

1 Bill No. 85-48

2 Ordinance No. 3199

3 AN ORDINANCE RELATING TO FIREWORKS; AMENDING TITLE 9, CHAPTER 28,  
4 SECTIONS 80 AND 100 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,  
5 NEVADA, 1983 EDITION, TO PROVIDE THAT THE CHIEF OF THE DEPARTMENT  
6 OF FIRE SERVICES MAY APPROVE FIREWORKS FOR SALE OR USE WITHIN THE  
7 CITY AND PERMIT THE SALE AND FIRING OF OTHERWISE PROHIBITED  
8 FIREWORKS FOR EXHIBITION PURPOSES; AMENDING SECTION 110 OF SAID  
9 TITLE AND CHAPTER TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF  
10 BUSINESS ACTIVITY TO ISSUE PERMITS FOR THE RETAIL SALE OF APPROVED  
11 FIREWORKS; AMENDING SAID TITLE AND CHAPTER BY ADDING TWO NEW  
12 SECTIONS, DESIGNATED AS SECTIONS 112 AND 114, PROVIDING GROUNDS  
13 FOR DENIAL OF PERMIT APPLICATIONS AND PROCEDURES FOR THE APPEAL  
14 OF SUCH DENIAL; PROVIDING FOR OTHER MATTERS RELATED THERETO; AND  
15 REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERE-  
16 WITH.

10 Sponsored by:  
11 Councilman Ron Lurie

Summary: Authorizes Director of  
Business Activity to approve applica-  
tions for sales of fireworks at  
retail by charitable organizations;  
sets forth required action by  
Director, grounds for denial of  
applications, and appeal procedures.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, DOES  
16 HEREBY ORDAIN:

17 SECTION 1: Title 9, Chapter 28, Section 80 of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
19 is hereby amended to read as follows:

20 9.28.080: Upon written permission of the Chief of the Department  
21 of Fire Services [or the Board of Commissioners], fire-  
22 works to be used for exhibition purposes at fairs and  
23 celebrations may be sold and fired which otherwise are  
24 prohibited from sale to individuals, provided the  
25 individuals in charge of same are experienced in the  
26 handling of fireworks and the public attending such  
27 exhibition is kept at a safe distance. Fireworks held  
28 in storage for such exhibition must be kept in a  
29 closed box until they are removed for firing.

30 SECTION 2: Title 9, Chapter 28, Section 100 of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
32 hereby amended to read as follows:

1 9.28.110: No person shall sell fireworks as a retailer in the  
2 City except recognized local charitable and fraternal  
3 organizations who shall first make application for  
4 a permit to the [Board of Commissioners] Department of  
5 Business Activity, notwithstanding anything in Chapter  
6 6.22 to the contrary. [The Board reserves the power,  
7 at its discretion, to grant or deny the application.  
8 Each permit granted shall require a license] Each appli-  
9 cant for a permit must pay at the time of application  
10 a permit fee of twenty-five dollars for each location,  
11 and this fee shall be considered [as] the license fee  
12 for the permit granted.

13 SECTION 4: Title 9, Chapter 28 of the Municipal Code  
14 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended  
15 by adding thereto the following sections, designated as Sections  
16 112 and 114, reading as follows:

17 9.28.112: (A) Upon receipt of the application and the required  
18 fees, the Director of the Department of Business  
19 Activity shall approve, deny or take such other  
20 action with respect to such application as he  
21 considers appropriate.

22 (B) The Director may deny, revoke or suspend a permit  
23 for good cause, which includes, but is not limited  
24 to the following grounds:

25 (1) The application is incomplete or contains  
26 false, misleading or fraudulent statements  
27 with respect to any information required;

28 (2) The proposed sale would interfere with the  
29 health, safety or general welfare of the  
30 public or constitute a breach of peace;

31 (3) The applicant fails to satisfy any qualifica-  
32 or requirement imposed by this Code or other

1                   local, State or Federal law or regulation  
2                   pertaining to such sales; or  
3           (4)   The applicant fails to comply with any condi-  
4                   tions of the permit.  
5   9.28.114: Any person aggrieved by a decision of the Director  
6                   denying, revoking or suspending a permit may appeal that  
7                   decision within thirty days to the City Council by  
8                   filing written notice of appeal with the Department of  
9                   Business Activity. The Council shall hear the applicant  
10                  at the next regularly scheduled meeting following the  
11                  expiration of ten days after the applicant filed a notice  
12                  of appeal.  
13                  SECTION 5: If any section, subsection, subdivision,  
14 paragraph, sentence, clause or phrase in this ordinance or any  
15 part thereof is for any reason held to be unconstitutional  
16 or invalid or ineffective by any court of competent jurisdiction,  
17 such decision shall not affect the validity or effectiveness of  
18 the remaining portions of this ordinance or any part thereof.  
19 The City Council of the City of Las Vegas, Nevada, hereby declares  
20 that it would have passed each section, subsection, subdivision,  
21 paragraph, sentence, clause or phrase thereof irrespective of  
22 the fact that any one or more sections, subsections, subdivisions,  
23 paragraphs, sentences, clauses or phrases be declared unconstitu-  
24 tional, invalid or ineffective.  
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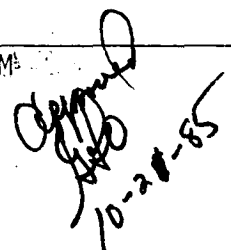
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SECTION 6: All ordinances or parts of ordinances,  
sections, subsections, phrases, sentences, clauses or paragraphs  
contained in the Municipal Code of the City of Las Vegas, Nevada,  
1983 Edition, in conflict herewith are hereby repealed.

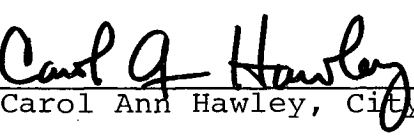
PASSED, ADOPTED and APPROVED this 16th day of October,  
1985.

APPROVED:

By   
RON LURIE, MAYOR PRO-TEM

  
10-20-85

ATTEST:

  
Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed and read by  
2 title to the City Council on the 18th day of September,  
3 1985, and referred to the following committee composed of  
4 Councilmen Lurie and Nolen  
5 for recommendation; thereafter the said committee reported  
6 favorably on said ordinance on the 16th day of October,  
7 1985, which was a regular meeting of said Council;  
8 that at said regular meeting, the proposed ordinance  
9 was read by title to the City Council as first introduced and  
10 adopted by the following vote:

11  
12 VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare

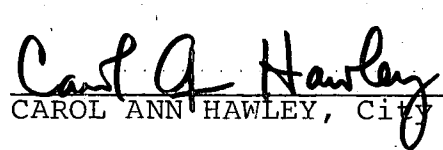
13 VOTING "NAY" Councilmen: NONE

14 ABSENT: NONE

15 APPROVED:

16  
17 By   
18 RON LURIE, MAYOR-PRO-TEM

19 ATTEST:

20  
21   
22 CAROL ANN HAWLEY, City Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

BILL NO. 85-48  
AN ORDINANCE RELATING TO FIRE-  
WORKS: AMENDING TITLE 9, CHAP-  
TER 28, SECTIONS 80 AND 100 OF  
THE MUNICIPAL CODE OF THE CITY  
OF LAS VEGAS, NEVADA, 1983 EDITION,  
TO PROVIDE THAT THE CHIEF  
OF THE DEPARTMENT OF FIRE SERVICES  
MAY APPROVE FIREWORKS  
FOR SALE OR USE WITHIN THE CITY  
AND PERMIT THE SALE AND FIRING  
OF OTHERWISE PROHIBITED FIRE-  
WORKS FOR EXHIBITION PURPOSES;  
AMENDING SECTION 110 OF SAID TITLE  
AND CHAPTER TO AUTHORIZE  
THE DIRECTOR OF THE DEPARTMENT  
OF BUSINESS ACTIVITY TO ISSUE  
PERMITS FOR THE RETAIL SALE OF  
APPROVED FIREWORKS; AMENDING  
SAID TITLE AND CHAPTER BY ADDING  
TWO NEW SECTIONS, DESIGNATED  
AS SECTIONS 112 AND 114, PROVID-  
ING GROUNDS FOR DENIAL OF PER-  
MIT APPLICATIONS AND  
PROCEDURES FOR THE APPEAL OF  
SUCH DENIAL; PROVIDING FOR  
OTHER MATTERS RELATED THERETO;  
AND REPEALING ALL ORDINANCES  
OR PARTS OF ORDINANCES IN CON-  
FLICT HEREWITH.  
Sponsored by: Councilman Ron Lurie  
Summary: Authorizes Director of Busi-  
ness Activity to approve applications for  
sales of fireworks at retail by charitable  
organizations; sets forth required action  
by Director, grounds for denial of ap-  
plications, and appeal procedures.  
At a City Council meeting  
September 18, 1985  
BILL NO. 85-48 WAS READ BY TITLE  
AND REFERRED TO  
RECOMMENDING COMMITTEE:  
COUNCILMEN Lurie and Nolen  
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: October 3, 1985  
Las Vegas SUN

Carol Black

being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

from October 3, 1985 to October 3, 1985

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

October 3, 1985.

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

Signed

Carol Black

Subscribed and sworn to before me this 3rd  
day of October, 1985

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



RUTHE V. DESKIN

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Apr. 14, 1989

# AFFIDAVIT OF PUBLICATION

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COUNTY OF CLARK

Carol Black

RECEIVED  
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CITY CLERK

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deposes and says: That he is Legal Clerk 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 1 time.

from October 19, 1985 to October 19, 1985

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

October 19, 1985

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

Signed Carol Black

Subscribed and sworn to before me this 19th  
day of October, 1985.

Ruth V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY

My Appointment Expires Apr. 14, 1989

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thereafter the said committee reported  
favorably on said ordinance on the 16th  
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said regular meeting, the proposed or-  
dinance was read by title to the City  
Council as first introduced and adopted  
by the following vote:  
VOTING "AYE" Councilmen: Bunker  
Lory, Lurie, Nolen and Mayor Briara  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE  
COPIES OF THE COMPLETE ORDINANCE  
ARE AVAILABLE FOR PUBLIC  
INFORMATION IN THE OFFICE OF THE  
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PUB: October 19, 1985  
Las Vegas SUN