

3 AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES; AMENDING VARIOUS
4 SECTIONS OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE OF THE CITY OF LAS
5 VEGAS, 1983 EDITION, TO REVISE AND CLARIFY EXISTING ABATEMENT PROCEDURES
6 TO INCORPORATE RECENTLY ADOPTED PROVISIONS OF STATE LAW; AMENDING SAID
7 TITLE AND CHAPTER FURTHER BY ADDING THERETO A NUMBER OF NEW SECTIONS
TO IMPLEMENT STATE LAW REGARDING THE ABATEMENT OF CHRONIC NUISANCES;
PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER
MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND
PARTS OF ORDINANCES IN CONFLICT HEREWITH.

8 Sponsored by:
9 Councilman Michael McDonald

Summary: Implements State law by creating
additional enforcement remedies to abate
nuisance conditions.

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

12 SECTION 1: Title 9, Chapter 4, Section 10 of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **9.04.010:** As used in this Chapter, unless the context requires otherwise, the following terms shall
15 be defined as set forth in this Section.

16 (A) "Authorized official" means an officer of the Las Vegas Metropolitan Police
17 Department and any person designated and empowered by ordinance, by the City Manager or by the
18 District Health Officer to enforce the provisions of Title 9.

19 (B) "Chronic nuisance" means the existence of any of the following conditions:

20 (1) When three or more nuisance activities exist or have occurred during
21 any thirty-day period on a property;

22 (2) When a person associated with the property has engaged in three or
23 more nuisance activities during any thirty-day period on the property or within 100 feet of the
24 property;

25 (3) When the property has been the subject of a search warrant based on
26 probable cause of continuous or repeated violations of NRS Chapter 459; or

27 (4) When a building or place is used for the purpose of unlawfully selling,
28 servicing, storing, keeping, manufacturing, using or giving away a controlled substance, immediate

1 precursor as defined in NRS 453.086 or controlled substance analog as defined in NRS 453.043.

2 (C) "Criminal activity" means any activity defined as a misdemeanor in the Las
3 Vegas Municipal Code or as a misdemeanor, gross misdemeanor or felony in NRS Title 15.

4 (D) "Imminent hazard" means any condition associated with real property that
5 places a person's life, health or property in high risk of peril when such condition is immediate,
6 impending, or on the point of happening or menacing.

7 [(B)] (E) "Owner" means [anyone] any person having a legal or equitable interest
8 in real property within the City, [; or the authorized agent of such person; or the person in possession
9 or control of any lot or premises in the City.]

10 (F) "Person associated with the property" means a person who, on the occasion of
11 a nuisance activity, has:

12 (1) Entered, patronized or visited;

13 (2) Attempted to enter, patronize or visit; or

14 (3) Waited to enter, patronize or visit,

15 a property or a person present on the property.

16 [(C)] (G) "Public nuisance" or nuisance activity means any of the following
17 conditions:

18 (1) Attractive Nuisance. Any area, structure or object which by its nature,
19 location and/or character would tend to attract and endanger the safety of any minor person.

20 (2) Building Code Violation. Any violation of the Uniform Building Code,
21 as adopted and amended by Title 16 of this Code.

22 (3) Fire Code Violation. Any violation of the Uniform Fire Code, as
23 adopted and amended by Title 16 of this Code.

24 (4) Polluted Water. Any body of water which by its nature and/or location
25 constitutes an unhealthy or unsafe condition.

26 (5) Refuse and Waste. Any material, regardless of its market value, which,
27 by reason of its location and/or character, is unsightly or interferes with the reasonable use and
28 enjoyment of adjacent properties; or which has a detrimental effect upon adjacent property values; or

1 which would hamper or interfere with the containment of fire upon the premises.

2 (a) Examples of refuse and waste, include, but are not limited to the
3 depositing and keeping of refuse and waste such as old lumber, tin, wire, cans, barrels, cartons, boxes,
4 rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets,
5 tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and
6 appliances, cleaning and bedding from animal or fowl pens, and automobile parts.

7 (6) Sign Violation. Any sign which is in violation of Title [19] 19A of this
8 Code.

9 (7) Zoning Violation. Any violation of Title [19] 19A of this Code [.] other
10 than a sign violation.

11 (8) Nuisances in General. Any act or condition which, by reason of its
12 nature, character and/or location, interferes with the reasonable use and enjoyment of adjacent
13 properties; or which has a detrimental effect upon adjacent property values. Nuisances in general shall
14 include, but not be limited to, the following:

15 (a) Weeds and turf grass in plain view within the front yard on a
16 developed parcel or vacant parcel exceeding eight inches in height, with the exception for useful
17 grasses and pastures as set forth in Section 9.04.040;

18 (b) Graffiti, defined as the unauthorized spraying of paint, ink,
19 chalk, dye or other similar marking substances on public or private buildings, walls, fences or other
20 structures allowed to remain for more than twenty-four hours;

21 (c) Unpainted or painted buildings, walls, fences or other structures
22 upon which the condition of the structure has become so deteriorated as to permit decay, excessive
23 cracking, peeling, chalking, dry rot, warping or termite infestation;

24 (d) Construction equipment, commercial vehicles, or other
25 machinery all having a capacity of one ton or more when stored upon any street, lot, or property
26 within a residential zone not approved for a temporary construction yard for the residential subdivision
27 or approved by a building permit or site plan review.

28 (i) Exemptions. Any vehicle, equipment or machinery

1 described in Subsection [(C)(8)(e)] (G)(8)(d) of this Section shall not be a nuisance if it is stored on
2 one's own property for property owner's personal use on his/her property.

3 (e) Criminal activity on any lot or premises within the City.

4 (H) "Responsible party" means any tenant, occupant, lessor, lessee, manager,
5 licensee or other person having control over a structure or parcel of land in the City.

6 SECTION 2: Title 9, Chapter 4, Section 20 of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **9.04.020:** [Every person who:

9 (A) Shall cause or maintain a public nuisance as defined in Section 9.04.010; or

10 (B) Shall wilfully omit or refuse to perform any legal duty relating to the abatement
11 of such nuisances,

12 shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section
13 1.24.010. Furthermore, each day that a violation continues to exist constitutes a separate offense.]

14 (A) Every person who causes or maintains a public nuisance or chronic nuisance,
15 or who willfully omits or refuses to perform any legal duty relating to the abatement of such a
16 nuisance:

17 (1) Shall be guilty of a misdemeanor; or

18 (2) Shall be liable civilly to the City and, upon such finding based upon
19 substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars
20 per day for each day that any nuisance remained unabated after the date specified for abatement in the
21 notice of violation.

22 (B) Each day that a violation of this Section continues, whether pursued criminally
23 or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

24 SECTION 3: Title 9, Chapter 4, Section 30 of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **9.04.030:** At the discretion of an authorized official, the following remedies may be pursued[:]
27 concerning a public nuisance or chronic nuisance:

28 (A) [Criminal] A criminal misdemeanor prosecution or the prosecution of a civil

1 claim as set forth in Section 9.04.020;

2 (B) The abatement procedure [as] set forth in [Section 9.04.050, et seq.]; this
3 Chapter; or

4 (C) [Criminal] A criminal/civil prosecution and an abatement [procedures]
5 procedure concurrently.

6 SECTION 4: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
7 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 45, reading as
8 follows:

9 **9.04.045:** (A) The City, through its agents and employees, is authorized to inspect property,
10 buildings and premises to determine compliance with this Chapter. The City may assess and collect
11 from the owner or responsible party the following inspection fees as service charges:

12 (1) No fee for the initial inspection.

13 (2) Seventy-five dollars, for the initial reinspection, if the owner or
14 responsible party has failed to make all the repairs or corrections by the established reinspection date.

15 (3) An additional reinspection fee in the sum of forty-five dollars per hour,
16 with a one-hour minimum, for each additional inspection required to certify compliance with the
17 notice of violation until each repair or correction has been completed to the satisfaction of the
18 authorized official.

19 (B) Based upon a summary of service charges submitted by the authorized official,
20 the Department of Finance and Business Services shall send an appropriate billing to the owner or
21 responsible party. The Department may charge an additional ten percent administrative fee to cover
22 administrative costs. The billing must include the date by which payment must be made in order to
23 avoid the assessment procedures described in this Chapter.

24 (C) If payment is not received in a timely manner, the City may proceed to collect
25 the service charges and administrative fees through the assessment procedures described in Sections
26 9.04.090 and 9.04.100, or by means of any other legal or equitable remedy.

27 SECTION 5: Title 9, Chapter 4, Section 50 of the Municipal Code of the City of Las
28 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **9.04.050:** (A) Issuance of Notice of Violation. If it is determined by an authorized official that
2 a public nuisance exists on property within the City, that official shall cause a notice of violation to
3 be issued to abate such nuisance. Such notice shall: [state the nature of the nuisance to be abated,
4 require abatement to be performed within a specific time period, not less than ten days from the date
5 of mailing, service or posting unless the existence of a health or safety hazard requires a shorter time
6 period, and inform the owner of the right to appeal as provided in this Chapter.]

7 (1) Identify the owner of the property and any responsible party, if known;

8 (2) Identify with particularity the property upon which the nuisance has
9 been committed;

10 (3) Include a statement of violations in sufficient detail to allow an owner
11 or responsible party to identify and correct the nuisance;

12 (4) Require abatement to be performed within a specific time period, not
13 less than ten days, unless the public health or safety requires a shorter period;

14 (5) Set any reinspection date deemed appropriate;

15 (6) Provide an address and telephone number of an authorized official with
16 whom contact regarding the violation can be made; and

17 (7) Inform the owner or responsible party of the right to appeal as provided
18 in this Chapter.

19 [(1)] (B) On any vacant lot, the existence of any nuisance which poses a threat
20 to health or safety, results in deterioration and blighting of the surrounding area, and has an adverse
21 effect on the use and enjoyment of nearby properties may be summarily removed or abated by the City
22 without prior notice and at the City's expense.

23 [(B)] (C) Service of Notice of Violation. Such notice of violation may be served
24 in any of the following ways:

25 (1) By personal service thereof upon the owner[;] or responsible party;

26 (2) By mailing the notice by certified mail, return receipt requested to the
27 owner or responsibility at [their] the last known address; or

28 (3) By posting the notice in a conspicuous place on the property; provided,

1 however, that service by posting shall only be used when the authorized official cannot determine the
2 last known address of the owner[.] or responsible party.

3 SECTION 6: Title 9, Chapter 4, Section 60 of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.04.060:** (A) Unless an appeal is perfected in compliance with this Chapter, the owner or
6 responsible party must abate a public nuisance within the time period set forth in the notice of
7 violation.

8 (B) If an appeal is perfected in compliance with this Chapter, the date specified for
9 abatement in the notice of violation is tolled for the period during which the owner or responsible
10 party pursues the appeal and receives a decision.

11 [(B)] (C) In the event the decision on an appeal [is perfected in compliance with
12 this Chapter, and the City Council] requires abatement of the public nuisance, the owner or
13 responsible party must abate the public nuisance within ten days after the [City Council's] decision
14 or within such other time period as the [City Council] decision may direct.

15 SECTION 7: Title 9, Chapter 4, Section 70 of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.04.070:** Within ten days after service[, mailing or posting] of the notice of violation, the owner
18 [affected] or responsible party may appeal to the City Council. Such appeal shall be in writing and
19 shall be filed with the City Clerk. Within [five to] fifteen days after the appeal has been filed, the
20 [applicant] appellant shall be given written notice of the [scheduled hearing. At said hearing, which
21 must be noticed in compliance with Chapter 241 of the Nevada Revised States (Open Meeting Law),
22 the City Council shall hear and pass upon the appeal.] procedure and time frame for the hearing of the
23 appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of
24 final appeal to the Council. The decision of the City Council or the Council's designee, in cases
25 where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any
26 owner or responsible party failing to appeal as provided in this Section shall be deemed to have
27 waived any and all objections to the existence of a public nuisance and the abatement of such
28 nuisance.

1 SECTION 8: Title 9, Chapter 4, Section 80 of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **9.04.080:** (A) If an owner or responsible party found to be in violation of this Chapter fails
4 or neglects to remove the public nuisance within the time limit specified in Section 9.04.060, the City
5 may take any and all action necessary to abate the public nuisance. In addition, after the City has taken
6 abatement action more than once concerning a dumping violation on a vacant parcel, the City may
7 undertake preventative measures as part of its abatement action, which include, but are not limited to,
8 creating a dirt berm or installing a fence around the appropriate portions of the parcel to prevent future
9 dumping violations.

10 (B) A fifteen percent administrative fee shall be added to the cost of the contract
11 price, if any, for each abatement action conducted to remove or correct a public nuisance. A report of
12 the abatement proceedings and a separate account of the abatement costs on each parcel shall be filed
13 with the City Clerk.

14 SECTION 9: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 82, reading as
16 follows:

17 **9.04.082:** (A) Upon the discovery of a chronic nuisance existing on a property, an authorized
18 official may send to the owner a written notice of the nuisance activity. The notice shall be entitled
19 "Notice and Declaration of Chronic Nuisance" and shall:

20 (1) Identify with particularity the property upon which the chronic nuisance
21 is located;

22 (2) Include a description of the conditions or activities which constitute the
23 chronic nuisance;

24 (3) Specify the date by which the condition must be abated in order to
25 prevent the matter from being submitted to the City Attorney for legal action; and

26 (4) Provide notice of the opportunity for a hearing before a court of
27 competent jurisdiction and the procedure therefor.

28 (B) The Notice and Declaration of Chronic Nuisance shall be sent by certified mail,

1 return receipt requested to the owner of the property.

2 (C) The date specified in the Notice and Declaration of Chronic Nuisance for
3 abatement is tolled for the period during which the owner requests a hearing and receives a decision.

4 SECTION 10: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 84, reading as
6 follows:

7 **9.04.084:** When a property owner has been served with a Notice and Declaration of Chronic
8 Nuisance and has failed to abate the chronic nuisance by the date specified in the Notice and
9 Declaration, the authorized official may request the City Attorney to file an abatement action in a
10 court of competent jurisdiction. If the court finds that a chronic nuisance exists and emergency action
11 is necessary to avoid immediate threat to the public welfare or safety, the court shall order the City
12 to secure and close the property for a period not to exceed one year or until the nuisance is abated,
13 whichever occurs first. In addition, the court may:

14 (A) Impose a civil penalty of not more than five hundred dollars per day for each
15 day that the condition was not abated after the date specified in the Notice and Declaration of Chronic
16 Nuisance by which the owner was required to abate the condition;

17 (B) Order the owner to pay the City for all costs incurred and fees imposed by the
18 City in abating the condition;

19 (C) If applicable, order the owner to pay reasonable expenses for the relocation of
20 any tenants who are affected by the chronic nuisance; and

21 (D) Order any other appropriate relief.

22 SECTION 11: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
23 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 86, reading as
24 follows:

25 **9.04.086:** (A) If, in the opinion of the City Manager, or a duly authorized representative, the
26 condition of a property constitutes an imminent hazard, the City Manager or representative may order
27 immediate abatement of the hazard without notice. The abatement work shall be limited to the
28 minimum work necessary to remove the hazard. Before ordering abatement under this Section, the

1 City Manager or representative shall first obtain the concurrence of at least one other City or public
2 agency official. City and public agency officials that may concur with or request a designation of
3 imminent hazard pursuant to this Section include, without limitation, the City Manager; the Las Vegas
4 Metropolitan Police Department; the Clark County Health District; and the Departments of Fire
5 Services, Public Works, Planning and Development, Detention and Enforcement and Neighborhood
6 Services.

7 (B) The City shall pay the initial cost and expense of any emergency abatement
8 from any appropriation made available for that purpose. Any costs and expenses incurred, and any
9 fees imposed, in connection with the removal of an imminent hazard may be assessed against the
10 property or the owner in accordance with the procedure described in Section 9.04.100.

11 SECTION 12: Title 9, Chapter 4, Section 100 of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.04.100:** (A) At the abatement report hearing, the City Council shall either approve or
14 disapprove of the report as submitted, or as modified or corrected by the City Council. In the event
15 the City Council approves the report as submitted, modified or correct, the following actions may be
16 taken.

17 (1) Personal Obligation of Property Owner. If the City Council orders that
18 the cost of abating the public nuisance or chronic nuisance shall be a personal obligation of the
19 property owner, the City Council shall direct the City Attorney to collect the costs of abating the
20 nuisance (including reinspection fees) and interest thereon by use of all appropriate remedies.

21 (2) Lien Against Property. If the City Council orders that the cost of
22 abating the public nuisance or chronic nuisance, including reinspection fees and interest, shall be
23 assessed against the property, the City Council shall confirm the assessment and have it filed with the
24 County Recorder[.] and mailed in accordance with Subsection (B) of this Section. Thereafter, the
25 assessment shall constitute a lien upon the property.

26 (B) Status of Assessment Liens. (1) The assessment lien shall be perfected when
27 the City Clerk [files] has:

28 (a) Filed with the County Recorder a statement of the amount of

1 expenses due and unpaid and describing the property subject to the lien[.]; and

2 (b) Sent by certified mail, return receipt requested, a notice of the
3 lien, separately prepared for each lot affected, and addressed to the last known owner of the property
4 at his last known address, as determined by the real property assessment roll in the Clark County
5 Assessor's Office.

6 (2) Such a lien shall be:

7 [(1)] (a) Coequal with the latest lien on the subject property to secure the
8 payment of general taxes;

9 [(2)] (b) Not subject to extinguishment by the sale of the property on account
10 of the nonpayment of general taxes;

11 [(3)] (c) Prior and superior to all liens, claims, encumbrances and titles other
12 than the liens of assessments and general taxes. Assessment liens shall bear interest at the rate set by
13 law for judgments from the date of recordation. The lien shall continue until the assessment and all
14 interest due and payable thereon is paid.

15 SECTION 13: Section 905.4 of the Uniform Code for the Abatement of Dangerous
16 Buildings, 1994 Edition, as added by the Supplemental Document Amending the Uniform Code for
17 the Abatement of Dangerous Buildings, 1994 Edition, is hereby amended to read as follows:

18 **905.4 Discretion Regarding Means of Collection.** Notwithstanding any other provision of
19 this Chapter, in individual cases or in certain types of cases as may be specified, the City Council may
20 authorize the building official or other person or department responsible for the collection of repair
21 or demolition expenses to use any reasonable combination or sequence of collection activities,
22 including but not limited to installment payments, property liens to secure repayment, deferred
23 property liens to be filed if repayment arrangements are not met, [and] the assessment liens described
24 in this Chapter, and the assessment lien procedure set forth in LVMC Chapter 9.04.

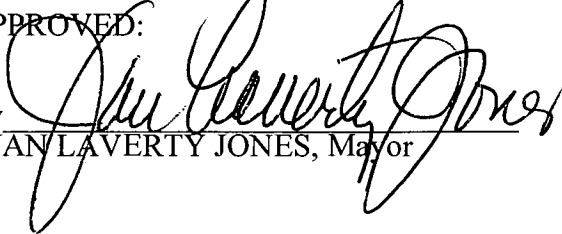
25 SECTION 14: Except as otherwise declared by a court of competent jurisdiction,
26 nothing in this Ordinance shall be deemed to affect enforcement proceedings undertaken by the City
27 prior to the effective date of this Ordinance or future enforcement proceedings undertaken by the City
28 pursuant to provisions of the Las Vegas Municipal Code other than LVMC Chapter 9.04.


1 SECTION 15: Whenever in this ordinance any act is prohibited or is made or declared
2 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
3 required or the failure to do any act is made or declared to be unlawful or an offense or a
4 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
5 constitute a misdemeanor and, except as otherwise provided, upon conviction thereof, shall be
6 punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six
7 months, or by any combination of such fine and imprisonment. Any day of any violation of this
8 ordinance shall constitute a separate offense.

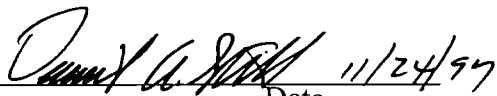
9 SECTION 16: If any section, subsection, subdivision, paragraph, sentence, clause or
10 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
11 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13 City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection,
14 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more
15 section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional,
16 invalid or ineffective.

17 SECTION 17: All ordinances or parts of ordinances, sections, subsections, phrases,
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this 24th day of November, 1997.

21 APPROVED:
22 
23 By JAN LAVERTY JONES, Mayor

24 ATTEST:
25 
26 BARBARA JO RONEMUS, City Clerk

27 APPROVED AS TO FORM:
28  11/24/97
Date

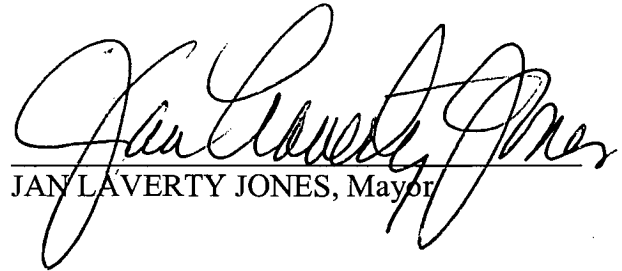
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 10th day of November, 1997 and referred to the following committee composed of the
3 Councilmen McDonald and Brown for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 24th day of November, 1997 which was a regular meeting
5 of said Council; that at said regular meeting, the proposed ordinance was read by title to the
6 City Council as amended and adopted by the following vote:

7 VOTING "AYE": Councilmen Adamsen, McDonald, Brown and Mayor Jones

8 VOTING "NAY": NONE

9 EXCUSED: Councilman Reese

10 APPROVED:

11 
12
13 JAN LAVERTY JONES, Mayor

14 ATTEST:

15 
16 BARBARA JO RONEMUS, City Clerk

1 **Bill No. 97-89**

2 Ordinance No. _____

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11 PARTS OF ORDINANCES IN CONFLICT HEREWITH.

8 Sponsored by:
9 Councilman Michael McDonald

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19 (B) "Chronic nuisance" means the existence of any of the following conditions:
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21 any thirty-day period on a property;

22 (2) When a person associated with the property has engaged in three or
23 more nuisance activities during any thirty-day period on the property or within 100 feet of the
24 property;

25 (3) When the property has been the subject of a search warrant based on
26 probable cause of continuous or repeated violations of NRS Chapter 459; or

27 (4) When a building or place is used for the purpose of unlawfully selling,
28 selling, storing, keeping, manufacturing, using or giving away a controlled substance, immediate

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6 impending, or on the point of happening or menacing.

7 [(B)] (E) "Owner" means [anyone] any person having a legal or equitable interest
8 in real property within the City, [; or the authorized agent of such person; or the person in possession
9 or control of any lot or premises in the City.]

10 (F) "Person associated with the property" means a person who, on the occasion of
11 a nuisance activity, has:

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15 a property or a person present on the property.

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17 conditions:

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28 enjoyment of adjacent properties; or which has a detrimental effect upon adjacent property values; or

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3 depositing and keeping of refuse and waste such as old lumber, tin, wire, cans, barrels, cartons, boxes,
4 rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets,
5 tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and
6 appliances, cleaning and bedding from animal or fowl pens, and automobile parts.

7 (6) Sign Violation. Any sign which is in violation of Title [19] 19A of this
8 Code.

9 (7) Zoning Violation. Any violation of Title [19] 19A of this Code [.] other
10 than a sign violation.

11 (8) Nuisances in General. Any act or condition which, by reason of its
12 nature, character and/or location, interferes with the reasonable use and enjoyment of adjacent
13 properties; or which has a detrimental effect upon adjacent property values. Nuisances in general shall
14 include, but not be limited to, the following:

15 (a) Weeds and turf grass in plain view within the front yard on a
16 developed parcel or vacant parcel exceeding eight inches in height, with the exception for useful
17 grasses and pastures as set forth in Section 9.04.040;

18 (b) Graffiti, defined as the unauthorized spraying of paint, ink,
19 chalk, dye or other similar marking substances on public or private buildings, walls, fences or other
20 structures allowed to remain for more than twenty-four hours;

21 (c) Unpainted or painted buildings, walls, fences or other structures
22 upon which the condition of the structure has become so deteriorated as to permit decay, excessive
23 cracking, peeling, chalking, dry rot, warping or termite infestation;

24 (d) Construction equipment, commercial vehicles, or other
25 machinery all having a capacity of one ton or more when stored upon any street, lot, or property
26 within a residential zone not approved for a temporary construction yard for the residential subdivision
27 or approved by a building permit or site plan review.

28 (i) Exemptions. Any vehicle, equipment or machinery

1 described in Subsection [(C)(8)(e)] ~~(G)(8)(d)~~ of this Section shall not be a nuisance if it is stored on
2 one's own property for property owner's personal use on his/her property.

3 (e) Criminal activity on any lot or premises within the City.

4 (H) "Responsible party" means any tenant, occupant, lessor, lessee, manager,
5 licensee or other person having control over a structure or parcel of land in the City.

6 SECTION 2: Title 9, Chapter 4, Section 20 of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **9.04.020:** [Every person who:

9 (A) Shall cause or maintain a public nuisance as defined in Section 9.04.010; or

10 (B) Shall wilfully omit or refuse to perform any legal duty relating to the abatement
11 of such nuisances,

12 shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section
13 1.24.010. Furthermore, each day that a violation continues to exist constitutes a separate offense.]

14 (A) Every person who causes or maintains a public nuisance or chronic nuisance,
15 or who willfully omits or refuses to perform any legal duty relating to the abatement of such a
16 nuisance:

17 (1) Shall be guilty of a misdemeanor; or

18 (2) Shall be liable civilly to the City and, upon such finding based upon
19 substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars
20 per day for each day that any nuisance remained unabated after the date specified for abatement in the
21 notice of violation.

22 (B) Each day that a violation of this Section continues, whether pursued criminally
23 or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

24 SECTION 3: Title 9, Chapter 4, Section 30 of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **9.04.030:** At the discretion of an authorized official, the following remedies may be pursued[:]
27 concerning a public nuisance or chronic nuisance:

28 (A) [Criminal] A criminal misdemeanor prosecution or the prosecution of a civil

1 claim as set forth in Section 9.04.020;

2 (B) The abatement procedure [as] set forth in [Section 9.04.050, et seq.]; this
3 Chapter; or

4 (C) [Criminal] A criminal/civil prosecution and an abatement [procedures]
5 procedure concurrently.

6 SECTION 4: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
7 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 45, reading as
8 follows:

9 **9.04.045:** (A) The City, through its agents and employees, is authorized to inspect property,
10 buildings and premises to determine compliance with this Chapter. The City may assess and collect
11 from the owner or responsible party the following inspection fees as service charges:

12 (1) No fee for the initial inspection.

13 (2) Seventy-five dollars, for the initial reinspection, if the owner or
14 responsible party has failed to make all the repairs or corrections by the established reinspection date.

15 (3) An additional reinspection fee in the sum of forty-five dollars per hour,
16 with a one-hour minimum, for each additional inspection required to certify compliance with the
17 notice of violation until each repair or correction has been completed to the satisfaction of the
18 authorized official.

19 (B) Based upon a summary of service charges submitted by the authorized official,
20 the Department of Finance and Business Services shall send an appropriate billing to the owner or
21 responsible party. The Department may charge an additional ten percent administrative fee to cover
22 administrative costs. The billing must include the date by which payment must be made in order to
23 avoid the assessment procedures described in this Chapter.

24 (C) If payment is not received in a timely manner, the City may proceed to collect
25 the service charges and administrative fees through the assessment procedures described in Sections
26 9.04.090 and 9.04.100, or by means of any other legal or equitable remedy.

27 SECTION 5: Title 9, Chapter 4, Section 50 of the Municipal Code of the City of Las
28 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **9.04.050:** (A) Issuance of Notice of Violation. If it is determined by an authorized official that
2 a public nuisance exists on property within the City, that official shall cause a notice of violation to
3 be issued to abate such nuisance. Such notice shall: [state the nature of the nuisance to be abated,
4 require abatement to be performed within a specific time period, not less than ten days from the date
5 of mailing, service or posting unless the existence of a health or safety hazard requires a shorter time
6 period, and inform the owner of the right to appeal as provided in this Chapter.]

7 (1) Identify the owner of the property and any responsible party, if known;

8 (2) Identify with particularity the property upon which the nuisance has
9 been committed;

10 (3) Include a statement of violations in sufficient detail to allow an owner
11 or responsible party to identify and correct the nuisance;

12 (4) Require abatement to be performed within a specific time period, not
13 less than ten days, unless the public health or safety requires a shorter period;

14 (5) Set any reinspection date deemed appropriate;

15 (6) Provide an address and telephone number of an authorized official with
16 whom contact regarding the violation can be made; and

17 (7) Inform the owner or responsible party of the right to appeal as provided
18 in this Chapter.

19 [(1)] (B) On any vacant lot, the existence of any nuisance which poses a threat
20 to health or safety, results in deterioration and blighting of the surrounding area, and has an adverse
21 effect on the use and enjoyment of nearby properties may be summarily removed or abated by the City
22 without prior notice and at the City's expense.

23 [(B)] (C) Service of Notice of Violation. Such notice of violation may be served
24 in any of the following ways:

25 (1) By personal service thereof upon the owner[;] or responsible party;

26 (2) By mailing the notice by certified mail, return receipt requested to the
27 owner or responsibility at [their] the last known address; or

28 (3) By posting the notice in a conspicuous place on the property; provided,

1 however, that service by posting shall only be used when the authorized official cannot determine the
2 last known address of the owner[.] or responsible party.

3 SECTION 6: Title 9, Chapter 4, Section 60 of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.04.060:** (A) Unless an appeal is perfected in compliance with this Chapter, the owner or
6 responsible party must abate a public nuisance within the time period set forth in the notice of
7 violation.

8 (B) If an appeal is perfected in compliance with this Chapter, the date specified for
9 abatement in the notice of violation is tolled for the period during which the owner or responsible
10 party pursues the appeal and receives a decision.

11 [(B)] (C) In the event the decision on an appeal [is perfected in compliance with
12 this Chapter, and the City Council] requires abatement of the public nuisance, the owner or
13 responsible party must abate the public nuisance within ten days after the [City Council's] decision
14 or within such other time period as the [City Council] decision may direct.

15 SECTION 7: Title 9, Chapter 4, Section 70 of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **9.04.070:** Within ten days after service[, mailing or posting] of the notice of violation, the owner
18 [affected] or responsible party may appeal to the City Council. Such appeal shall be in writing and
19 shall be filed with the City Clerk. Within [five to] fifteen days after the appeal has been filed, the
20 [applicant] appellant shall be given written notice of the [scheduled hearing. At said hearing, which
21 must be noticed in compliance with Chapter 241 of the Nevada Revised States (Open Meeting Law),
22 the City Council shall hear and pass upon the appeal.] procedure and time frame for the hearing of the
23 appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of
24 final appeal to the Council. The decision of the City Council or the Council's designee, in cases
25 where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any
26 owner or responsible party failing to appeal as provided in this Section shall be deemed to have
27 waived any and all objections to the existence of a public nuisance and the abatement of such
28 nuisance.

1 SECTION 8: Title 9, Chapter 4, Section 80 of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **9.04.080:** (A) If an owner or responsible party found to be in violation of this Chapter fails
4 or neglects to remove the public nuisance within the time limit specified in Section 9.04.060, the City
5 may take any and all action necessary to abate the public nuisance. In addition, after the City has taken
6 abatement action more than once concerning a dumping violation on a vacant parcel, the City may
7 undertake preventative measures as part of its abatement action, which include, but are not limited to,
8 creating a dirt berm or installing a fence around the appropriate portions of the parcel to prevent future
9 dumping violations.

10 (B) A fifteen percent administrative fee shall be added to the cost of the contract
11 price, if any, for each abatement action conducted to remove or correct a public nuisance. A report of
12 the abatement proceedings and a separate account of the abatement costs on each parcel shall be filed
13 with the City Clerk.

14 SECTION 9: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 82, reading as
16 follows:

17 **9.04.082:** (A) Upon the discovery of a chronic nuisance existing on a property, an authorized
18 official may send to the owner a written notice of the nuisance activity. The notice shall be entitled
19 "Notice and Declaration of Chronic Nuisance" and shall:

20 (1) Identify with particularity the property upon which the chronic nuisance
21 is located;

22 (2) Include a description of the conditions or activities which constitute the
23 chronic nuisance;

24 (3) Specify the date by which the condition must be abated in order to
25 prevent the matter from being submitted to the City Attorney for legal action; and

26 (4) Provide notice of the opportunity for a hearing before a court of
27 competent jurisdiction and the procedure therefor.

28 (B) The Notice and Declaration of Chronic Nuisance shall be sent by certified mail,

1 return receipt requested to the owner of the property.

2 (C) The date specified in the Notice and Declaration of Chronic Nuisance for
3 abatement is tolled for the period during which the owner requests a hearing and receives a decision.

4 SECTION 10: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 84, reading as
6 follows:

7 **9.04.084:** When a property owner has been served with a Notice and Declaration of Chronic
8 Nuisance and has failed to abate the chronic nuisance by the date specified in the Notice and
9 Declaration, the authorized official may request the City Attorney to file an abatement action in a
10 court of competent jurisdiction. If the court finds that a chronic nuisance exists and emergency action
11 is necessary to avoid immediate threat to the public welfare or safety, the court shall order the City
12 to secure and close the property for a period not to exceed one year or until the nuisance is abated,
13 whichever occurs first. In addition, the court may:

14 (A) Impose a civil penalty of not more than five hundred dollars per day for each
15 day that the condition was not abated after the date specified in the Notice and Declaration of Chronic
16 Nuisance by which the owner was required to abate the condition;

17 (B) Order the owner to pay the City for all costs incurred and fees imposed by the
18 City in abating the condition;

19 (C) If applicable, order the owner to pay reasonable expenses for the relocation of
20 any tenants who are affected by the chronic nuisance; and

21 (D) Order any other appropriate relief.

22 SECTION 11: Title 9, Chapter 4, of the Municipal Code of the City of Las Vegas,
23 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 86, reading as
24 follows:

25 **9.04.086:** (A) If, in the opinion of the City Manager, or a duly authorized representative, the
26 condition of a property constitutes an imminent hazard, the City Manager or representative may order
27 immediate abatement of the hazard without notice. The abatement work shall be limited to the
28 minimum work necessary to remove the hazard. Before ordering abatement under this Section, the

1 City Manager or representative shall first obtain the concurrence of at least one other City or public
2 agency official. City and public agency officials that may concur with or request a designation of
3 imminent hazard pursuant to this Section include, without limitation, the City Manager; the Las Vegas
4 Metropolitan Police Department; the Clark County Health District; and the Departments of Fire
5 Services, Public Works, Planning and Development, Detention and Enforcement and Neighborhood
6 Services.

7 (B) The City shall pay the initial cost and expense of any emergency abatement
8 from any appropriation made available for that purpose. Any costs and expenses incurred, and any
9 fees imposed, in connection with the removal of an imminent hazard may be assessed against the
10 property in accordance with the assessment lien procedure described in Section 9.04.100.

11 SECTION 12: Title 9, Chapter 4, Section 100 of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.04.100:** (A) At the abatement report hearing, the City Council shall either approve or
14 disapprove of the report as submitted, or as modified or corrected by the City Council. In the event
15 the City Council approves the report as submitted, modified or correct, the following actions may be
16 taken.

17 (1) Personal Obligation of Property Owner. If the City Council orders that
18 the cost of abating the public nuisance or chronic nuisance shall be a personal obligation of the
19 property owner, the City Council shall direct the City Attorney to collect the costs of abating the
20 nuisance (including reinspection fees) and interest thereon by use of all appropriate remedies.

21 (2) Lien Against Property. If the City Council orders that the cost of
22 abating the public nuisance or chronic nuisance, including reinspection fees and interest, shall be
23 assessed against the property, the City Council shall confirm the assessment and have it filed with the
24 County Recorder[.] and mailed in accordance with Subsection (B) of this Section. Thereafter, the
25 assessment shall constitute a lien upon the property.

26 (B) Status of Assessment Liens. (1) The assessment lien shall be perfected when
27 the City Clerk [files] has:

28 (a) Filed with the County Recorder a statement of the amount of

1 expenses due and unpaid and describing the property subject to the lien[.]; and

2 (b) Sent by certified mail, return receipt requested, a notice of the
3 lien, separately prepared for each lot affected, and addressed to the last known owner of the property
4 at his last known address, as determined by the real property assessment roll in the Clark County
5 Assessor's Office.

6 (2) Such a lien shall be:

7 [(1)] (a) Coequal with the latest lien on the subject property to secure the
8 payment of general taxes;

9 [(2)] (b) Not subject to extinguishment by the sale of the property on account
10 of the nonpayment of general taxes;

11 [(3)] (c) Prior and superior to all liens, claims, encumbrances and titles other
12 than the liens of assessments and general taxes. Assessment liens shall bear interest at the rate set by
13 law for judgments from the date of recordation. The lien shall continue until the assessment and all
14 interest due and payable thereon is paid.

15 SECTION 13: Section 905.4 of the Uniform Code for the Abatement of Dangerous
16 Buildings, 1994 Edition, as added by the Supplemental Document Amending the Uniform Code for
17 the Abatement of Dangerous Buildings, 1994 Edition, is hereby amended to read as follows:

18 **905.4 Discretion Regarding Means of Collection.** Notwithstanding any other provision of
19 this Chapter, in individual cases or in certain types of cases as may be specified, the City Council may
20 authorize the building official or other person or department responsible for the collection of repair
21 or demolition expenses to use any reasonable combination or sequence of collection activities,
22 including but not limited to installment payments, property liens to secure repayment, deferred
23 property liens to be filed if repayment arrangements are not met, [and] the assessment liens described
24 in this Chapter, and the assessment lien procedure set forth in LVMC Chapter 9.04.

25 SECTION 14: Except as otherwise declared by a court of competent jurisdiction,
26 nothing in this Ordinance shall be deemed to affect enforcement proceedings undertaken by the City
27 prior to the effective date of this Ordinance or future enforcement proceedings undertaken by the City
28 pursuant to provisions of the Las Vegas Municipal Code other than LVMC Chapter 9.04.

1 SECTION 15: Whenever in this ordinance any act is prohibited or is made or declared
2 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
3 required or the failure to do any act is made or declared to be unlawful or an offense or a
4 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
5 constitute a misdemeanor and, except as otherwise provided, upon conviction thereof, shall be
6 punished by a fine of not more than \$1,000.00 or by imprisonment for a term of not more than six
7 months, or by any combination of such fine and imprisonment. Any day of any violation of this
8 ordinance shall constitute a separate offense.

9 SECTION 16: If any section, subsection, subdivision, paragraph, sentence, clause or
10 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
11 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
12 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
13 City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection,
14 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more
15 section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional,
16 invalid or ineffective.

17 SECTION 17: All ordinances or parts of ordinances, sections, subsections, phrases,
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this ____ day of _____, 1997.

21 APPROVED:
22
23 By _____
JAN LAVERTY JONES, Mayor

24 ATTEST:
25 _____
BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:
27 _____
28 _____ 11/7/97
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1997, 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 _____, 1997, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 JAN LAVERTY JONES, Mayor

15
16 ATTEST: _____
17 ARBARA JO RONEMUS, City Clerk

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AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
 BILL NO. 97-89
 ORDINANCE NO. 5034

AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES; AMENDING VARIOUS SECTIONS OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO REVISE AND CLARIFY EXISTING ABATEMENT PROCEDURES TO INCORPORATE RECENTLY ADOPTED PROVISIONS OF STATE LAW; AMENDING SAID TITLE AND CHAPTER FURTHER BY ADDING THERETO A NUMBER OF NEW SECTIONS TO IMPLEMENT STATE LAW REGARDING THE ABATEMENT OF CHRONIC NUISANCES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Michael McDonald

SUMMARY: Implements State law by creating additional enforcement remedies to abate nuisance conditions.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 10th day of November, 1997, and referred to the following committee composed of Councilmen Brown and Mayor Jones for recommendation; thereafter the said committee reported favorably on said ordinance on the 24th day of November, 1997, 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 adopted by the following vote:
 VOTING "AYE" Councilmen Adamsen, McDonald, Brown and Mayor Jones
 VOTING "NAY" NONE
 EXCUSED Councilman Reese

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1st FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

November 26, 1997
 Las Vegas Review-Journal

RECEIVED
 CITY CLERK

DEC 5 3 15 PM '97

STATE OF NEVADA)
 COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 26, 1997 to NOVEMBER 26, 1997, on the following days:

NOVEMBER 26, 1997

Signed: Barbara Linford

Subscribed and sworn to before me this 26 day of NOV, 1997

Peggy D. Barron
 Notary Public



PEGGY D. BARRON
 Notary Public - Nevada
 Clark County
 My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
Nov 26 10 42 AM '97

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BILL NO. 97-89

AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES; AMENDING VARIOUS SECTIONS OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO REVISE AND CLARIFY EXISTING ABATEMENT PROCEDURES TO INCORPORATE RECENTLY ADOPTED PROVISIONS OF STATE LAW; AMENDING SAID TITLE AND CHAPTER FURTHER BY ADDING THERETO A NUMBER OF NEW SECTIONS TO IMPLEMENT STATE LAW REGARDING THE ABATEMENT OF CHRONIC NUISANCES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Michael McDonald

SUMMARY: Implements State law by creating additional enforcement remedies to abate nuisance conditions.

At a City Council meeting
NOVEMBER 10, 1997

BILL NO. 97-89 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Councilmen Brown and Mayor Jones

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1st FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: November 13, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 13, 1997 to NOVEMBER 13, 1997, on the following days:

NOVEMBER 13, 1997

Signed: Barbara Linford

Subscribed and sworn to before me this 13 day of NOV, 19 97

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

FIRST AMENDMENT
 BILL NO. 97-89
 ORDINANCE NO. 5034

AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES; AMENDING VARIOUS SECTIONS OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO REVISE AND CLARIFY EXISTING ABATEMENT PROCEDURES TO INCORPORATE RECENTLY ADOPTED PROVISIONS OF STATE LAW; AMENDING SAID TITLE AND CHAPTER FURTHER BY ADDING THERETO A NUMBER OF NEW SECTIONS TO IMPLEMENT STATE LAW REGARDING THE ABATEMENT OF CHRONIC NUISANCES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Michael McDonald
 SUMMARY: Implements State law by creating additional enforcement remedies to abate nuisance conditions.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 10th day of November, 1997, and referred to the following committee composed of Councilmen Brown and Mayor Jones for recommendation; thereafter the said committee reported favorably on said ordinance on the 24th day of November, 1997, 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 adopted by the following vote:
 VOTING "AYE" Councilmen Adamsen, McDonald, Brown and Mayor Jones
 VOTING "NAY" NONE
 EXCUSED Councilman Reese
 COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1st FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
 PUB: November 26, 1997
 Las Vegas Review-Journal

Dec 5 3 10 PM '97

RECEIVED
 CITY CLERK

STATE OF NEVADA)
 COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 26, 1997 to NOVEMBER 26, 1997, on the following days:

NOVEMBER 26, 1997

Signed:

Barbara Linford

Subscribed and sworn to before me this 26 day of NOV, 1997

Peggy D. Barron

Notary Public



PEGGY D. BARRON
 Notary Public - Nevada

Clark County
 My appt. exp. Feb. 17, 1998



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AFFIDAVIT OF PUBLICATION

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BILL NO. 97-89

AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES, AMENDING VARIOUS SECTIONS OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO REVISE AND CLARIFY EXISTING ABATEMENT PROCEDURES TO INCORPORATE RECENTLY ADOPTED PROVISIONS OF STATE LAW; AMENDING SAID TITLE AND CHAPTER FURTHER BY ADDING THERETO A NUMBER OF NEW SECTIONS TO IMPLEMENT STATE LAW REGARDING THE ABATEMENT OF CHRONIC NUISANCES; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Michael McDonald

SUMMARY: Implements State law by creating additional enforcement remedies to abate nuisance conditions At a City Council meeting NOVEMBER 10, 1997

BILL NO 97-89 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Councilmen Brown and Mayor Jones

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1st FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB November 13, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA LINFORD being first duly sworn, deposes and says:

NOV 26 10 42 AM '97

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CITY CLERK

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 13, 1997 to NOVEMBER 13, 1997, on the following days:

NOVEMBER 13, 1997

Signed:

Barbara Linford

Subscribed and sworn to before me this 13 day of NOV, 19 97

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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