

BILL NO. 84-62

ORDINANCE No. 3153

AN ORDINANCE RELATING TO HEALTH AND SAFETY; AMENDING TITLE 9, CHAPTER 12, SECTION 60 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PERMIT STORAGE OF LITTER IN APPROPRIATE ENCLOSURES FOR COLLECTION AND TO REQUIRE DEPOSIT IN SUCH ENCLOSURES OR RECEPTACLES OF LITTER THAT MAY BE CARRIED ELSEWHERE BY THE ELEMENTS; AMENDING TITLE 9, CHAPTER 12, SECTION 80 OF SAID CODE TO PERMIT DELIVERY BY HAND OF A CORRECTION ORDER TO A PROPERTY OWNER OR PERSON IN CONTROL OF PROPERTY AND ESTABLISHING THE TIMES IN WHICH AN OFFENDING CONDITION MUST BE CORRECTED; AMENDING TITLE 9, CHAPTER 12, SECTION 90 OF SAID CODE TO ESTABLISH NEW TIMES IN WHICH AN APPEAL MAY BE MADE FROM A CORRECTION ORDER; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Al Levy

Summary: Requires litter that may be blown about to be deposited in receptacles or enclosures for collection. Permits hand delivery of correction notice to property owner or person in control of property. Establishes time for correcting offending conditions and appealing order.

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

SECTION 1: Title 9, Chapter 12, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.12.060: The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in suitable receptacles or in appropriate enclosures for collection. Debris that may be subject to being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property shall regularly be securely deposited in appropriate receptacles or other enclosures for collection and disposal.

1 SECTION 2: Title 9, Chapter 12, Section 80, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby amended to read as follows:

4 9.12.080: Upon determination by the Director of Building and
5 Safety that private property is maintained or
6 allowed to remain in violation of this Chapter, the
7 Director may issue an order to correct the
8 offending condition. Such order shall be served
9 upon the owner of the property, as shown by the
10 Clark County Assessor's records, by mailing a copy
11 of the order by certified mail, return receipt
12 requested, to the address of the owner as shown by
13 the records of the Clark County Assessor. In the
14 alternative, the notice may be delivered by hand
15 to the owner of the property or the person in
16 control of the property. The order shall describe
17 the offending condition and request correction or
18 compliance within [thirty] ten days from the date
19 of the mailing of the notice or seven days from
20 delivery of the notice by hand.

21 SECTION 3: Title 9, Chapter 12, Section 90, of the
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
23 hereby amended to read as follows:

24 9.12.090: Any owner who may claim that his property is not in
25 the condition described in Section 9.12.080 and
26 that he is not subject to such order may, within
27 [fifteen] seven days after the order has been
28 mailed or three working days after the order has
29 been delivered by hand, apply in writing to the
30 City Council for an order rescinding such order.
31 Upon application being made, the order to comply
32 shall be stayed pending a decision by the Council.

1 The Council shall forthwith order a hearing on the
2 appeal, of which at least five days' notice shall
3 be given to the owner and, after the hearing, shall
4 either rescind, modify or affirm the order of
5 compliance.

6 SECTION 4: If any section, subsection, subdivision,
7 paragraph, sentence, clause or phrase in this Chapter or any part
8 thereof, is for any reason held to be unconstitutional or invalid
9 or ineffective by any court of competent jurisdiction, such deci-
10 sion shall not affect the validity or effectiveness of the
11 remaining portions of this Chapter or any part thereof. The
12 City Council of the City of Las Vegas, Nevada, hereby declares
13 that it would have passed each section, subsection, subdivision,
14 paragraph, sentence, clause or phrase thereof irrespective of the
15 fact that any one or more sections, subsections, subdivisions,
16 paragraphs, sentences, clauses or phrases be declared unconstitu-
17 tional, invalid or ineffective.

18 SECTION 5: All ordinances or parts of ordinances,
19 sections, subsections, phrases, sentences, clauses or paragraphs
20 contained in the Municipal Code of the City of Las Vegas, Nevada,
21 1983 Edition, in conflict herewith are hereby repealed.

22 PASSED, ADOPTED AND APPROVED this 6th day of February,
23 1985.

24 APPROVED:

25 By 
26 RON LAURIE, MAYOR PRO-TEM

27 ATTEST:

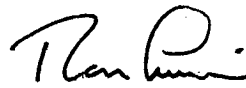
28 
29 CAROL ANN HAWLEY, CITY CLERK

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 5th day of December, 1984, and referred to the following committee composed of Councilmen Levy and Lurie _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of February, 1985, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

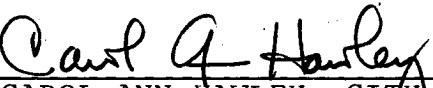
VOTING "AYE" Councilmen: Bunker, Levy, Lurie and Nolen
VOTING "NAY" Councilmen: NONE
ABSENT: Mayor Briare

APPROVED:



RON LURIE, MAYOR PRO-TEM

ATTEST:



CAROL ANN HAWLEY, CITY CLERK

ord 3153

BILL NO. 84-62

Ordinance No. _____

AN ORDINANCE RELATING TO HEALTH AND SAFETY; AMENDING TITLE 9, CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, BY ADDING TO SAID CHAPTER A NEW SECTION, DESIGNATED AS SECTION 65, REQUIRING THAT CONSTRUCTION SITES BE CLEARED OF DEBRIS DAILY AND THAT SUCH DEBRIS BE PROPERLY SECURED; PROVIDING FOR OTHER MATTERS RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Al Levy

Summary: Requires that all construction sites within the City be cleared of construction debris daily and that all such debris be securely deposited in appropriate receptacles.

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

SECTION 1: Title 9, Chapter 12 of the Municipal Code of the City of Las Vegas, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 65, reading as follows:

9.12.065: The owner or person in control of any construction site within the City shall clear that site each day of all construction debris. All such debris shall be securely deposited in appropriate receptacles for collection in such manner that it will not be carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

SECTION 2: 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, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of

1 the fact that any one or more sections, subsections, subdivisions,
2 paragraphs, sentences, clauses or phrases be declared unconstitu-
3 tional, invalid or ineffective.

4 SECTION 3: All ordinances or parts of ordinances,
5 sections, subsections, phrases, sentences, clauses or paragraphs
6 contained in the Municipal Code of the City of Las Vegas, Nevada,
7 1983 Edition, in conflict herewith are hereby repealed.

8 PASSED, ADOPTED and APPROVED this ____ day of
9 _____, 198__.

10 APPROVED:

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12 By _____
13 WILLIAM H. BRIARE, Mayor

14 ATTEST:

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16 _____
17 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 City Council on the ____ day of _____,
3 1984, and referred to the following committee composed of
4 Councilmen _____ and _____
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the ____ day of _____,
7 198_, which was a _____ meeting of said Council;
8 that at said _____ 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: _____

13 VOTING "NAY" Councilmen: _____

14 ABSENT: _____

15 APPROVED:

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17 By _____
18 WILLIAM H. BRIARE, Mayor

19 ATTEST:

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21 _____
22 Carol Ann Hawley, City Clerk
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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 January 17, 1985 to January 17, 1985 inclusive, being the issue of said newspaper for the following dates, to wit:

January 17, 1985

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

FIRST AMENDMENT
BILL NO. 84-62
AN ORDINANCE RELATING TO
HEALTH AND SAFETY; AMEND-
ING TITLE 9, CHAPTER 12, SEC-
TION 60 OF THE MUNICIPAL CODE
OF THE CITY OF LAS VEGAS,
NEVADA, 1983 EDITION, TO PER-
MIT STORAGE OF LITTER IN AP-
PROPRIATE ENCLOSURES FOR
COLLECTION AND TO REQUIRE
DEPOSIT IN SUCH ENCLOSURES
OR RECEPTACLES OF LITTER
THAT MAY BE CARRIED ELSE-
WHERE BY THE ELEMENTS;
AMENDING TITLE 9, CHAPTER 12,
SECTION 80 OF SAID CODE TO
PERMIT DELIVERY BY HAND OF A
CORRECTION ORDER TO A PROP-
ERTY OWNER OR PERSON IN CON-
TROL PROPERTY AND ESTAB-
LISHING THE TIMES IN WHICH AN
OFFENDING CONDITION MUST BE
CORRECTED; AMENDING TITLE 9,
CHAPTER 12, SECTION 90 OF SAID
CODE TO ESTABLISH NEW TIMES
IN WHICH AN APPEAL MAY BE
MADE FROM A CORRECTION OR-
DER; PROVIDING FOR OTHER
MATTERS PROPERLY RELATING
THERE TO; AND REPEALING ALL
ORDINANCES AND PARTS OF OR-
DINANCES IN CONFLICT HERE-
WITH.
Sponsored By:
Councilman Al Levy
Summary: Requires litter that may
be blown about to be deposited in
receptacles or enclosures for col-
lection. Permits hand delivery of cor-
rection notice to property owner or
person in control of property. Estab-
lishes time for correcting offending
condition and appealing order.
At a City Council Meeting
December 5, 1984
BILL NO. 84-62 WAS READ BY
TITLE AND REFERRED TO REC-
OMMENDING COMMITTEE:
Councilmen Levy and Lurie
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUB-
LIC INFORMATION IN THE OFFICE
OF THE CITY CLERK, 10TH FLOOR,
CITY HALL, 400 EAST STEWART
AVENUE, LAS VEGAS, NEVADA.
Pub. Jan. 17, 1985

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 17th day of Jan., 1985

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1985

CITY CLERK

JAN 28 11 01 AM '85

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04500

BY THE COURT

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JAN 21 12 33 PM '85

RECEIVED

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 February 9, 1985 to February 9, 1985 inclusive, being the issue of said newspaper for the following dates, to wit:

February 9, 1985

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

FIRST AMENDMENT
BILL NO. 84-62
ORDINANCE NO. 3153
AN ORDINANCE RELATING TO
HEALTH AND SAFETY; AMEND-
ING TITLE 9, CHAPTER 12, SEC-
TION 60 OF THE MUNICIPAL CODE
OF THE CITY OF LAS VEGAS,
NEVADA, 1983 EDITION, TO PER-
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PROPRIATE ENCLOSURES OR RE-
CEPTACLES OF LITTER THAT
MAY BE CARRIED ELSEWHERE
BY THE ELEMENTS; AMENDING
TITLE 9, CHAPTER 12, SECTION 80
OF SAID CODE TO PERMIT DELIV-
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ORDER TO A PROPERTY OWNER
OR PERSON IN CONTROL OF
PROPERTY AND ESTABLISHING
THE TERMS IN WHICH AN OF-
FENDING CONDITION MUST BE
CORRECTED; AMENDING TITLE 9,
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WITH.
Sponsored by:
Councilman Al Levy
Summary: Requires litter that may
be blown about to be deposited in
receptacles or enclosures for collec-
tion.
Permits hand delivery of correction
notice to property owner or person
in control of property. Establishes
time for correcting offending condi-
tions and appealing order.
The above and foregoing amend-
ment ordinance was first proposed and
read by title to the City Council on
the 5th day of December, 1984, and
referred to the following committee
composed of Councilmen Levy and
Lurie, for recommendation; there-
after the said committee reported
favorably on said amended ordi-
nance on the 6th day of February
1985, which was a regular meeting of
said City Council; 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" Councilmen:
Bunker, Levy, Lurie and Nolen
VOTING "NAY" Councilmen: None
ABSENT: Mayor Briare
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUB-
LIC INFORMATION IN THE OFFICE
OF THE CITY CLERK, 10TH FLOOR,
CITY HALL, 400 EAST STEWART
AVENUE, LAS VEGAS, NEVADA.
Pub. Feb. 9, 1985

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me
this 11th day of Feb., 1985

Marjorie E. Ouellette

NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



MARJORIE E. OUELLETTE
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Dec. 2, 1985

CITY CLERK

FEB 14 3 54 PM '85

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