

BILL NO. 88-56

ORDINANCE No. 3381

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Wayne Bunker

Summary: Authorizes City Council to impose fine in connection with granting variance for structure constructed in violation of condition on reclassification, variance or special use permit or on approved plot plan.

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

SECTION 1: Title 19, Chapter 88, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, as last amended by Section 1 of Ordinance No. 3376 of said City, is hereby further amended to read as follows:

19.88.130: (A) Once the City Council has rendered a decision on an application and thereafter a subsequent application for variance involving the same property for the same or similar or more intensive use is filed, [then] the same procedure set forth herein shall apply, except that if the application is approved by the Board of

1 Zoning Adjustment, [then] there shall be an automatic  
2 appeal to the City Council, and the Secretary of the  
3 Board of Zoning Adjustment shall file with the City  
4 Clerk a proper notice of the appeal within ten days  
5 after the decision of the Board of Zoning Adjustment,  
6 and all notices and procedures shall be the same as pro-  
7 vided for other appeals.

8 (B) If an application is approved by the Board of  
9 Zoning Adjustment concerning any:

- 10 (1) Matter with regard to which the City Council  
11 has indicated a specific position, or  
12 (2) Deviation from the provisions of the C-D  
13 Design Commercial, C-V Civic Districts, T-C  
14 Tourist/Commercial or R-C Residential/Com-  
15 mercial Districts, the same shall be  
16 transmitted to the City Council for final  
17 decision; provided, however, that such matter  
18 may not be considered by the City Council  
19 until after the time for filing of an appeal  
20 with respect to such matter pursuant to Sec-  
21 tion 19.88.120 has expired.

22 (C) A variance application for any of the  
23 following uses, if it is approved by the Board of Zoning  
24 Adjustment, shall be transmitted to the City Council for  
25 final decision in accordance with the procedures set  
26 forth in Section 19.90.080:

- 27 (1) Sexually oriented businesses;  
28 (2) Pawnshops;  
29 (3) Class III or other secondhand dealers; except  
30 for antique shops and used car lots;  
31 (4) Transient sales lots or open sales lots;  
32 (5) Retail demonstration merchandise sales stores;

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- (6) Custodial institutions or detention facilities;
- (7) Publicly-operated convention and stadium facilities;
- (8) Commercial storage units;
- (9) Off-premises signs;
- (10) Liquefied petroleum gas installations;
- (11) Gaming establishments (hotel);
- (12) Plasma donor center or rescue missions;
- (13) Structures that have been, or are being, constructed in violation of any of the provisions of this Title[.] or of any condition that has been imposed upon a reclassification, variance or special use permit or upon an approved plot plan.

SECTION 2: Title 19, Chapter 88, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, as amended by Section 2 of Ordinance No. 3376 of said City, is hereby further amended to read as follows:

19.88.160: (A) Within not to exceed thirty days following the date of the public hearing, the City Council shall announce its findings and decision by resolution which shall recite the facts and reasons which, in the opinion of the City Council, make the granting or denial of the variance necessary to carry out the general spirit and purpose of this Title, and provided the decision of the board is to grant said variance, any modifications, conditions or limitations that it may impose.

(B) If the structure in respect of which the variance is sought has already been, or is being, constructed in violation of any of the provisions of this Title[,] or of any condition that has been imposed

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upon a reclassification, variance or special use permit  
or upon an approved plot plan, the City Council, in  
granting the variance may condition the same upon the  
payment by the applicant therefor of a fine for such  
violation in an amount that [is equal to] does not  
exceed ten percent of the value of such structure, as is  
determined by the Director of the Department of Building  
and Safety for building permit fee purposes in accor-  
dance with subsection (b) of Section 304 of the City's  
Building Code, at the time that the application for the  
variance was filed or two thousand five hundred dollars,  
whichever amount is the lesser.

SECTION 3: 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, sub-  
division, paragraph, sentence, clause or phrase thereof irrespec-  
tive of the fact that any one or more sections, subsections, sub-  
divisions, paragraphs, sentences, clauses or phrases be declared  
unconstitutional, invalid or ineffective.

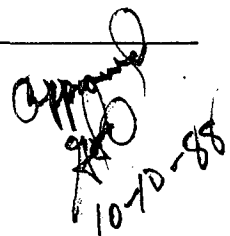
SECTION 4: All ordinances or parts of ordinances,  
sections, subsections, phrases, sentences, clauses or paragraphs  
contained in the Municipal Code of the City of Las Vegas, Nevada,  
. . .  
. . .  
. . .  
. . .  
. . .

1 1983 Edition, in conflict herewith are hereby repealed.


2 PASSED, ADOPTED AND APPROVED this 5th day of October,  
3 1988.

4 APPROVED:

5  
6 By   
RON LURIE, MAYOR

  
10-10-88

7 ATTEST:

8   
KATHLEEN M. TIGHE, CITY CLERK

10 The above and foregoing ordinance was first proposed and  
11 read by title to the City Council on the 21st day of September,  
12 1988, and referred to the following committee composed of  
13 Councilmen Bunker and Miller

14 for recommendation; thereafter the said committee reported  
15 favorably on said ordinance on the 5th day of October, 1988,  
16 which was a regular meeting of said Council; that at said  
17 regular meeting, the proposed ordinance was read by  
18 title to the City Council as amended and adopted by the following  
19 vote:

20 VOTING "AYE": Councilmen Adamsen, Bunker, Miller, Nolen and Mayor Lurie

21 VOTING "NAY": NONE

22 ABSENT: NONE

23 APPROVED:

24  
25 By   
RON LURIE, MAYOR

26 ATTEST:

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28 KATHLEEN M. TIGHE, CITY CLERK  
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BILL NO. 88-56

ORDINANCE No. \_\_\_\_\_

1 AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19,  
 2 CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS  
 3 VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF  
 4 ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF  
 5 APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION  
 6 WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT,  
 7 ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL  
 8 APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE  
 9 ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED  
 10 UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON  
 11 AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND  
 12 CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO  
 13 PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT  
 14 OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY  
 15 CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL  
 16 USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH  
 17 VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT  
 18 THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE  
 19 OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS;  
 20 PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND  
 21 REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT  
 22 HEREWITH.

15 Sponsored by: Summary: Authorizes City Council to  
 16 Councilman Wayne Bunker impose fine in connection with  
 17 granting variance for structure  
 18 constructed in violation of con-  
 19 dition on reclassification, variance  
 20 or special use permit or on approved  
 21 plot plan.

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

21 SECTION 1: Title 19, Chapter 88, Section 130, of the  
 22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, as  
 23 last amended by Section 1 of Ordinance No. 3376 of said City, is  
 24 hereby further amended to read as follows:

25 19.88.130: (A) Once the City Council has rendered a decision  
 26 on an application and thereafter a subsequent applica-  
 27 tion for variance involving the same property for the  
 28 same or similar or more intensive use is filed, [then]  
 29 the same procedure set forth herein shall apply, except  
 30 that if the application is approved by the Board of  
 31 Zoning Adjustment, [then] there shall be an automatic  
 32 appeal to the City Council, and the Secretary of the

1 Board of Zoning Adjustment shall file with the City  
2 Clerk a proper notice of the appeal within ten days  
3 after the decision of the Board of Zoning Adjustment,  
4 and all notices and procedures shall be the same as pro-  
5 vided for other appeals.

6 (B) If an application is approved by the Board of  
7 Zoning Adjustment concerning any:

8 (1) Matter with regard to which the City Council  
9 has indicated a specific position, or

10 (2) Deviation from the provisions of the C-D  
11 Design Commercial, C-V Civic Districts, T-C  
12 Tourist/Commercial or R-C Residential/Com-  
13 mercial Districts, the same shall be  
14 transmitted to the City Council for final  
15 decision; provided, however, that such matter  
16 may not be considered by the City Council  
17 until after the time for filing of an appeal  
18 with respect to such matter pursuant to Sec-  
19 tion 19.88.120 has expired.

20 (C) A variance application for any of the  
21 following uses, if it is approved by the Board of Zoning  
22 Adjustment, shall be transmitted to the City Council for  
23 final decision in accordance with the procedures set  
24 forth in Section 19.90.080:

25 (1) Sexually oriented businesses;

26 (2) Pawnshops;

27 (3) Class III or other secondhand dealers; except  
28 for antique shops and used car lots;

29 (4) Transient sales lots or open sales lots;

30 (5) Retail demonstration merchandise sales stores;

31 (6) Custodial institutions or detention facili-  
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- (7) Publicly-operated convention and stadium facilities;
- (8) Commercial storage units;
- (9) Off-premises signs;
- (10) Liquefied petroleum gas installations;
- (11) Gaming establishments (hotel);
- (12) Plasma donor center or rescue missions;
- (13) Structures that have been constructed in violation of any of the provisions of this Title[.] or of any condition that has been imposed upon a reclassification, variance or special use permit or upon an approved plot plan.

SECTION 2: Title 19, Chapter 88, Section 160, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, as amended by Section 2 of Ordinance No. 3376 of said City, is hereby further amended to read as follows:

19.88.160: (A) Within not to exceed thirty days following the date of the public hearing, the City Council shall announce its findings and decision by resolution which shall recite the facts and reasons which, in the opinion of the City Council, make the granting or denial of the variance necessary to carry out the general spirit and purpose of this Title, and provided the decision of the board is to grant said variance, any modifications, conditions or limitations that it may impose.

(B) If the structure in respect of which the variance is sought has already been constructed in violation of any of the provisions of this Title[, ] or of any condition that has been imposed upon a reclassification, variance or special use permit or upon an approved plot plan, the City Council, in granting the

1 variance may condition the same upon the payment by the  
2 applicant therefor of a fine for such violation in an  
3 amount that [is equal to] does not exceed ten percent of  
4 the value of such structure, as is determined by the  
5 Director of the Department of Building and Safety in  
6 accordance with subsection (b) of Section 304 of the  
7 City's Building Code, at the time that the application  
8 for the variance was filed or two thousand five hundred  
9 dollars, whichever amount is the lesser.

10 SECTION 3: If any section, subsection, subdivision,  
11 paragraph, sentence, clause or phrase in this ordinance or any  
12 part thereof, is for any reason held to be unconstitutional or  
13 invalid or ineffective by any court of competent jurisdiction,  
14 such decision shall not affect the validity or effectiveness of  
15 the remaining portions of this ordinance or any part thereof.  
16 The City Council of the City of Las Vegas, Nevada, hereby  
17 declares that it would have passed each section, subsection, sub-  
18 division, paragraph, sentence, clause or phrase thereof irrespec-  
19 tive of the fact that any one or more sections, subsections, sub-  
20 divisions, paragraphs, sentences, clauses or phrases be declared  
21 unconstitutional, invalid or ineffective.

22 SECTION 4: All ordinances or parts of ordinances,  
23 sections, subsections, phrases, sentences, clauses or paragraphs  
24 contained in the Municipal Code of the City of Las Vegas, Nevada,  
25 1983 Edition, in conflict herewith are hereby repealed.

26 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
27 1988.

28 APPROVED:

29  
30 By \_\_\_\_\_  
RON LURIE, MAYOR

31 ATTEST:

32 \_\_\_\_\_  
KATHLEEN M. TIGHE, CITY CLERK -4-

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The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1988, and referred to the following committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 1988, which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": \_\_\_\_\_  
VOTING "NAY": \_\_\_\_\_  
ABSENT: \_\_\_\_\_

APPROVED:

By \_\_\_\_\_  
RON LURIE, MAYOR

ATTEST:  
  
KATHLEEN M. TIGHE, CITY CLERK

BILL NO. 88-56

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Authorizes City Council to impose fine in connection with granting variance for structure constructed in violation of condition on reclassification, variance or special use permit or on approved plot plan.

Sponsored by: Councilman Wayne Bunker

At a City Council meeting September 19, 1988 BILL NO. 88-56 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Bunker and Miller.

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: September 24, 1988 Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 3 3 04 PM '88

STATE OF NEVADA, } ss.  
COUNTY OF CLARK

CITY CLERK

JOAN POLLACK

, 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 SEPTEMBER 24, 1988 to SEPTEMBER 24, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
SEPTEMBER 24, 1988

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

Signed

*Joan Pollack*

and sworn to before me this 26TH SEPTEMBER, 1988

*Arthur W. Deskin*



Notary Public in and for Clerk County Nevada

ARTHUR W. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY

My Appointment Expires Apr. 14, 1989

Commission Expires

FIRST AMENDMENT  
BILL NO. 88-56  
ORDINANCE NO. 3381

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3378 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Authorizes City Council to impose fine in connection with granting variance for structure constructed in violation of condition on reclassification, variance or special use permit or on approved plot plan.

Sponsored by:  
Councilman Wayne Bunker

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21th day of September, 1988, and referred to the following committee composed of Councilmen Bunker and

Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of October, 1988, which was a regular meeting of said Council; that at said regular meeting, the ordinance was read by title to the City Council as amended and adopted by the following vote:  
VOTING "AYE" Councilmen:  
Adamsen, Bunker, Miller, Nolan and Mayor Lurie  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

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 12, 1988  
Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

Joan Pollack

RECEIVED  
Oct 17 11 22 AM '88  
CITY CLERK

, 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 12, 1988 to October 12, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
October 12, 1988

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

igned Joan Pollack

I sworn to before me this 12th October, 1988

Ruthe V. Deskin  
Notary Public - State of Nevada

NOTARY PUBLIC STATE OF NEVADA  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989



FIRST AMENDMENT  
BILL NO. 88-56  
ORDINANCE NO. 3381

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith.

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Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of October, 1988, which was a regular meeting of said Council; that at said regular meeting, the ordinance was read by title to the City Council as amended and adopted by the following vote:  
VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

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 12, 1988  
Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 24 4 11 PM '89

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss. City of LV, City Clerks Office

CITY CLERK

Alane Chiarappa, being first duly sworn,

deposes and says: That he is Credit 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

from 10/12/88 to 10/12/88

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

10/12/88

id newspaper was regularly issued and circulated on each of the dates named.

Signed Alane Chiarappa

ed and sworn to before me this

Sharon R. Copley

Notary Public in and for Clark County, Nevada

mmission Expires

Notary Public-State Of Nevada  
COUNTY OF CLARK  
SHARON R. COPLEY  
My Commission Expires  
Feb. 7, 1993

RECEIVED

**AFFIDAVIT OF PUBLICATION**

MAY 24 4 11 PM '88

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss. City of LV, City Clerks Office  
CITY CLERK

Alane Chiarappa, being first duly sworn,

deposes and says: That he is Credit 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

from 10/12/88 to 10/12/88

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

10/12/88

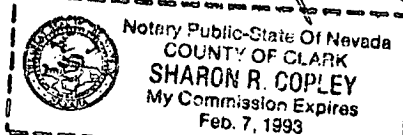
That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Alane Chiarappa

Subscribed and sworn to before me this day of

Sharon R. Copley  
Notary Public in and for Clark County, Nevada

My Commission Expires



FIRST AMENDMENT  
BILL NO. 88-55  
ORDINANCE NO. 3381

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 68, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Authorizes City Council to impose fine in connection with granting variance for structure constructed in violation of condition on reclassification, variance or special use permit or on approved plot plan.

Sponsored by:  
Councilman Wayne Bunker

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21th day of September, 1988, and referred to the following committee composed of Councilmen Bunker and

Miller for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 5th day of October, 1988, which was a regular meeting of said Council; that at said regular meeting, the ordinance was read by title to the City Council as amended and adopted by the following vote:  
VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolan and Mayor Lurie  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

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 12, 1988  
Las Vegas SUN



FIRST AMENDMENT  
BILL NO. 88-56  
ORDINANCE NO. 3381

AN ORDINANCE RELATING TO PLANNING AND ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 130, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AS LAST AMENDED BY SECTION 1 OF ORDINANCE NO. 3376 OF SAID CITY, TO INCLUDE WITHIN THE TYPES OF APPLICATIONS FOR VARIANCES THAT ARE SPECIFIED IN SAID SECTION WHICH, IF THEY ARE APPROVED BY THE BOARD OF ZONING ADJUSTMENT, ARE SUBJECT TO AN AUTOMATIC APPEAL TO THE CITY COUNCIL APPLICATIONS FOR VARIANCES IN RESPECT OF STRUCTURES THAT HAVE ALREADY BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN; AMENDING SECTION 160 OF SAID TITLE AND CHAPTER, AS AMENDED BY SECTION 2 OF SAID ORDINANCE NO. 3376, TO PROVIDE THAT THE CITY COUNCIL, IN GRANTING A VARIANCE IN RESPECT OF A STRUCTURE THAT HAS BEEN CONSTRUCTED IN VIOLATION OF ANY CONDITION IMPOSED UPON A RECLASSIFICATION, VARIANCE OR SPECIAL USE PERMIT OR UPON AN APPROVED PLOT PLAN MAY CONDITION SUCH VARIANCE UPON THE PAYMENT BY THE APPLICANT OF A FINE IN AN AMOUNT THAT DOES NOT EXCEED TEN PERCENT OF THE VALUE OF SUCH STRUCTURE OR TWO THOUSAND FIVE HUNDRED DOLLARS, WHICHEVER IS LESS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Summary: Authorizes City Council to impose fine in connection with granting variance for structure constructed in violation of condition on reclassification, variance or special use permit or on approved plot plan.

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VOTING "AYE" Councilmen: Adamsen, Bunker, Miller, Nolan and Mayor Lurie  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

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 12, 1988  
Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

Joan Pollack, 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 12, 1988 to October 12, 1988

inclusive, being the issues of said newspaper for the following dates, to-wit:  
October 12, 1988

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

Signed Joan Pollack

Subscribed and sworn to before me this 12th day of October, 1988

Ruthe V. Deskin

My Commission Expires

Notary Public in and for the State of Nevada  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989

RECEIVED  
OCT 17 11 22 AM '88  
CITY CLERK

