

FIRST AMENDMENT

BILL NO. 2008-20

ORDINANCE NO. 5991

AN ORDINANCE TO ESTABLISH ADDITIONAL LICENSING REQUIREMENTS AND REGULATIONS APPLICABLE TO WEDDING CHAPELS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Establishes additional licensing requirements and regulations applicable to wedding chapels.

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

AS FOLLOWS:

SECTION 1: Title 6, Chapter 84, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.84.010: (A) No person shall engage in the business of operating a wedding chapel without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code. The City Council finds and determines that the operation of a wedding chapel should require a privileged license, and is therefore subject to the provisions of Chapter 6.06.

(B) In addition to any requirement of Chapter 6.06 otherwise applicable, each employee or agent of a wedding chapel business, including an independent contractor, who will engage in the solicitation of business or the distribution of advertising materials for the wedding chapel must comply with applicable provisions of Chapters 6.42 and 6.62.

SECTION 2: Title 6, Chapter 84, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Section 60, reading as follows:

6.84.060: (A) During the prohibited time period, no officer, employee or agent of a wedding chapel, including an independent contractor, may solicit business for the chapel at a prohibited location.

(B) For purposes of this Section:

(1) "Prohibited time period" means the period commencing one hour before the Clark County Marriage Bureau opens for business each day and ending one hour after the Marriage Bureau closes for that day.

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(2) "Prohibited location" means:

(a) Any portion of the City-owned sidewalk area along the west side of Third Street for a distance of 170 feet north of the centerline of Clark Avenue, except for the area described in Paragraph (1) of Subsection (C) of this Section; and

(b) Any portion of the City-owned sidewalk area along the north side of Clark Avenue for a distance of 200 feet west of the centerline of Third Street, except for the area described in Paragraph (2) of Subsection (C) of this Section.

(C) The following areas, being more particularly delineated on Exhibit "A" that is attached to Ordinance No. 5991, are excluded from the definition of "prohibited location" in Paragraph (2) above:

(1) That 3 foot wide strip of sidewalk, adjacent to and running parallel with the existing back of curb line of Third Street beginning at the Easterly curb return of Clark Avenue and said Third Street and extending Northeasterly along said Third Street, 50 feet; and

(2) That 3 foot wide strip of sidewalk, adjacent to and running parallel with the existing back of curb line of Clark Avenue beginning at the Westerly curb return of Third Street and said Clark Avenue and extending Northwesterly along said Clark Avenue, 50 feet.

(D) The City shall designate on City sidewalks, with appropriate markings:

(1) The westerly and northerly boundaries of the prohibited locations described in Paragraph (2) of Subsection (B) of this Section, and

(2) The locations of the areas excluded from the definition of "prohibited location" pursuant to Subsection (C) of this Section.

(E) The provisions of this Section:

(1) Apply only to property owned by the City; and
(2) Do not affect any other property, or the application of any laws or rules that govern such other property.

(F) Following the adoption of Ordinance No. 5991, the City shall prepare a final map or diagram that depicts the prohibited locations and the areas excepted therefrom. The map or diagram shall be filed with the City Clerk. A copy thereof shall be maintained in the office of the

1 Department of Finance and Business Services, and copies shall be made available to the public upon
2 request.

3 SECTION 3: The provisions of this Ordinance shall apply to wedding chapels
4 licensed before or subsequent to the adoption of this Ordinance, except that existing licensees need
5 not apply for a new privileged license unless otherwise required by the Director of Finance and
6 Business Services.

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

15 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
16 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
17 required or the failure to do any act is made or declared to be unlawful or an offense or a
18 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
19 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
20 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
21 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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

4 PASSED, ADOPTED and APPROVED this 2nd day of July, 2008.

5 APPROVED:

6
7 By 
OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 
10 BEVERLY K. BRIDGES, CMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 6-19-08
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of April, 2008 and referred to a committee for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of July, 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


DID NOT VOTE: NONE

APPROVED:

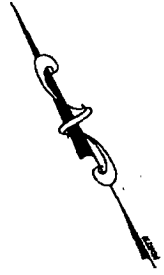


OSCAR B. GOODMAN, Mayor

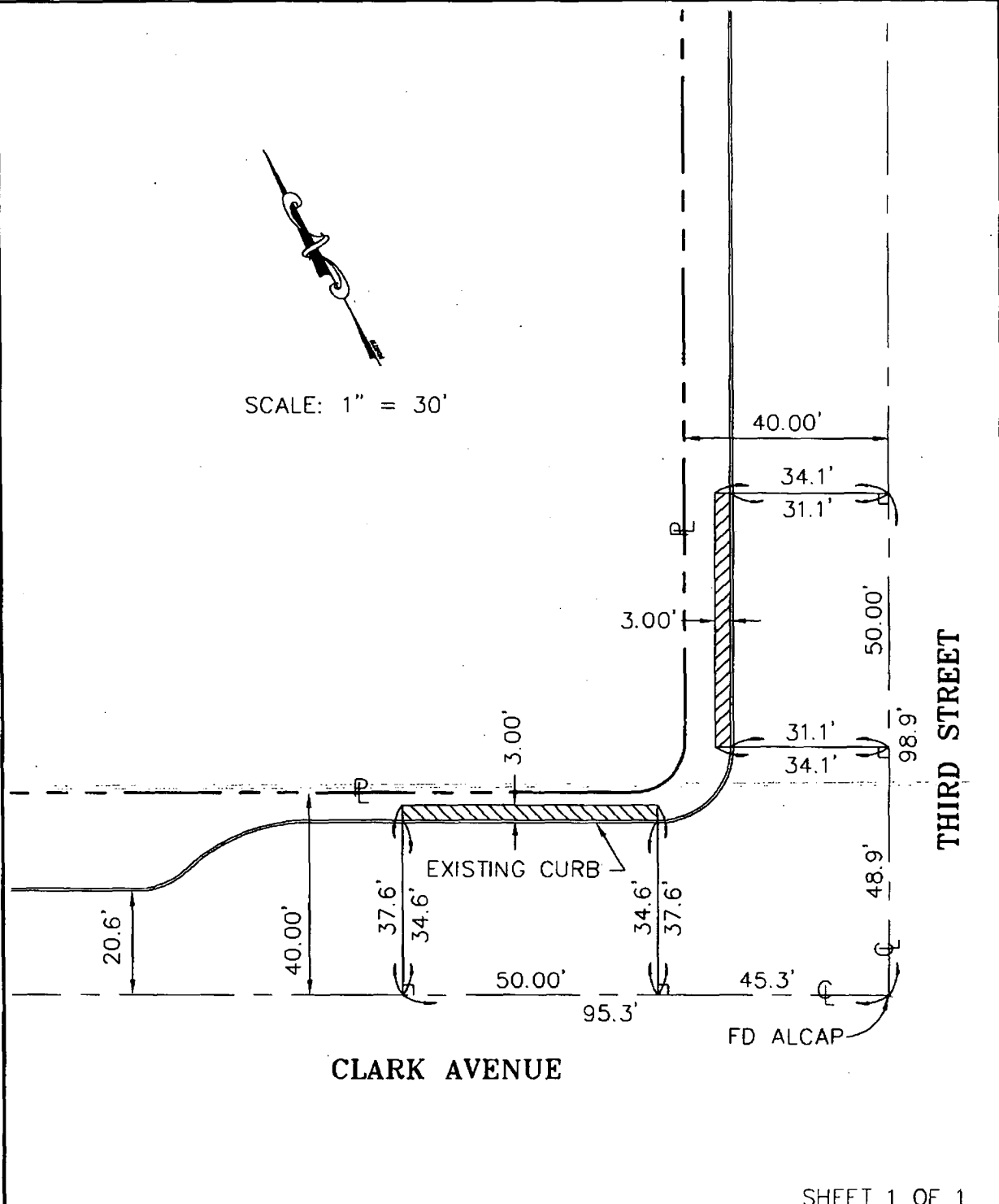
ATTEST:



BEVERLY K. BRIDGES, CMC City Clerk



SCALE: 1" = 30'



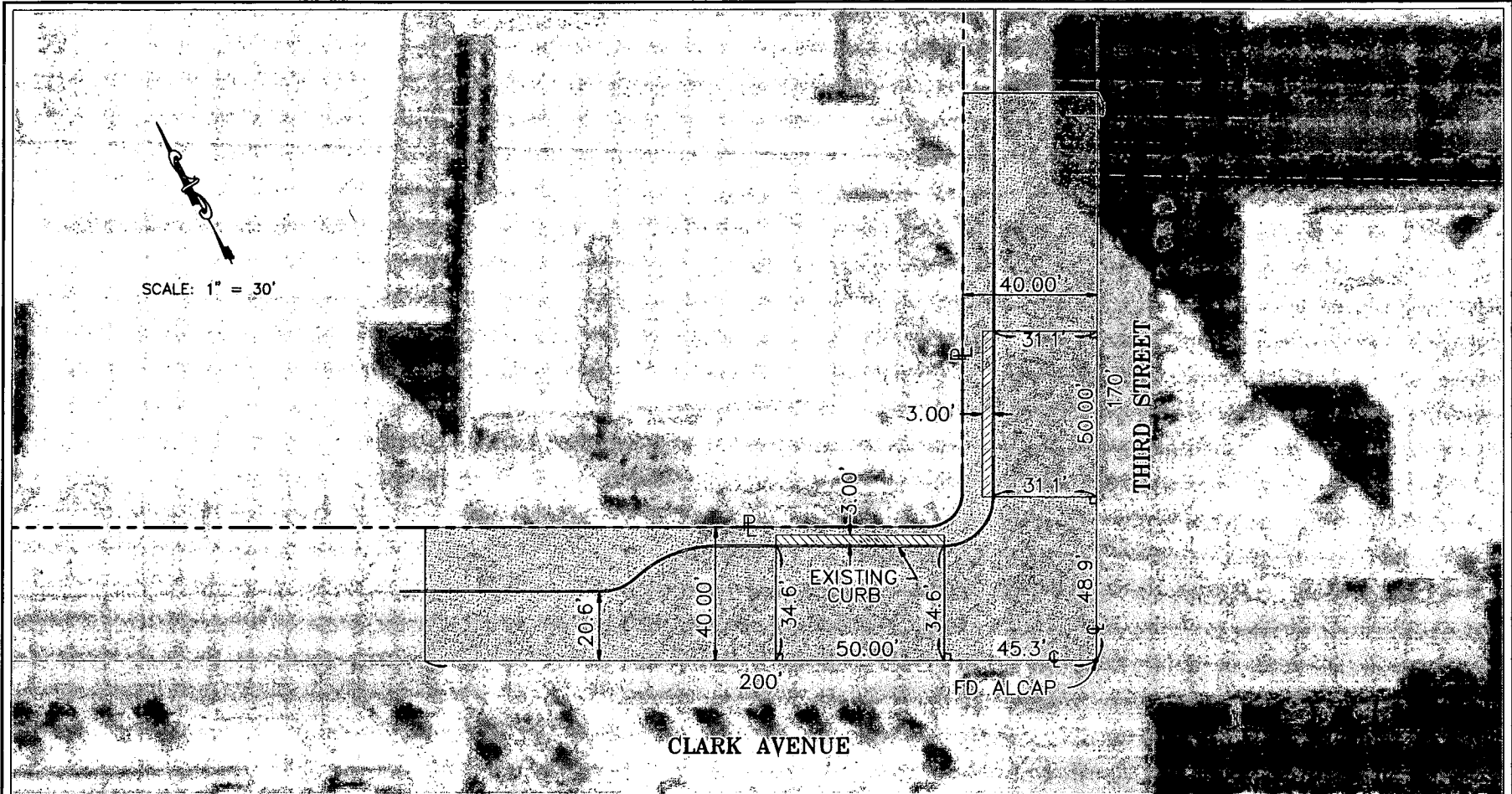
SHEET 1 OF 1



EXHIBIT "A"
AS-BUILT CURB RETURN @ THE CORNER OF CLARK AVE. & 3RD ST.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

CITY OF LAS VEGAS - SURVEY
3001 RONEMUS DRIVE, LAS VEGAS, NEVADA 89128 (702) 229-6217

DRAWING: THIRD ST & CLARK
DRAWN BY: HJB
CHECKED BY: ARR
DATE: 06-16-2008



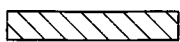

SCALE: 1" = 30'

CLARK AVENUE

THIRD STREET

EXISTING CURB

FD. ALCAP

EXCEPTION AREAS 
 PROHIBITED LOCATIONS 

NOTE: PROHIBITED LOCATIONS REFLECT CITY-OWNED SIDEWALK ONLY. OTHER SIDEWALK AREAS ARE GOVERNED BY STATE LAW AND COUNTY REGULATIONS.



PROHIBITED LOCATIONS AND EXCEPTION AREAS (ORDINANCE NO. 5991)

CITY OF LAS VEGAS - SURVEY
 3001 RONEMUS DRIVE, LAS VEGAS, NEVADA 89128 (702) 229-6217

DRAWING: THIRD ST & CLARK
DRAWN BY: HJB
CHECKED BY: ARR
DATE: 07-08-2008

BILL NO. 2008-20

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH ADDITIONAL LICENSING REQUIREMENTS AND REGULATIONS APPLICABLE TO WEDDING CHAPELS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Establishes additional licensing requirements and regulations applicable to wedding chapels.

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

SECTION 1: Title 6, Chapter 84, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.84.010: (A) No person shall engage in the business of operating a wedding chapel without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code. The City Council finds and determines that the operation of a wedding chapel should require a privileged license, and is therefore subject to the provisions of Chapter 6.06.

(B) In addition to any requirement of Chapter 6.06 otherwise applicable, each employee or agent of a wedding chapel business, including an independent contractor, who will engage in the solicitation of business or the distribution of advertising materials for the wedding chapel must comply with applicable provisions of Chapters 6.42 and 6.62.

SECTION 2: Title 6, Chapter 84, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Section 60, reading as follows:

6.84.060: Between the hours of 7:00 a.m. and midnight, no officer, employee or agent of a wedding chapel, including an independent contractor, may solicit business for the chapel at a location within one hundred feet of the primary public entrance to the Marriage Bureau (or any successor location within the City wherein marriage licenses are applied for and received).

SECTION 3: The provisions of this Ordinance shall apply to wedding chapels licensed before or subsequent to the adoption of this Ordinance, except that existing licensees need not apply for a new privileged license unless otherwise required by the Director of Finance and Business Services.

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

9 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
10 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
11 required or the failure to do any act is made or declared to be unlawful or an offense or a
12 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
13 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
14 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
15 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

16 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this ____ day of _____, 2008.

20 APPROVED:
21
22 By _____
OSCAR B. GOODMAN, Mayor

23 ATTEST:
24
25 _____
BEVERLY K. BRIDGES, CMC
City Clerk

26 APPROVED AS TO FORM:
27 Valsted 3-19-08
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

BUSINESS IMPACT STATEMENT
BILL NO. 2008-20
(Establishes additional licensing requirements and regulations
applicable to wedding chapels)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2008-20, that would establish additional licensing requirements and regulations applicable to wedding chapels.

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.

Comments were solicited through a local wedding chapel association, as well as from 10-15 representatives of existing operators. Several responses were received, none of which objected to the impact on business operations, and several of which suggested additional limitations that potentially would have an even greater business impact. Copies of the responses may be obtained from the Business License Division of the Department of Finance and Business Services.

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:

- Additional licensing requirements and processes, principally applicable to new operators
- Potentially negative impact from the limitation on business solicitations near the local Marriage Bureau

Beneficial effects:

By allowing for greater scrutiny of licensees and limiting solicitation activities near the Marriage Bureau, the proposed rule will help restore credibility and image to the industry and to the City

Direct effects:

As indicated above

Indirect effects:

As indicated above

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:

None considered in response to the input referred to above

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

No appreciable 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: March 19, 2008

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

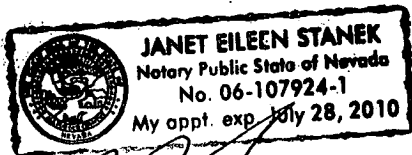
STATE OF NEVADA)
COUNTY OF CLARK) SS:

MARY A LEE, 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 4176049

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/05/2008 to 07/05/2008, on the following days:

07/05/2008



Signed: Mary A Lee

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 5th day of July, 2008.

Janet Eileen Stanek
Notary Public

2008 JUL 21 A 10:41

RECEIVED
CITY CLERK

FIRST AMENDMENT
BILL NO. 2008-20
ORDINANCE NO. 5991
AN ORDINANCE TO ESTABLISH ADDITIONAL LICENSING REQUIREMENTS AND REGULATIONS APPLICABLE TO WEDDING CHAPELS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Sponsored by:
Councilman Gary Reese
Summary: Establishes additional licensing requirements and regulations applicable to wedding chapels.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of April 2008 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of July 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: July 5, 2008
LV Review-Journal

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2008 JUN 16 A 10:45

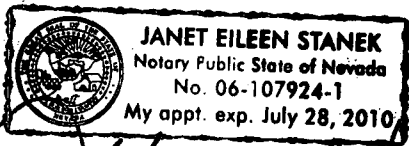
STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 4054098

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/06/2008 to 06/06/2008, on the following days:

06/06/2008

BILL NO. 2008-20
AN ORDINANCE TO ESTABLISH ADDITIONAL LICENSING REQUIREMENTS AND REGULATIONS. APPLICABLE TO WEDDING CHAPELS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Sponsored by: Councilman Gary Reese
Summary: Establishes additional licensing requirements and regulations applicable to wedding chapels.
At the City Council meeting of APRIL 2, 2008
BILL NO. 2008-20 WAS READ BY TITLE AND REFERRED TO A 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: June 6, 2008 LV Review-Journal



Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 6th day of June, 2008.

Janet Eileen Stanek
Notary Public