

1 **FIRST AMENDMENT**

2 **BILL NO. 2007-8**

3 **ORDINANCE NO. 5897**

4 AN ORDINANCE TO REVISE CERTAIN INFORMATION-GATHERING AND REPORTING
5 REQUIREMENTS FOR THE DEPARTMENT OF FIRE AND RESCUE REGARDING THE
6 TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THE CITY, AND TO PROVIDE
7 FOR OTHER RELATED MATTERS.

8 Proposed by: David L. Washington, Chief,
9 Department of Fire and Rescue

Summary: Revises certain information-gathering
and reporting requirements for the Department of
Fire and Rescue regarding the transportation of
hazardous materials within the City.

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

12 SECTION 1: Title 9, Chapter 36, Section 50, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **9.36.050:** The Department of Fire [Services] and Rescue is authorized and directed to do the
15 following:

16 (A) To collect all available information with respect to the volumes, routes,
17 locations of storage incident to transportation, risks and conditions of transport and storage of
18 hazardous materials presenting the highest risk, by any mode of transportation, and to report [annually]
19 biannually to the [City Council] Management Committee for Emergency Operations on the
20 transportation of hazardous materials and the adequacy of the City's emergency response capabilities
21 in cases of accidents; and

22 (B) To collect information, as available, from the State on the routes and volumes
23 of hazardous waste shipments through the City and to request that the State conduct surveys to
24 determine the volumes, routes, compliance with Federal and State regulations, accident rates and other
25 information on truck cargos of hazardous materials.

26 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
27 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
28 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

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

5 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
6 sentences, clauses or paragraphs 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 4TH day of APRIL, 2007.

9 APPROVED:

10
11 By 
12 OSCAR B. GOODMAN, Mayor

13 ATTEST:

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15 BEVERLY BRIDGES, Acting City Clerk

16 APPROVED AS TO FORM:
17 Val Steed 3-21-07
18 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 21st day of February, 2007 and referred to a committee for recommendation;
3 thereafter the said committee reported favorably on said ordinance on the 4th day of April,
4 2007 which was a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as amended and adopted by the
6 following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Wolfson,

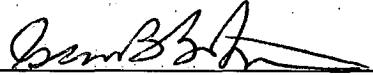
8 Tarkanian, Ross and Williams

9 VOTING "NAY": NONE

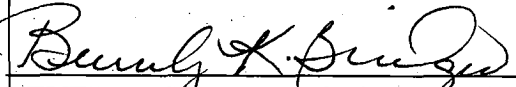
10 EXCUSED: NONE

11 ABSTAINED: NONE

12 APPROVED:

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14 _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

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18 _____
19 BEVERLY K. BRIDGES, CMC Acting City Clerk
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BILL NO. 2007-8

ORDINANCE NO. _____

AN ORDINANCE TO ELIMINATE CERTAIN INFORMATION-GATHERING AND REPORTING REQUIREMENTS FOR THE DEPARTMENT OF FIRE AND RESCUE REGARDING THE TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: David L. Washington, Chief,
Department of Fire and Rescue

Summary: Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

AS FOLLOWS:

SECTION 1: Title 9, Chapter 36, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.36.050: The Department of Fire [Services] and Rescue is authorized [and directed] to do the following:

(A) To collect all available information with respect to the volumes, routes, locations of storage incident to transportation, risks and conditions of transport and storage of hazardous materials presenting the highest risk, by any mode of transportation; [, and to report annually to the City Council on the transportation of hazardous materials and the adequacy of the City's emergency response capabilities in cases of accidents;] and

(B) To collect information, as available, from the State on the routes and volumes of hazardous waste shipments through the City and to request that the State conduct surveys to determine the volumes, routes, compliance with Federal and State regulations, accident rates and other information on truck cargos of hazardous materials.

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 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,

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2007, 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 _____, 2007, 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
12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:
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17 BEVERLY BRIDGES, Acting City Clerk
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BUSINESS IMPACT STATEMENT

BILL NO. 2007-8

(Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-8, that will eliminate certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: February 8, 2007

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2007 APR 13 A 10:40

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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 2296311LV 1835834

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/07/2007 to 04/07/2007, on the following days:

04/07/2007

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BILL NO. 2007-8
ORDINANCE NO. 5897

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Proposed by: David L. Washington, Chief, Department of Fire and Rescue

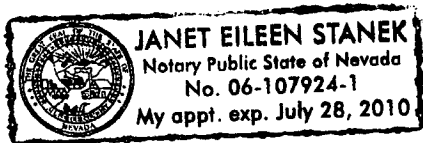
Summary: Revises certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of February 2007 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 4th day of April 2007, 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 was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Wolfson, Tarkanian, Ross, and Williams
VOTING "NAY": NONE
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: April 7, 2007
LV Review-Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
10th day of April, 2007.

Janet E. Stanek
Notary Public