

FIRST AMENDMENT

BILL NO. 88-27

Ordinance No. 3359

AN ORDINANCE RELATING TO NOISE; AMENDING TITLE 9, CHAPTER 16, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DEFINING CERTAIN TERMS, EXTENDING THE REGULATIONS CONCERNING NOISE CONTROL ON THE PUBLIC STREETS AND IN OTHER PUBLIC AND PRIVATE PLACES, RESTRICTING AND PROHIBITING THE CAUSING, CREATING OR ALLOWING OF NOISE WHICH IS INJURIOUS TO HEALTH OR WHICH UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE WITHIN THE CORPORATE BOUNDARIES OF THE CITY AND SPECIFYING CERTAIN ALLOWABLE TYPES OF NOISE AND THE CIRCUMSTANCES UNDER WHICH, AND TIMES WITHIN WHICH, NOISE IS PERMITTED BY BOTH PUBLIC AND PRIVATE ENTITIES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Bob Nolen

Summary: Amends LVMC Chapter 9.16 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.

WHEREAS, Bill No. 88-27 was passed, adopted and approved by the City Council of the City of Las Vegas at its regular meeting that was held on Wednesday, June 1, 1988; and

WHEREAS, following its passage, adoption and approval, it was discovered the said Bill, as it was adopted, would prohibit said City's authorized contractor from collecting garbage, rubbish, dirt, dead animals and other refuse within the corporate boundaries of said City between the hours of eleven p.m. and seven a.m.; and

WHEREAS, the enforcement of such prohibition would require such contractor to double its fleet of garbage trucks, which, in turn, would result in a substantial rate increase to the residents and taxpayers of said City; and

1           WHEREAS, said Bill therefore was never published and  
2 therefore has not become effective; and

3           WHEREAS, said City Council desires to amend said Bill  
4 and to readopt it as so amended;

5           NOW, THEREFORE,

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

8           SECTION 1: Title 9, Chapter 16, of the Municipal Code  
9 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended  
10 by adding thereto the provisions that are set forth in Section 2  
11 of this Ordinance.

12           SECTION 2: As used in this Chapter, unless the context  
13 otherwise indicates, the following terms shall have the meanings  
14 that are ascribed to them as follows:

15           (A) "Demolition" means any dismantling, intentional  
16 destruction or removal of structures, utilities,  
17 public or private right-of-way surfaces or similar  
18 property.

19           (B) "Emergency" means an occurrence or set of cir-  
20 cumstances that involves actual or imminent physi-  
21 cal trauma or property damage which demands imme-  
22 diate action.

23           (C) "Emergency work" means any work that is performed  
24 for the purpose of preventing or alleviating the  
25 physical trauma or property damage that is  
26 threatened or caused by an emergency.

27           (D) "Muffler or sound dissipation device" means a  
28 device for abating the sound of escaping gases of  
29 an internal combustion engine.

30           (E) "Noise" means any useless sound which annoys or  
31 disturbs humans or which causes or tends to cause  
32 an adverse psychological or physiological effect on

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humans.

(F) "Noise disturbance" means any sound which is unreasonably loud, disturbing and unnecessary or which endangers or injures the health of humans or annoys or disturbs a reasonable person of normal sensitivities.

(G) "Public right-of-way" means any street, avenue, boulevard, highway, sidewalk, alley or similar place which is owned or controlled by a governmental entity.

(H) "Public Space" means any real property or structures thereon which is owned or controlled by a governmental entity.

SECTION 3: Title 9, Chapter 16, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.010: Subject to the provisions of this Chapter, [the creating of any unreasonably loud, disturbing and unnecessary noise within the limits of the City is prohibited] no person shall make, cause, create or continue any noise disturbance within the corporate boundaries of the City. Noncommercial public speaking and public assembly activities that are conducted on any public right-of-way or in any public space shall be exempt from the operation of this Chapter.

SECTION 4: Title 9, Chapter 16, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.16.030: The following acts, among others, are declared to be [loud, disturbing and unnecessary noises] noise disturbances and noises in violation of, and unlawful under, this Chapter, but this enumeration shall not be deemed

1 to be exclusive:

2 (A) The sounding of any horn or signal device on any  
3 automobile, motorcycle[,] or bus while it is in  
4 motion except as a danger signal if another vehicle  
5 is approaching apparently out of control[,] or, if  
6 it is in motion, only as a danger signal after [or  
7 as] the brakes have been or are being applied and  
8 the deceleration of the vehicle is intended[;], the  
9 creation by means of any such horn or signal  
10 [advice or] device of any unreasonably loud or  
11 harsh sound[, and] or the sounding of such horn or  
12 device for an unnecessary and unreasonable period  
13 of time[;].

14 (B) [The playing of any radio, phonograph or a musical  
15 instrument in such a manner or with such volume,  
16 particularly during the hours between eleven p.m.  
17 and seven a.m., as to annoy or disturb the quiet,  
18 comfort or repose of any persons in any office,  
19 hospital, dwelling, hotel or any other type of  
20 residence or of any persons in the vicinity;]  
21 Operating or playing, or permitting the operation  
22 or playing of, any radio, television, phonograph,  
23 stereo, drum, musical instrument, sound amplifier  
24 or similar device which produces, reproduces or  
25 amplifies sound in such a manner as to create a  
26 noise disturbance:

27 (1) To any person who resides or works in the  
28 vicinity. The operation or playing of such  
29 radio, television, phonograph, stereo, drum,  
30 musical instrument, sound amplifier or similar  
31 device in such a manner or at such a volume  
32 as to be plainly audible to the human ear at

1 a distance of fifty feet from the source of  
2 the noise shall be prima facie evidence of a  
3 violation of this Chapter; or

4 (2) At a distance of fifty feet from such radio,  
5 television, phonograph, stereo, drum, musical  
6 instrument, sound amplifier or similar device  
7 when it is played or operated in or on a motor  
8 vehicle that is on any public right-of-way or  
9 in any public space.

10 This subsection shall not apply to any noncommer-  
11 cial spoken language that is subject to subsection  
12 (K) of this Section.

13 (C) Yelling, shouting, hooting, whistling or singing on  
14 the public streets, particularly between the hours  
15 of eleven p.m. and seven a.m., or at any time or  
16 place [so] in such a manner or at such a volume as  
17 to annoy or disturb the quiet, comfort or repose of  
18 any [persons] person in any hospital, dwelling,  
19 hotel or any other type of residence or of any  
20 [persons] person in the vicinity[;].

21 (D) The keeping of any animal, bird or fowl which, by  
22 causing frequent or long-continued noise, disturbs  
23 the comfort or repose of any person in the  
24 vicinity[;].

25 (E) The use of any automobile or motorcycle so out of  
26 repair, so loaded or in such manner as to cause  
27 loud and unnecessary grating, grinding, rattling or  
28 other noises[;].

29 (F) The blowing of any steam whistle that is attached  
30 to any stationary boiler except to give notice of  
31 the time to begin or stop work [or], as a warning  
32 of fire or other danger[, ] or upon the request of

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the proper [City] authorities[;] of the City.

(G) [To] The discharge into the open air of the exhaust  
of any steam engine, stationary internal combustion  
engine, motor vehicle or motor boat engine except  
through a muffler or other sound dissipation device  
which will effectively prevent loud or explosive  
noises therefrom[;].

(H) The erection, including the excavation, demolition,  
alteration or repair of any building in any new or  
existing residential district or section, or the  
excavation of [streets and highways] any street or  
highway in any new or existing residential district  
or section[, ] other than between the hours of seven  
a.m. and six p.m.[, on weekdays,] except in the  
case of urgent necessity in the interest of public  
health and safety[, ] and then only with a permit  
from the [Building Inspector,] Director of the  
Department of Building and Safety, which permit may  
be granted for a period not to exceed thirty days  
while the emergency continues[;]. If the [Building  
Inspector] Director of the Department of Building  
and Safety should determine that the public health  
and safety will not be impaired by the erection,  
demolition, alteration[, ] or repair of any  
building, or by the excavation of [streets and  
highways] any street or highway, in any new or  
existing residential district [within] between the  
hours of six p.m. and seven a.m., and if he further  
determines that loss or inconvenience would result  
to any party in interest[, ] in such erection,  
demolition, alteration or excavation, he may grant  
[permission] a permit for such work to be [done

1 within] performed between the hours of six p.m. and  
2 seven a.m. upon an application being made therefor  
3 at the time that the permit for [the] such work is  
4 [awarded] issued or at any time during the progress  
5 of [the] such work[;].

6 (I) The creation of any excessive noise on any street  
7 that is adjacent to any school, institution of  
8 learning, church or court while the same [are] is  
9 in session, or is adjacent to any hospital, which  
10 unreasonably interferes with the working or  
11 sessions thereof[;] or the persons therein.

12 (J) The [creation of a loud or excessive noise in con-  
13 nection with loading or unloading any vehicle or  
14 the opening and destruction of bales, boxes, crates  
15 and containers;] loading, unloading, opening,  
16 closing or other handling of boxes, crates, con-  
17 tainers, building materials, garbage cans or simi-  
18 lar objects between the hours of eleven p.m. and  
19 seven a.m. in such a manner as to project a noise  
20 disturbance across the boundary of any residential  
21 real property.

22 (K) The use or operation for any purpose of a loud-  
23 speaker, public address system, or sound ampli-  
24 fication device in connection with any radio, pho-  
25 nograph, tape recorder, microphone or [other devi-  
26 ces in which the emanated sounds are of such a  
27 strength, character, intensity or duration as to be  
28 a public nuisance, cause interference with pedes-  
29 trian or vehicular traffic, be detrimental to the  
30 life or health of any individual or be a distur-  
31 bance of the public peace and welfare.] similar  
32 device:

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- (1) In such a manner or at such a volume as to project a noise disturbance across the boundary of any real property;
- (2) Between the hours of eleven p.m and seven a.m. on any public right-of-way or in any public space; or
- (3) On a truck or other vehicle, either moving or standing, for advertising or any other purpose.
  
- (L) The offering for sale or selling of anything by shouting or outcry within any residential or commercial area of the City.
  
- (M) The repairing, rebuilding, modifying or testing of any motor vehicle, motorcycle or motorboat in such a manner as to project a noise disturbance across the boundary of any residential real property.
  
- (N) The intentional sounding or permitting the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device except for emergency purposes or for the testing, between the hours of eight a.m. and six p.m., of:

  - (1) A stationary emergency signaling device; provided, however, that each such test shall be performed at the same time of day, and any such testing shall use only the minimum cycle test time, which, in no event, shall exceed sixty seconds.
  - (2) The complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device; provided, however, that such

1                   testing shall not be performed more than once  
2                   in each calendar month.

3           (O) The sounding or permitting the sounding of any  
4                   exterior burglar alarm or any motor vehicle burglar  
5                   alarm unless such alarm is automatically terminated  
6                   within fifteen minutes after its activation.

7           SECTION 5: Title 9, Chapter 16, Section 40, of the Muni-  
8           cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
9           hereby amended to read as follows:

10          9.16.040: None of the terms or prohibitions [of] that are  
11                   contained in this Chapter shall apply to or be enforced  
12                   against:

13           (A) Any vehicle [of] that belongs to, or is used by,  
14                   the City or its authorized garbage collection  
15                   contractor while it is engaged [upon] in any  
16                   necessary public business;

17           (B) [Excavations or repairs of bridges,] The excavation  
18                   or repair, or both, of streets [or], highways or  
19                   bridges that are made during the night by or on  
20                   behalf of the City, Clark County[,], or the State,  
21                   [during the night, when] if the public welfare and  
22                   convenience renders it impracticable to perform  
23                   such work during the day[.];

24           (C) The emission of sound to alert persons to the  
25                   existence of an emergency;

26           (D) Sounds that are emitted in the performance of  
27                   emergency work;

28           (E) The holders of special event permits that have been  
29                   issued by the City; or

30           (F) Civic functions, including without limitation para-  
31                   des, concerts, athletic events, group use of public  
32                   facilities and other public gatherings for which a

1                   license or permit has been issued pursuant to any  
2                   chapter of this Code.

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

15                   SECTION 7: Whenever in this ordinance any act is prohi-  
16 bited or is made or declared to be unlawful or an offense or a  
17 misdemeanor, or whenever in this ordinance the doing of any act  
18 is required or the failure to do any act is made or declared to  
19 be unlawful or an offense or a misdemeanor, the doing of any such  
20 prohibited act or the failure to do any such required act shall  
21 constitute a misdemeanor and upon conviction thereof, shall be  
22 punished by a fine of not more than \$1,000.00 or by imprisonment  
23 for a term of not more than six months, or by any combination of

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1 such fine and imprisonment. Any day of any violation of this  
2 ordinance shall constitute a separate offense.

3 SECTION 8: All ordinances or parts of ordinances, sec-  
4 tions, subsections, phrases, sentences, clauses or paragraphs  
5 contained in the Municipal Code of the City of Las Vegas, Nevada,  
6 1983 Edition, in conflict herewith are hereby repealed.

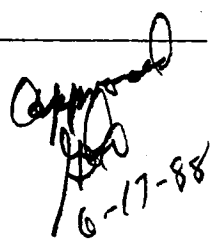
7 PASSED, ADOPTED and APPROVED this 15th day of  
8 June, 1988.

9 APPROVED:

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11 By   
12 RON LURIE, Mayor

13 ATTEST:

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15 KATHLEEN M. TIGHE, City Clerk

  
6-17-88

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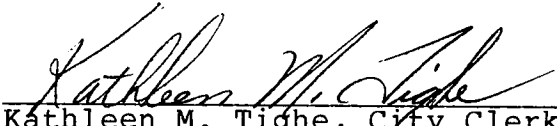
1           The above and foregoing ordinance was first proposed  
2 and read by title to the City Council on the 20th day of May,  
3 1988, and referred to the following committee composed of  
4 Councilman Bob Nolen and Councilman Arnie Adamsen for recom-  
5 mendation; thereafter the said committee reported favorably on  
6 said ordinance on the 1st day of June, 1988, which was a regular  
7 meeting of said Council; that at said regular meeting, the pro-  
8 posed ordinance was read by title to said Council as first intro-  
9 duced and was adopted by the unanimous vote of said Council; and  
10 that at a regular meeting of said Council that was held on June  
11 15, 1988, the proposed ordinance was reconsidered and amended by  
12 said Council without said ordinance having been published and was  
13 again read by title to said Council as so amended and was  
14 readopted by the following vote:

15 VOTING "AYE" : Councilmen Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
16 VOTING "NAY" : NONE  
17 ABSENT: NONE

18 APPROVED:

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20 By   
21 RON LURIE, MAYOR

22 ATTEST:

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25 Kathleen M. Tighe, City Clerk

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BILL NO. 88-27

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Sponsored by:  
Councilman Bob Nolen

Summary: Amends LVMC Chapter 9.16 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.

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

SECTION 1: Title 9, Chapter 16, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the provisions that are set forth in Section 2 of this Ordinance.

SECTION 2: As used in this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

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- (B) "Emergency" means an occurrence or set of circumstances that involves actual or imminent physi-

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cal trauma or property damage which demands immediate action.

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(D) "Muffler or sound dissipation device" means a device for abating the sound of escaping gases of an internal combustion engine.

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(F) "Noise disturbance" means any sound which is unreasonably loud, disturbing and unnecessary or which endangers or injures the health of humans or annoys or disturbs a reasonable person of normal sensitivities.

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1 disturbance within the corporate boundaries of the City.  
2 Noncommercial public speaking and public assembly acti-  
3 vities that are conducted on any public right-of-way or  
4 in any public space shall be exempt from the operation  
5 of this Chapter.

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11 bances and noises in violation of, and unlawful under,  
12 this Chapter, but this enumeration shall not be deemed  
13 to be exclusive:

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15 automobile, motorcycle[, ] or bus while it is in  
16 motion except as a danger signal if another vehicle  
17 is approaching apparently out of control[, ] or, if  
18 it is in motion, only as a danger signal after [or  
19 as] the brakes have been or are being applied and  
20 the deceleration of the vehicle is intended[;], the  
21 creation by means of any such horn or signal  
22 [advice or] device of any unreasonably loud or  
23 harsh sound[, and] or the sounding of such horn or  
24 device for an unnecessary and unreasonable period  
25 of time[;].

26 (B) [The playing of any radio, phonograph or a musical  
27 instrument in such a manner or with such volume,  
28 particularly during the hours between eleven p.m.  
29 and seven a.m., as to annoy or disturb the quiet,  
30 comfort or repose of any persons in any office,  
31 hospital, dwelling, hotel or any other type of  
32 residence or of any persons in the vicinity;]

1 Operating or playing, or permitting the operation  
2 or playing of, any radio, television, phonograph,  
3 stereo, drum, musical instrument, sound amplifier  
4 or similar device which produces, reproduces or  
5 amplifies sound in such a manner as to create a  
6 noise disturbance:

7 (1) To any person who resides or works in the  
8 vicinity. The operation or playing of such  
9 radio, television, phonograph, stereo, drum,  
10 musical instrument, sound amplifier or similar  
11 device in such a manner or at such a volume  
12 as to be plainly audible to the human ear at  
13 a distance of fifty feet from the source of  
14 the noise shall be prima facie evidence of a  
15 violation of this Chapter; or

16 (2) At a distance of fifty feet from such radio,  
17 television, phonograph, stereo, drum, musical  
18 instrument, sound amplifier or similar device  
19 when it is played or operated in or on a motor  
20 vehicle that is on any public right-of-way or  
21 in any public space.

22 This subsection shall not apply to any noncommer-  
23 cial spoken language that is subject to subsection  
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25 (C) Yelling, shouting, hooting, whistling or singing on  
26 the public streets, particularly between the hours  
27 of eleven p.m. and seven a.m., or at any time or  
28 place [so] in such a manner or at such a volume as  
29 to annoy or disturb the quiet, comfort or repose of  
30 any [persons] person in any hospital, dwelling,  
31 hotel or any other type of residence or of any  
32 [persons] person in the vicinity[;].

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(D) The keeping of any animal, bird or fowl which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity[;].

(E) The use of any automobile or motorcycle so out of repair, so loaded or in such manner as to cause loud and unnecessary grating, grinding, rattling or other noises[;].

(F) The blowing of any steam whistle that is attached to any stationary boiler except to give notice of the time to begin or stop work [or], as a warning of fire or other danger[,] or upon the request of the proper [City] authorities[;] of the City.

(G) [To] The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other sound dissipation device which will effectively prevent loud or explosive noises therefrom[;].

(H) The erection, including the excavation, demolition, alteration or repair of any building in any new or existing residential district or section, or the excavation of [streets and highways] any street or highway in any new or existing residential district or section[,] other than between the hours of seven a.m. and six p.m.[, on weekdays,] except in the case of urgent necessity in the interest of public health and safety[,] and then only with a permit from the [Building Inspector,] Director of the Department of Building and Safety, which permit may be granted for a period not to exceed thirty days while the emergency continues[;]. If the [Building

1 Inspector] Director of the Department of Building  
2 and Safety should determine that the public health  
3 and safety will not be impaired by the erection,  
4 demolition, alteration[, ] or repair of any  
5 building, or by the excavation of [streets and  
6 highways] any street or highway, in any new or  
7 existing residential district [within] between the  
8 hours of six p.m. and seven a.m., and if he further  
9 determines that loss or inconvenience would result  
10 to any party in interest[, ] in such erection,  
11 demolition, alteration or excavation, he may grant  
12 [permission] a permit for such work to be [done  
13 within] performed between the hours of six p.m. and  
14 seven a.m. upon an application being made therefor  
15 at the time that the permit for [the] such work is  
16 [awarded] issued or at any time during the progress  
17 of [the] such work[;].

- 18 (I) The creation of any excessive noise on any street  
19 that is adjacent to any school, institution of  
20 learning, church or court while the same [are] is  
21 in session, or is adjacent to any hospital, which  
22 unreasonably interferes with the working or  
23 sessions thereof[;] or the persons therein.
- 24 (J) The [creation of a loud or excessive noise in con-  
25 nection with loading or unloading any vehicle or  
26 the opening and destruction of bales, boxes, crates  
27 and containers;] loading, unloading, opening,  
28 closing or other handling of boxes, crates, con-  
29 tainers, building materials, garbage cans or simi-  
30 lar objects between the hours of eleven p.m. and  
31 seven a.m. in such a manner as to project a noise  
32 disturbance across the boundary of any residential

1 real property.

2 (K) The use or operation for any purpose of a loud-  
3 speaker, public address system, or sound ampli-  
4 fication device in connection with any radio, pho-  
5 nograph, tape recorder, microphone or [other devi-  
6 ces in which the emanated sounds are of such a  
7 strength, character, intensity or duration as to be  
8 a public nuisance, cause interference with pedes-  
9 trian or vehicular traffic, be detrimental to the  
10 life or health of any individual or be a distur-  
11 bance of the public peace and welfare.] similar  
12 device:

13 (1) In such a manner or at such a volume as to  
14 project a noise disturbance across the boun-  
15 dary of any real property;

16 (2) Between the hours of eleven p.m and seven a.m.  
17 on any public right-of-way or in any public  
18 space; or

19 (3) On a truck or other vehicle, either moving or  
20 standing, for advertising or any other pur-  
21 pose.

22 (L) The offering for sale or selling of anything by  
23 shouting or outcry within any residential or com-  
24 mercial area of the City.

25 (M) The repairing, rebuilding, modifying or testing of  
26 any motor vehicle, motorcycle or motorboat in such  
27 a manner as to project a noise disturbance across  
28 the boundary of any residential real property.

29 (N) The intentional sounding or permitting the sounding  
30 outdoors of any fire, burglar or civil defense  
31 alarm, siren, whistle or similar stationary  
32 emergency signaling device except for emergency

1 purposes or for the testing, between the hours of  
2 eight a.m. and six p.m., of:

3 (1) A stationary emergency signaling device; pro-  
4 vided, however, that each such test shall be  
5 performed at the same time of day, and any  
6 such testing shall use only the minimum cycle  
7 test time, which, in no event, shall exceed  
8 sixty seconds.

9 (2) The complete emergency signaling system,  
10 including the functioning of the signaling  
11 device and the personnel response to the  
12 signaling device; provided, however, that such  
13 testing shall not be performed more than once  
14 in each calendar month.

15 (O) The sounding or permitting the sounding of any  
16 exterior burglar alarm or any motor vehicle burglar  
17 alarm unless such alarm is automatically terminated  
18 within fifteen minutes after its activation.

19 SECTION 5: Title 9, Chapter 16, Section 40, of the Muni-  
20 cipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 9.16.040: None of the terms or prohibitions [of] that are  
23 contained in this Chapter shall apply to or be enforced  
24 against:

25 (A) Any vehicle [of] that belongs to, or is used by,  
26 the City while it is engaged [upon] in any  
27 necessary public business;

28 (B) [Excavations or repairs of bridges,] The excavation  
29 or repair, or both, of streets [or], highways or  
30 bridges that are made during the night by or on  
31 behalf of the City, Clark County[, ] or the State,  
32 [during the night, when] if the public welfare and

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convenience renders it impracticable to perform such work during the day[.];

(C) The emission of sound to alert persons to the existence of an emergency;

(D) Sounds that are emitted in the performance of emergency work;

(E) The holders of special event permits that have been issued by the City; or

(F) Civic functions, including without limitation parades, concerts, athletic events, group use of public facilities and other public gatherings for which a license or permit has been issued pursuant to any chapter of this Code.

SECTION 6: 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 the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of any such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be

1 punished by a fine of not more than \$1,000.00 or by imprisonment  
2 for a term of not more than six months, or by any combination of  
3 such fine and imprisonment. Any day of any violation of this  
4 ordinance shall constitute a separate offense.

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

9 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of  
10 \_\_\_\_\_, 1988.

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 RON LURIE, Mayor

15 ATTEST:

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17 KATHLEEN M. TIGHE, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_ day of \_\_\_\_\_, 198\_\_, and referred to the following committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of \_\_\_\_\_, 198\_\_, 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

# 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 June 18, 1988 to June 18, 1988 inclusive, being the issue of said newspaper for the following dates, to wit:

June 18, 1988

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

FIRST AMENDMENT  
BILL NO. 88-27  
Ordinance No. 3359  
AN ORDINANCE RELATING TO NOISE; AMENDING TITLE 9, CHAPTER 16, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DEFINING CERTAIN TERMS, EXTENDING THE REGULATIONS CONCERNING NOISE CONTROL ON THE PUBLIC STREETS AND IN OTHER PUBLIC AND PRIVATE PLACES, RESTRICTING AND PROHIBITING THE CAUSING, CREATING OR ALLOWING OF NOISE WHICH IS INJURIOUS TO HEALTH OR WHICH UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE WITHIN THE CORPORATE BOUNDARIES OF THE CITY AND SPECIFYING CERTAIN ALLOWABLE TYPES OF NOISE AND THE CIRCUMSTANCES

UNDER WHICH, AND TIMES WITHIN WHICH, NOISE IS PERMITTED BY BOTH PUBLIC AND PRIVATE ENTITIES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:  
Councilman Bob Nolen

SUMMARY:  
Amends LVMC Chapter 9.16 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of May, 1988, and referred to the following committee composed of Councilman Bob Nolen and Councilman Arnie Adamsen for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of June, 1988, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to said Council as first introduced and was adopted by the unanimous vote of said Council; and that at a regular meeting of said Council that was held on June 15, 1988, the proposed ordinance was reconsidered and amended by said Council without said ordinance having been published and was again read by title to said Council as so amended and was readopted by the following vote:  
VOTING "AYE": Councilmen

Adamsen, Bunker, Miller, Nolen and Mayor Lurie  
VOTING "NAY": 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: June 18, 1988

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me this 21 day of June, 1988

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLENDAL L. HARRIS  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Feb. 7, 1990

1988 JUN 29 1 47 PM '88

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 May 19, 1988 to May 19, 1988 inclusive, being the issue of said newspaper for the following dates, to wit:

May 19, 1988

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

**BILL NO. 88-27**  
AN ORDINANCE RELATING TO NOISE; AMENDING TITLE 9, CHAPTER 16, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DEFINING CERTAIN TERMS, EXTENDING THE REGULATIONS CONCERNING NOISE CONTROL ON THE PUBLIC STREETS AND IN OTHER PUBLIC AND PRIVATE PLACES, RESTRICTING AND PROHIBITING THE CAUSING, CREATING OR ALLOWING OF NOISE WHICH IS INJURIOUS TO HEALTH OR WHICH UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE WITHIN THE CORPORATE BOUNDARIES OF THE CITY AND SPECIFYING CERTAIN ALLOWABLE TYPES OF NOISE AND THE CIRCUMSTANCES UNDER WHICH, AND TIMES WITHIN WHICH, NOISE IS PERMITTED BY BOTH PUBLIC AND PRIVATE ENTITIES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
SPONSORED BY:  
Councilman Bob Nolen  
SUMMARY:  
Amends LVMC Chapter 9.16 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.  
At a City Council meeting  
May 4, 1988  
BILL NO. 88-27 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:  
Councilmen Nolen and Adams  
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: May 19, 1988

SIGNED *George J. Vasconi*  
GEORGE J. VASCONI

Subscribed and sworn to before me this 19 day of May, 1988

*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, 1989

CITY CLERK

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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK)

SS

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 June 18, 1988 to June 18, 1988 inclusive, being the issue of said newspaper for the following dates,

to wit:

June 18, 1988

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

FIRST AMENDMENT  
BILL NO. 88-27  
Ordinance No. 3359

AN ORDINANCE RELATING TO NOISE; AMENDING TITLE 9, CHAPTER 16, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DEFINING CERTAIN TERMS, EXTENDING THE REGULATIONS CONCERNING NOISE CONTROL ON THE PUBLIC STREETS AND IN OTHER PUBLIC AND PRIVATE PLACES, RESTRICTING AND PROHIBITING THE CAUSING, CREATING OR ALLOWING OF NOISE WHICH IS INJURIOUS TO HEALTH OR WHICH UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE WITHIN THE CORPORATE BOUNDARIES OF THE CITY AND SPECIFYING CERTAIN ALLOWABLE TYPES OF NOISE AND THE CIRCUMSTANCES UNDER WHICH, AND TIMES WITHIN WHICH, NOISE IS PERMITTED BY BOTH PUBLIC AND PRIVATE ENTITIES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:  
Councilman Bob Nolen

SUMMARY:  
Amends LVMC Chapter 9.14 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of May, 1988, and referred to the following committee composed of Councilman Bob Nolen and Councilman Arnie Adamsen for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of June, 1988, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to said Council as first introduced and was adopted by the unanimous vote of said Council; and that at a regular meeting of said Council that was held on June 15, 1988, the proposed ordinance was reconsidered and amended by said Council without said ordinance having been published and was again read by title to said Council as so amended and was readopted by the following vote:

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

VOTING "NAY": 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: June 18, 1988

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me:  
this 21 day of June, 1988

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLENDAL L. HARRIS  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Feb. 7, 1990

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 May 19, 1988 to May 19, 1988 inclusive, being the issue of said newspaper for the following dates; to wit:  
May 19, 1988

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

BILL NO. 88-27  
AN ORDINANCE RELATING TO NOISE; AMENDING TITLE 9, CHAPTER 16, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DEFINING CERTAIN TERMS, EXTENDING THE REGULATIONS CONCERNING NOISE CONTROL ON THE PUBLIC STREETS AND IN OTHER PUBLIC AND PRIVATE PLACES, RESTRICTING AND PROHIBITING THE CAUSING, CREATING OR ALLOWING OF NOISE WHICH IS INJURIOUS TO HEALTH OR WHICH UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE WITHIN THE CORPORATE BOUNDARIES OF THE CITY AND SPECIFYING CERTAIN ALLOWABLE TYPES OF NOISE AND THE CIRCUMSTANCES UNDER WHICH, AND TIMES WITHIN WHICH, NOISE IS PERMITTED BY BOTH PUBLIC AND PRIVATE ENTITIES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
SPONSORED BY:  
Councilman Bob Nalen  
SUMMARY:  
Amends LVMC Chapter 9.16 by extending regulations concerning noise control in public and private areas within the City, by providing for the times and circumstances under which certain noise is allowed and by providing for general exemptions as to noise.  
At a City Council meeting, May 4, 1988  
BILL NO. 88-27 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:  
Councilmen Nalen and Adamsen  
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: May 19, 1988

SIGNED \_\_\_\_\_

GEORGE J. VASCONI

Subscribed and sworn to before me this 19 day of May, 1988

*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, 1989

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