

1 **Bill No. 2000-16**

2 **Ordinance No. 5207**

3 AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO REENACT A PROVISION
4 SPECIFICALLY AUTHORIZING OFF-SITE IMPROVEMENTS FOR SMALLER PROJECTS TO
5 BE SECURED BY THE WITHHOLDING OF OCCUPANCY PERMITS, AND TO PROVIDE FOR
6 OTHER RELATED MATTERS.

7 Proposed by:
8 City Attorney Bradford R. Jerbic

Summary: Reenacts a provision specifically
authorizing off-site improvements for smaller
projects to be secured by the withholding of
occupancy permits.

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

11 SECTION 1: Title 18, Chapter 14, Section 30, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **18.14.030:** The surety documents or other documents of security required in connection with an
14 agreement to install improvements shall specify the duration of the security and its manner of release,
15 and shall provide remedies in the event of default. Such security may be in the form of:

16 (A) A cash deposit or approved government securities;

17 (B) A performance or surety bond issued by a company authorized to issue such
18 bonds in Nevada;

19 (C) An agreement with a lending institution operating under Nevada law, providing
20 that the institution shall reserve sufficient funds out of the subdivider's construction loan (or funds
21 otherwise set aside for the use of the subdivider) to assure completion of all required improvements,
22 shall retain ten percent of the funds until the improvements are accepted by the City and shall not
23 release any funds without the approval of the City Engineer;

24 (D) A first deed of trust on real property located in or near the City. The deed of
25 trust must name the City as beneficiary and be accompanied by appropriate agreements or other
26 documents that sufficiently bind the subdivider and trustor to the satisfaction of the City Attorney.
27 The appraised market value of the property which is the subject of the deed of trust must equal or
28 exceed one-hundred twenty-five (125) percent of the value of the amount of security determined
necessary by the City Engineer[.] ; or

1 (E) In the case of improvements whose estimated cost is \$50,000.00 or less, an
2 agreement with the City providing that, in consideration of issuing a building or grading permit, the
3 City may withhold certificates of occupancy or the inspection of buildings associated with the project
4 unless and until the improvements have been completed to the City's satisfaction.

5 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
6 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
7 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
12 invalid or ineffective.

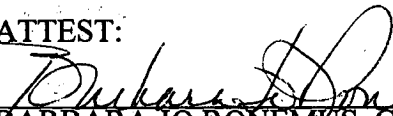
13 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 19th day of April, 2000.

17 APPROVED:

18 By 
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24  2-17-2000
25 Date

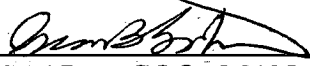
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the ___ day of March, 2000 and referred to the following committee composed of the Mayor
3 Goodman and Councilman Reese for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 19st day of April, 2000 which was a regular meeting of
5 said Council; that at said regular meeting, the proposed ordinance was read by title to the City
6 Council as introduced and adopted by the following vote:

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

9 VOTING "NAY": NONE

10 EXCUSED: Councilman M. McDonald

11 APPROVED:

12
13 
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Gala Johnson, 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
1189467

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 04/07/00 to 04/07/2000, on
the following days: APRIL 7, 2000

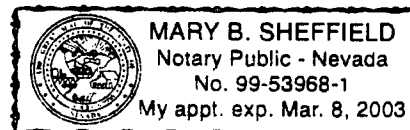
Signed: *Gala Johnson*

SUBSCRIBED AND SWORN BEFORE ME THIS THE 7

day of April 2000

Mary B. Sheffield

Notary Public



BILL NO. 2000-16

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO REENACT A PROVISION SPECIFICALLY AUTHORIZING OFF-SITE IMPROVEMENTS FOR SMALLER PROJECTS TO BE SECURED BY THE WITHHOLDING OF OCCUPANCY PERMITS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by City Attorney Bradford R. Jerbic
Summary: Reenacts a provision specifically authorizing off-site improvements for smaller projects to be secured by the withholding of occupancy permits.

At a City Council meeting
MARCH 1, 2000
BILL NO. 2000-16 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Mayor Goodman and Councilman Reese

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: April 7, 2000
Las Vegas Review-Journal

2000 APR 12 A 10:33

RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Gala Johnson, 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
1208068

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/21/00 to 04/21/2000, on the following days: APRIL 21, 2000

Signed: Gala Johnson

SUBSCRIBED AND SWORN BEFORE ME THIS THE 24

day of April 2000

Mary B. Sheffield
Notary Public

BILL NO. 2000-16
ORDINANCE NO. 5207

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO REENACT A PROVISION SPECIFICALLY AUTHORIZING OFF-SITE IMPROVEMENTS FOR SMALLER PROJECTS TO BE SECURED BY THE WITHHOLDING OF OCCUPANCY PERMITS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

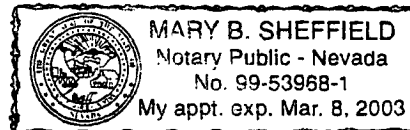
Proposed by City Attorney Bradford R. Jerbic

Summary: Reenacts a provision specifically authorizing off-site improvements for smaller projects to be secured by the withholding of occupancy permits.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of March, 2000, and referred to the following committee composed of Mayor Goodman and Councilman Reese, for recommendation; thereafter the said committee reported favorably on said ordinance on the 19th day of April, 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 first introduced and adopted by the following vote:

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

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: April 21, 2000
Las Vegas Review-Journal



RECEIVED
CITY CLERK

2000 APR 27 A 11: 08