

**FIRST AMENDMENT**

**BILL NO. 2007-79**

**ORDINANCE NO. 5963**

AN ORDINANCE TO TEMPORARILY SUSPEND ENFORCEMENT OF ORDINANCE NO. 5943, RELATING TO SHORT-TERM VACATION RENTALS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson

Summary: Temporarily suspends enforcement of Ordinance No. 5943, relating to short-term vacation rentals.

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

SECTION 1: Enforcement of Ordinance No. 5943, adopted on November 7, 2007, is hereby suspended until March 5, 2008.

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, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,

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1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 16<sup>th</sup> day of January, 2008.

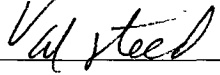
4 APPROVED:

5  
6 By   
OSCAR B. GOODMAN, Mayor

7 ATTEST:

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9 BEVERLY K. BRIDGES, CMC  
City Clerk

10 APPROVED AS TO FORM:

11  1-16-08  
Date

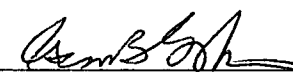
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 19<sup>th</sup> day of December, 2007 and referred to a committee for recommendation; thereafter the said committee reported favorably on said ordinance on the 16<sup>th</sup> day of January, 2008 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": Mayor Goodman and Councilmembers Reese, Brown, Wolfson, Tarkanian, Ross and Barlow  
VOTING "NAY": NONE  
EXCUSED: NONE  
ABSTAINED: NONE

APPROVED:

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

  
\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC City Clerk

**BILL NO. 2007-79**

**ORDINANCE NO. \_\_\_\_\_**

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AN ORDINANCE TO ALLOW SHORT-TERM VACATION RENTALS IN CERTAIN RESIDENTIAL DISTRICTS AS A CONDITIONAL USE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson                      Summary: Allows short-term vacation rentals in certain residential districts as a conditional use.

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

SECTION 1: Ordinance No. 5943 and Title 19, Chapter 4, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 80 reads as follows:

**19.04.080:** (A) Unlisted Uses. The uses permitted in this Chapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director if the Director finds that the use is similar to other uses listed in the same zoning district.

(B) Appeals. An applicant who is aggrieved by the decision of the Director with respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and Development Department. Unless otherwise stated in the Council's action, the determination of the Council with respect to the appeal shall constitute a permanent and consistent interpretative decision which the Director shall apply in all future instances.

(C) Conditions. When considering requests to permit a new or unlisted land use as being similar to a listed use, the Planning Director or City Council shall consider the potential effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic generation, the extent to which the use is consistent with other uses allowed in the district, and other issues they deem appropriate. Based upon such consideration, the Director or Council, in approving a request under this Section, may impose appropriate and reasonable conditions designed to ensure

1 compatibility and consistency of uses.

2 (D) Authorization of New Uses. New uses which have been permitted by the  
3 Director or City Council, pursuant to the Section shall be added by ordinance amendment on a  
4 periodic basis.

5 (E) Uses Expressly Prohibited. Without limiting the general applicability of  
6 Subsection (A) of this Section, the [following uses are expressly prohibited in any residential zoning  
7 district:

8 (1) Short-term vacation rental.] commercial use of a residential dwelling  
9 unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit  
10 for a period of less than thirty-one consecutive calendar days, is prohibited except as otherwise  
11 permitted under this Title.

12 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
13 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to  
14 allow the use "Short-Term Vacation Rental" in certain residential zoning districts as a conditional use.  
15 In order to reflect the amendment, a new entry for the use "Short-Term Vacation Rental" is added to  
16 the "Residential and Lodging" element of Table 2, to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Short-Term Vacation Rental	C	C	C	C	C																
	<b>Description:</b> The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days.																				
	<b>Conditional Use Regulations:</b> <ol style="list-style-type: none"> <li>The operator must obtain a permit from the Business Services Division on an annual basis to operate the use, and shall pay such fee as the Division may establish for the use.</li> <li>The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.</li> <li>The use must comply with the City's noise regulations as they apply to residential uses.</li> <li>In connection with the issuance of a permit under Conditional Use Regulation 1, the Business Services Division may establish additional conditions on the use, including without limitation a time limit on outdoor activities and a limit on the number of occupants. In addition, at any time following issuance of the permit, the Division may impose additional conditions on the permit, and may revoke the permit for noncompliance.</li> <li>Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.</li> <li>The operator must designate a property manager or agent of the owner who will be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and who is authorized to take remedial action in the event of noncompliance with law or with permit conditions.</li> </ol>																				
	<b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use on the site.																				

26 SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010  
27 is deemed to be a subchapter rather than a section.

28 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or

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

8 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,  
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2008.

12 APPROVED:

13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BEVERLY K. BRIDGES, CMC  
City Clerk

18 APPROVED AS TO FORM:

19 Val Steed                      12-6-07  
20 \_\_\_\_\_  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2008, 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 \_\_\_\_\_, 2008, 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: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

AFFP DISTRICT COURT  
Clark County, Nevada

RECEIVED  
CITY CLERK

AFFIDAVIT OF PUBLICATION

2008 JAN -9 A 10: 48

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

3386855

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/04/2008 to 01/04/2008, on the following days:

01/04/2008

BILL NO. 2007-79

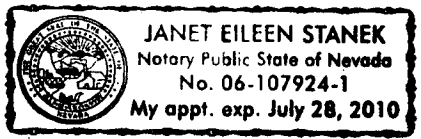
AN ORDINANCE TO ALLOW SHORT-TERM VACATION RENTALS IN CERTAIN RESIDENTIAL DISTRICTS AS A CONDITIONAL USE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steve Wolfson  
Summary: Allows short-term vacation rentals in certain residential districts as a conditional use.

At the City Council meeting of DECEMBER 19, 2007 BILL NO. 2007-79 WAS READ BY TITLE AND REFERRED TO THE RECOMMENDING COMMITTEE

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: January 4, 2008  
LV Review Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 4th day of January, 2008.

Janet Eileen Stanek  
Notary Public

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

RECEIVED  
CITY CLERK

2008 JAN 25 A 11: 49

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

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3456409

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/19/2008 to 01/19/2008, on the following days:

01/19/2008

FIRST AMENDMENT  
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ORDINANCE NO. 5963

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Sponsored by: Councilman Steve Wolfson  
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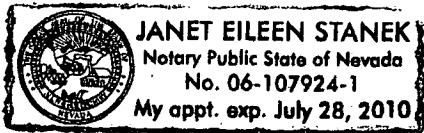
The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of December 2007 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th day of January, 2008, which

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 Barlow  
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: January 19, 2008  
LV Review-Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

21st day of January, 2008.

Janet Eileen Stanek  
Notary Public