

1 Bill No. 81-73

2 ORDINANCE NO. 2207

3
4 AN ORDINANCE AMENDING TITLE XI, CHAPTER 1, SECTIONS 19, 20 AND
5 24 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960
6 EDITION, TO REQUIRE THE CITY COMMISSION TO APPROVE USE PERMITS
7 FOR CLASS III SECONDHAND DEALERS IN C-1 AND C-2 ZONES AND FOR
8 TRANSIENT SALES LOTS AND OPEN SALES LOTS IN C-2 ZONE; PROVIDING
9 FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL
10 ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

11 Sponsored by
12 COMMISSIONER RON LURIE

Summary: An ordinance amending the
above provisions of the Code to
require City Commission approval of
use permits for Class III Secondhand
Dealers in the C-1 and C-2 zones and
for transient sales lots and open
sales lots in the C-2 zone.

13 THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS,
14 NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

15 SECTION 1: Title XI, Chapter 1, Section 19, Subsection
16 (D) of the Municipal Code of the City of Las Vegas, Nevada, 1960
17 Edition, is hereby amended to read as follows:

(D) Additional Uses Permitted:

18 1. The following uses may be permitted upon securing a
19 special use permit as provided in Section 24 of this Chapter,
20 except that the uses enumerated below may be permitted as a
21 matter of right when in accordance with the exception[s] shown
22 below.

23 [1.] (a) Automobile service stations for the sale of gasoline,
24 oil and minor accessories only, where no repair work is done,
25 except minor repairs made by the attendant and provided all
26 lubrications, washing, repairing and storage are conducted
27 within an enclosed permanent building.

28 [2.] (b) Uses specifically permitted exclusively in the R-4
29 District.

30 [3.] (c) Customer operated car washes.

31 [4.] (d) Lodging, boarding or rooming houses, hotels, motels
32 and other like tourist accommodations.

1 [5.] (e) Emergency ground ambulance facilities.

2 [6. Class III secondhand dealers as defined by Section
3 11-1-3 of this Code.]

4 2. The following uses may be permitted upon securing a
5 special use permit in each case pursuant to the procedure
6 provided for in Section 11-1-24(B)8 of this Chapter, except
7 that the uses enumerated below may be permitted as a matter
8 of right when in accordance with the exception shown below.

9 (a) Class III secondhand dealers as defined by
10 Section 11-1-3 of this Code.

11 EXCEPTION: If an application for reclassification to a C-1
12 zone under Section 25 of this Chapter includes any of the uses
13 hereinabove enumerated, the approval of said application shall
14 constitute approval of said use or uses and no special use
15 permit shall be required; provided, however, that the notice
16 of public hearing for reclassification shall specifically
17 list said use or uses.

18 SECTION 2: Title XI, Chapter 1, Section 20, Subsection
19 (A), Paragraph 11 of the Municipal Code of the City of Las Vegas,
20 Nevada, 1960 Edition, is hereby amended to read as follows:

21 (A) 11. Additional Uses Permitted:

22 (a) The following uses may be permitted upon securing
23 a special use permit as provided in Section 11-1-24 of this
24 Chapter, except that the uses enumerated below may be permitted
25 as a matter of right when in accordance with the exception
26 shown below:

27 (1) Used car lots.

28 (2) Trailer sales lots.

29 (3) Boat sales and service facilities, including all
30 floating craft.

31 (4) Automotive parts exchanges - This shall not include
32 public garages or salvage operations, but shall be limited

1 to the sale and installation of new or rebuilt major
2 automotive parts.

3 (5) Drive-in theaters, miniature golf courses and other
4 outdoor amusement centers.

5 (6) Automobile laundry.

6 (7) Body and fender repair operations when conducted by
7 a franchised new car agency.

8 (8) Cemeteries as provided for in Section 11-1-8(A)7(f).

9 [(9) Transient sales lots and open sales lots as defined
10 in Section 11-1-3 of this Code.

11 EXCEPTION: If an application for a reclassification to a C-2
12 zone under Section 11-1-25 of this Chapter includes any of the
13 uses hereinabove enumerated, the approval of said application
14 shall constitute approval of said use or uses and no special
15 use permit shall be required; provided, however, that the
16 notice of public hearing for reclassification shall specifically
17 list said use or uses.]

18 (b) Pawnshops subject to the securing of a Special Use
19 Permit in each case pursuant to the procedure provided for in
20 Section 11-1-24(B)8 of this Chapter, except that no pawnshops
21 are to be located on either side of Fremont Street. Those
22 pawnshops located on Fremont Street at the time of enacting
23 this Ordinance shall be allowed to remain only so long as
24 their present leases do not expire. No such lease may be
25 modified to extend its term or otherwise prevent it from
26 expiring. Those pawnshops located in a C-2 zone other than
27 on Fremont Street at the time of enacting this Ordinance shall
28 be allowed to remain at their locations without the necessity
29 of securing a special use permit.

30 (c) Class III secondhand dealers, transient sales lots
31 and open sales lots subject to the securing of a special use
32 permit in each case pursuant to the procedure provided for in

1 Section 11-1-24(B)8 of this Chapter.

2 EXCEPTION: If an application for a reclassification to a
3 C-2 zone under Section 11-1-25 of this Chapter includes any
4 of the uses hereinabove enumerated, the approval of said
5 application shall constitute approval of said use or uses
6 and no special use permit shall be required; provided, however,
7 that the notice of public hearing for reclassification shall
8 specifically list said use or uses.

9 SECTION 3: Title XI, Chapter 1, Section 24, Subsection
10 (B), Paragraphs 7 and 8 of the Municipal Code of the City of Las
11 Vegas, Nevada, 1960 Edition, are hereby amended to read as follows:

12 (B) Special Use Permits:

13 7. Action, Decision, Notification and Appeal: The procedure
14 for the action, decision, notification, appeal and subsequent
15 action by the Board of Commissioners on an application for a
16 special use permit shall be precisely in conformity with the
17 procedure set forth herein for an application for a variance,
18 except, however, that each application for a special use
19 permit to operate a pawnshop, a Class III secondhand dealer,
20 a transient sales lot or an open sales lot shall follow the
21 procedure set forth in subsection 11-1-24(B)8 of this Chapter.

22 8. Following the conduct of a public hearing on any applica-
23 tion for a special use permit to allow a pawnshop, Class III
24 secondhand dealer, transient sales lot or an open sales lot,
25 the Board of Zoning Adjustment shall reports its recommendations
26 on said application to the Board of Commissioners. Prior to
27 the next subsequent meeting of the Board of Commissioners, the
28 Secretary of the Board of Zoning Adjustment shall transmit a
29 copy of said recommendations to the Clerk. Within not to
30 exceed thirty (30) days from the date of the Board of Zoning
31 Adjustment's recommendation, the Board of Commissioners shall
32 set the date for a public hearing and public notice shall be

1 given by the Clerk not less than fifteen (15) days prior to
2 the public hearing to all property owners that received notice
3 of the public hearing conducted by the Board of Zoning Adjust-
4 ment. The Board of Commissioners shall consider the application
5 for a special use permit [for a pawnshop] and the recommendation
6 of the Board of Zoning Adjustment at the public hearing.
7 Action by the Board of Commissioners on such applications,
8 following a public hearing, shall be by majority vote of the
9 entire Board and shall be final and conclusive.

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

22 SECTION 5: All ordinances or parts of ordinances,
23 sections, subsections, phrases, sentences, clauses or paragraphs
24 contained in the Municipal Code of the City of Las Vegas, Nevada,
25 1960 Edition, in conflict herewith are hereby repealed.

26 PASSED, ADOPTED and APPROVED this 21st day of
27 October, 1981.

28 APPROVED:

29 
30 By William H. Briare
WILLIAM H. BRIARE, Mayor

31 ATTEST:

32 
Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 7th day of October
3 , 1981, and referred to the following committee composed
4 of Commissioners Lurie and Levy
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 21st day of October
7 1981, which was a regular meeting of said Board;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the Board of Commissioners as first
10 introduced and adopted by the following vote:

11
12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Woofter & Mayor Briare

13 VOTING "NAY" Commissioners: None

14 ABSENT: None

15 APPROVED:

16 *William H. Briare*
17 BY
18 WILLIAM H. BRIARE, Mayor

19 ATTEST:

20
21 *Carol Ann Hawley*
22
23 Carol Ann Hawley, City Clerk

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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

BILL NO. 81-73
AN ORDINANCE AMENDING TITLE IX, CHAPTER 1, SECTIONS 19, 20 AND 24 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO REQUIRE THE CITY COMMISSION TO APPROVE USE PERMITS FOR CLASS III SECONDHAND DEALERS IN C-1 AND C-2 ZONES AND FOR TRANSIENT SALES LOTS AND OPEN SALES LOTS IN C-2 ZONE, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:
COMMISSIONER RON LURIE
Summary: An ordinance amending the above provisions of the Code to require City Commission approval of use permits for Class III Secondhand Dealers in the C-1 and C-2 zones and for transient sales lots and open sales lots in the C-2 zone.

At a Commission Meeting on October 7, 1981
BILL NO. 81-73 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
COMMISSIONERS Lurie and Levy.
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub: October 14, 1981
Las Vegas SUN

_____ , being first duly sworn,
KEA TAYLOR

deposes and says: That he is _____ of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of

1 time

from Oct. 10 to Oct. 14

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

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

Signed _____
Dea Taylor

Subscribed and sworn to before me this day of _____ 1981

Oct. 1981

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada

RUTHE V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

My Commission Expires _____



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DEVELOPMENT

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CITY CLERK

BILL NO. 81-73
 ORDINANCE No. 2207
 AN ORDINANCE AMENDING TITLE XI, CHAPTER 1, SECTIONS 19.20 AND 24 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, TO REQUIRE THE CITY COMMISSION TO APPROVE USE PERMITS FOR CLASS III SECONDHAND DEALERS IN C-1 AND C-2 ZONES AND FOR TRANSIENT SALES LOTS AND OPEN SALES LOTS IN C-2 ZONE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.
 Sponsored By:
 COMMISSIONER RON LURIE
 Summary: An ordinance amending the above provisions of the Code to require City Commission approval of use permits for Class III Secondhand Dealers in the C-1 and C-2 zones and for transient sales lots and open sales lots in the C-2 zone.
 The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of October, 1981, and referred to the following committee composed of Commissioners Levy, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 21st day of October, 1981 which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as amended and adopted by the following vote:
 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Woofter and May Briare
 VOTING "NAY" Commissioners: None
 ABSENT: None
 COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
 Pub: October 23, 1981
 Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
 COUNTY OF CLARK } ss.

REX TAYLOR

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from Oct. 23 to Oct. 23

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

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

Signed

Rex Taylor

Subscribed and sworn to before me this 23rd day of Oct. 1981

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada
 RUTHE V. DESKIN
 Notary Public-State of Nevada
 COUNTY OF CLARK
 My Appointment Expires Apr. 14, 1985



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