

FIRST AMENDMENT

Bill No. 98-4

Ordinance No. **5060**

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING VARIOUS SECTIONS OF TITLE 6, CHAPTER 74, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING ANTIQUE AND COLLECTIBLE DEALERS WITHIN THE DEFINITION OF SECONDHAND DEALER; DEFINING THE TERMS "ANTIQUE" AND "COLLECTIBLE"; ESTABLISHING A CLASS IV SECONDHAND DEALER LICENSE CATEGORY FOR ANTIQUE AND COLLECTIBLE DEALERS; PROVIDING A UNIFORM LICENSING FEE SCHEDULE, BASED ON GROSS SALES, FOR ALL CLASSES OF SECONDHAND DEALER; PROVIDING ADDITIONAL EXEMPTIONS FROM THE SECONDHAND DEALER REQUIREMENTS; REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 9, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Arnie Adamsen

Summary: Conforms the City Code to State law by requiring antique and collectible dealers to comply with secondhand dealer requirements.

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

SECTION 1: Title 6, Chapter 74, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.74.010: The City Council finds that the business of secondhand dealers seriously affects the well-being of the City and its residents; that it is necessary to regulate such activities carefully to ensure that persons of honesty and integrity are operating such businesses; and that they are operated in a manner which is responsible to the public. [Such businesses must therefore] Therefore, secondhand dealers (other than Class IV secondhand dealers) must comply with Chapter 6.06.

SECTION 2: Title 6, Chapter 74, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.74.020: As used in this Chapter, unless the context otherwise requires, the following words shall have the meaning ascribed to them as follows:

(A) "Advertise" means the use of any newspaper, magazine or other publication, letter, sign, card or other printed matter, radio or television transmission or any other method to bring to the attention of the public that a person is engaged in the business of:

1 (a) Buying, selling or trading hides or junk; or
2 (b) Buying, selling or trading [secondhand personal property, metal junk
3 or melted metals.] metal junk, melted metal or secondhand personal property, including, without
4 limitation, antiques and collectibles.

5 (B) “Antique” means a unique object of personal property that is not less than 60
6 years old and has special value primarily because of its age.

7 (C) “Collectible” means an object of personal property that has special value
8 primarily because of its unique characteristics and the high level of demand for the object.

9 [(B)] (D) “Identifiable” means secondhand personal property which bears a serial number
10 or personalized initials or an inscription and includes secondhand personal property which, at the time
11 it is acquired by the secondhand dealer, bears evidence of having had a serial number or personalized
12 initials or an inscription.

13 [(C)] (E) “Junk” means old iron, copper, brass, lead, zinc, tin, steel and other metals,
14 metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and all other secondhand,
15 used or castoff articles or material of any kind.

16 [(D)] (F) “Police department” means the Las Vegas Metropolitan Police Department.

17 [(E)] (G) “Precious metals” means gold, platinum, silver and their alloys.

18 [(F)] (H) “Secondhand dealer” means any person engaged in whole or in part in the
19 business of buying, selling or trading secondhand or used personal property, including, without
20 limitation, hides, junk, metal junk, [or] melted metals[.], antiques and collectibles.

21 SECTION 3: Title 6, Chapter 74, Section 40, of the Municipal Code is hereby
22 amended to read as follows:

23 **6.74.040:** This Chapter does not apply to:

24 (A) Dealers of used vehicles as to those activities permitted by a license issued by
25 the State Department of Motor Vehicles pursuant to NRS 482.322 but not as to those activities
26 referred to in Section 6.74.060;

27 (B) The buying, selling or trading by a licensed business of used articles which
28 were acquired as a trade-in or a credit upon the purchase of a new article of the same kind on a one-

1 for-one basis;

2 (C) The taking in pawn or the selling of unredeemed personal property by a licensed
3 pawnbroker pursuant to Chapter 6.60;

4 (D) The buying, selling or trading of used books, newspapers and periodicals;

5 (E) The buying, selling or trading of coins which are not a part of any jewelry; [or]

6 (F) [The buying or selling antiques or collectibles.] A convention or trade show not
7 exceeding fourteen days in length, provided that convention or trade show exhibitors do not purchase
8 secondhand or used personal property at the convention or trade show[.]; or

9 (G) A person selling used or personal property under the umbrella of another
10 licensee's gift and novelty or Class IV secondhand dealer license, provided the sales are made at the
11 main business premises of the gift and novelty or Class IV secondhand dealer licensee and the person
12 does not purchase used or personal property at the main business premises of the licensee.

13 SECTION 4: Title 6, Chapter 74, of the Municipal Code of the City of Las Vegas,
14 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 85,
15 reading as follows:

16 **6.74.085:** Class IV licenses permit secondhand dealers who deal exclusively with antiques or
17 collectibles, or a combination of antiques and collectibles.

18 SECTION 5: Title 6, Chapter 74, Section 100, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.74.100:** [Each secondhand dealer must pay to the Department in advance, semiannually, the
21 following license fees based upon the dealer's license classification:

22	(A) Class I	\$ 175.00
23	(B) Class II	150.00
	(C) Class III	75.00]

24 Each secondhand dealer must pay to the Department in advance, semiannually, a
25 license fee based on the dealer's gross sales pursuant to LVMC 6.04.005.

26 SECTION 6: Title 10, Chapter 66, Section 30, of the Municipal Code of the City of
27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 **10.66.030:** Applications for pistol permits shall be accepted only from duly licensed hardware


1 stores, gunsmith shops, sporting goods stores, stores which outfit and equip police officers and
2 security guards, [antique gun dealers], Class IV secondhand dealers and pawnshops where pistols may
3 be sold or purchased in compliance with this Chapter.

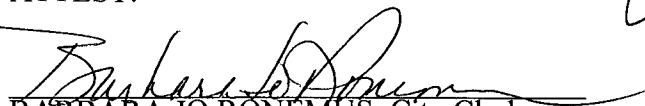
4 SECTION 7: Title 6, Chapter 9, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby repealed in its entirety.

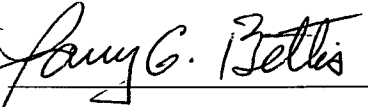
6 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
7 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
8 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
9 effectiveness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

14 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this 9th day of March, 1998.

18 APPROVED:
19
20 By 
JAN LAVERTY JONES, Mayor

21 ATTEST:
22 
23 BARBARA JO RONEMUS, City Clerk

24 APPROVED AS TO FORM:
25  2-24-98
26 _____ Date

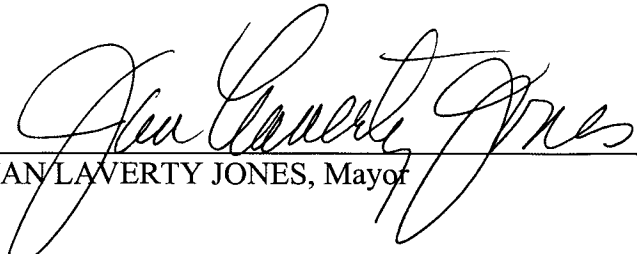
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 12th day of January, 1998 and referred to the following committee composed of the
3 Councilmen Brown and McDonald for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 9th day of February, 1998 which was a regular meeting of
5 said Council; that at said regular meeting, the proposed ordinance was read by title to the City
6 Council as amended and adopted by the following vote:

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

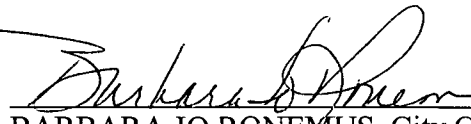
8 VOTING "NAY": NONE

9 EXCUSED: Councilman McDonald

10 APPROVED:

11 
12 _____
13 JAN LAVERTY JONES, Mayor

14 ATTEST:

15 
16 _____
17 BARBARA JO RONEMUS, City Clerk

Bill No. 98-4

Ordinance No. _____

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Sponsored by:
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Summary: Conforms the City Code to State law by requiring antique and collectible dealers to comply with secondhand dealer requirements.

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SECTION 2: Title 6, Chapter 74, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

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(A) "Advertise" means the use of any newspaper, magazine or other publication, letter, sign, card or other printed matter, radio or television transmission or any other method to bring to the attention of the public that a person is engaged in the business of:

- (a) Buying, selling or trading hides or junk; or

1 (b) Buying, selling or trading [secondhand personal property, metal junk
2 or melted metals.] metal junk, melted metal or secondhand personal property, including, without
3 limitation, antiques and collectibles.

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15 [(D)] (F) “Police department” means the Las Vegas Metropolitan Police Department.

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27 were acquired as a trade-in or a credit upon the purchase of a new article of the same kind on a one-
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25 security guards, [antique gun dealers], Class IV secondhand dealers and pawnshops where pistols may
26 be sold or purchased in compliance with this Chapter.

27 SECTION 7: Title 6, Chapter 9, of the Municipal Code of the City of Las Vegas,
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SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 1998.

APPROVED:

By _____
JAN LAVERTY JONES, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valsted 12-30-97
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1998, and referred to the following committee composed of
3 _____ and _____ for
4 recommendation; thereafter the said committee reported favorably on said ordinance on the ____
5 day of _____, 1998, which was a _____ meeting of said Council; that at
6 said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

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

11 APPROVED:

13 By _____
14 JAN LAVERTY JONES, Mayor

14 ATTEST:
15 _____
16 BARBARA JO RONEMUS, City Clerk

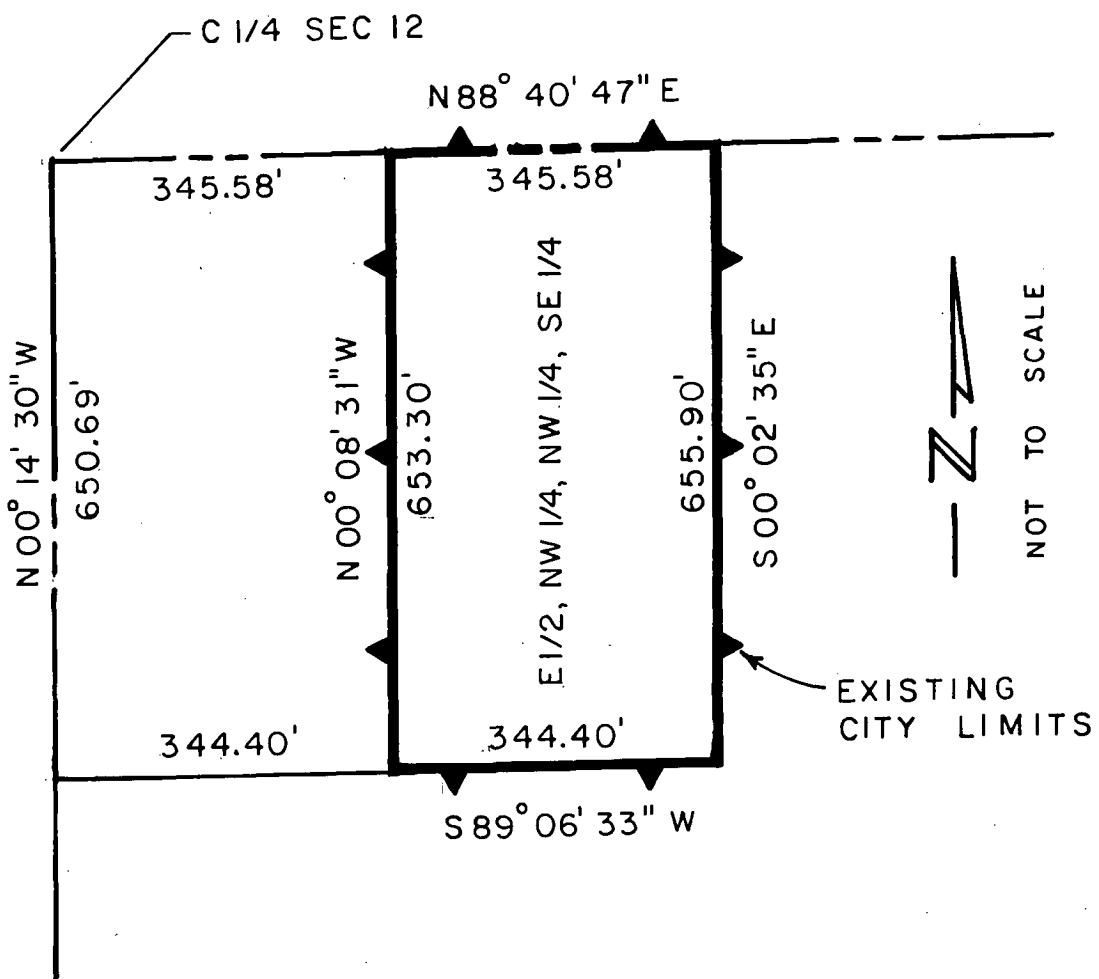
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ORIGINAL

PORTION OF THE NW 1/4, NW 1/4, SE 1/4,
SECTION 12, T20S, R59E, M. D. M.

GOWAN

ROAD



ANNEXED TO THE CITY OF LAS VEGAS UNDER ORDINANCE No. 5061

THIS MAP WAS PREPARED FROM THE EXISTING INFORMATION AS SHOWN ON THE RECORD OF SURVEY IN FILE 72 OF SURVEYS, PAGE 76 OF CLARK COUNTY, NEVADA RECORDS. NO RESPONSIBILITY IS ASSUMED FOR THE CORRECTNESS OF THE INFORMATION SHOWN HEREON.

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
LAS VEGAS CITY

03-13-98 09:32 ESP 5
OFFICIAL RECORDS
BOOK: 980313 INST: 00718
FEE: 11.00 RPT: .00

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CITY CLERK

1998 MAR 26 P 2:13

AFFIDAVIT OF PUBLICATION

1998 MAR -11 A 10:46
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FIRST AMENDMENT
BILL NO. 98-4

AN ORDINANCE RELATING TO BUSINESS LICENSING, AMENDING VARIOUS SECTIONS OF TITLE 6, CHAPTER 74, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING ANTIQUE AND COLLECTIBLE DEALERS WITHIN THE DEFINITION OF SECONDHAND DEALER, DEFINING THE TERMS "ANTIQU" AND "COLLECTIBLE", ESTABLISHING A CLASS IV SECONDHAND DEALER LICENSE CATEGORY FOR ANTIQUE AND COLLECTIBLE DEALERS, PROVIDING A UNIFORM LICENSING FEE SCHEDULE, BASED ON GROSS SALES, FOR ALL CLASSES OF SECONDHAND DEALER, PROVIDING ADDITIONAL EXEMPTIONS FROM THE SECONDHAND DEALER REQUIREMENTS, REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 9, OF SAID CODE, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY Councilman
Arnie Adamsen

SUMMARY Conforms the City Code to State law by requiring antique and collectible dealers to comply with secondhand dealer requirements

At a City Council meeting
JANUARY 12, 1998

BILL NO 98-4 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE

Councilmen Brown and McDonald
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB February 26, 1998
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 FEBRUARY 26, 1998 to FEBRUARY 26, 1998, on the following days:

FEBRUARY 26, 1998

Signed Barbara Linford

Subscribed and sworn to before me this 26 day of February, 19 98

Heather C Daehler
Notary Public



HEATHER C DAEHLER
Notary Public - Nevada
My appt. exp. July 3, 2000
No. 96-3605-1

AFFIDAVIT OF PUBLICATION

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CITY CLERK
1998 MAR 18 P 3:41

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FIRST AMENDMENT
BILL NO 98-4
ORDINANCE NO 5060

AN ORDINANCE RELATING TO BUSINESS LICENSING, AMENDING VARIOUS SECTIONS OF TITLE 6, CHAPTER 74, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING ANTIQUE AND COLLECTIBLE DEALERS WITHIN THE DEFINITION OF SECONDHAND DEALER DEFINING THE TERMS "ANTIQU" AND "COLLECTIBLE", ESTABLISHING A CLASS IV SECONDHAND DEALER LICENSE CATEGORY FOR ANTIQUE AND COLLECTIBLE DEALERS, PROVIDING A UNIFORM LICENSING FEE SCHEDULE BASED ON GROSS SALES FOR ALL CLASSES OF SECONDHAND DEALER PROVIDING ADDITIONAL EXEMPTIONS FROM THE SECONDHAND DEALER REQUIREMENTS, REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 9, OF SAID CODE, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY Councilman Arne Adamsen
SUMMARY: Conforms the City Code to State law by requiring antique and collectible dealers to comply with secondhand dealer requirements

The above and foregoing ordinance was first proposed and read by title to the City Council on the 12th day of January 1998, and referred to the following committee composed of Councilmen Brown and Reese for recommendation thereafter the said committee reported favorably on said ordinance on the 9th day of March, 1998, 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, Brown, Reese and Mayor Jones
VOTING "NAY" NONE
EXCUSED Councilman McDonald
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB March 12, 1998
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

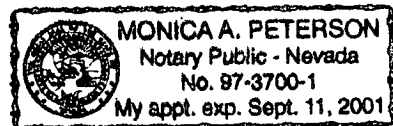
BARBARA LINFORD, being first duly sworn, deposes and says:

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 MARCH 12, 1998 to MARCH 12, 1998, on the following days:

MARCH 12, 1998

Signed: Barbara Linford

Subscribed and sworn to before me this 12 day of Mar, 19 98
Monica A. Peterson
Notary Public



AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
 BILL NO. 98-4
 ORDINANCE NO. 5060

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING VARIOUS SECTIONS OF TITLE 6, CHAPTER 74, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING ANTIQUE AND COLLECTIBLE DEALERS WITHIN THE DEFINITION OF SECONDHAND DEALER; DEFINING THE TERMS "ANTIQU" AND "COLLECTIBLE"; ESTABLISHING A CLASS IV SECONDHAND DEALER LICENSE CATEGORY FOR ANTIQUE AND COLLECTIBLE DEALERS; PROVIDING A UNIFORM LICENSING FEE SCHEDULE, BASED ON GROSS SALES, FOR ALL CLASSES OF SECONDHAND DEALER; PROVIDING ADDITIONAL EXEMPTIONS FROM THE SECONDHAND DEALER REQUIREMENTS; REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 9, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Confirms the City Code to State law by requiring antique and collectible dealers to comply with second-hand dealer requirements.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 12th day of January 1998, and referred to the following committee composed of Councilmen Brown and Reese for recommendation thereafter the said committee reported favorably on said ordinance on the 9th day of March, 1998, 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, Brown, Reese and Mayor Jones
 VOTING "NAY" NONE
 EXCUSED Councilman McDonald
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 PUB: March 12, 1998
 Las Vegas Review-Journal

STATE OF NEVADA)
 COUNTY OF CLARK) SS:

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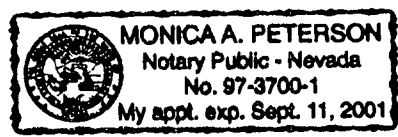
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Monica A. Peterson
 Notary Public



RECEIVED
 CITY CLERK
 1998 MAR 18



AFFIDAVIT OF PUBLICATION

1998 MAR -14 A-B-416
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CITY CLERK

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AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING VARIOUS SECTIONS OF TITLE 6, CHAPTER 74, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY INCLUDING ANTIQUE AND COLLECTIBLE DEALERS WITHIN THE DEFINITION OF SECONDHAND DEALER; DEFINING THE TERMS "ANTIQU" AND "COLLECTIBLE"; ESTABLISHING A CLASS IV SECONDHAND DEALER LICENSE CATEGORY FOR ANTIQUE AND COLLECTIBLE DEALERS; PROVIDING A UNIFORM LICENSING FEE SCHEDULE, BASED ON GROSS SALES, FOR ALL CLASSES OF SECONDHAND DEALER, PROVIDING ADDITIONAL EXEMPTIONS FROM THE SECONDHAND DEALER REQUIREMENTS; REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 9, OF SAID CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman
Annie Adamsen

SUMMARY: Conforms the City Code to State law by requiring antique and collectible dealers to comply with second-hand dealer requirements

At a City Council meeting

JANUARY 12, 1998

BILL NO. 98-4 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE.

Councilmen Brown and McDonald
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB: February 26, 1998
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 FEBRUARY 26, 1998 to FEBRUARY 26, 1998, on the following days:

FEBRUARY 26, 1998

Signed

Subscribed and sworn to before me this 26 day of February, 19 98

Notary Public



HEATHER C DAEHLER
Notary Public - Nevada
My appt. exp. July 3, 2000
No. 96-3605-1



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