26, 2000

Signed:

Barbara Linford

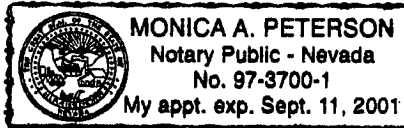
SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of

2000

Monica A. Peterson

Notary Public



BILL NO. 2000-37

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Sponsored by: Councilman Michael Mack
Summary: Prohibits the continued delivery of unsolicited materials to residential premises after notice to discontinue has been provided

At a City Council meeting May 3, 2000
BILL NO. 2000-37 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Weekly and Mack

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: May 26, 2000
Las Vegas Review-Journal

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CITY CLERK
2000 JUN -5 P 2:37

AFFP DISTRICT COURT
Clark County, Nevada
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1277181

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/09/00 to 06/09/2000, on the following days: JUNE 9, 2000

Signed: Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of June 2000

Mary B. Sheffield
Notary Public

FIRST AMENDMENT
BILL NO. 2000-37
ORDINANCE NO. 5226

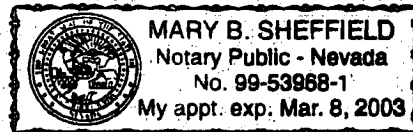
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of May, 2000, and referred to the following committee composed of Councilmen Weekly and Mack for recommendation; thereafter the said committee reported favorably on said ordinance on the 7TH day of June, 2000, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers M. McDonald, Reese, Brown, Weekly and Mack
VOTING "NAY": Councilwoman L.B. McDonald
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: June 9, 2000
Las Vegas Review-Journal



2000 JUN 19 P 2:19

RECEIVED
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