

BILL NO. 98-37

ORDINANCE NO. 5078

AN ORDINANCE RELATING TO BUSINESS LICENSING ADMINISTRATIVE PROCEDURES; AMENDING TITLE 6, CHAPTER 2, SECTION 360, AND TITLE 6, CHAPTER 88, SECTION 120, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE THAT THE CITY COUNCIL'S AUTHORITY TO IMPOSE A FINE IN CONNECTION WITH AN ADMINISTRATIVE HEARING INCLUDES THE AUTHORITY TO ASSESS A FINE FOR EACH DAY THE RESPONDENT IS FOUND TO HAVE BEEN IN VIOLATION OF APPLICABLE ORDINANCES AND REGULATIONS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored by:
Councilman Larry Brown

Summary: Authorizes the City Council, as part of a business licensing administrative proceeding, to impose a fine for each day the respondent is found to have been in violation of applicable ordinances and regulations.

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

SECTION 1: Title 6, Chapter 2, Section 360, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.360: Upon a showing of good cause and in the discretion of the City Council, disciplinary action against a holder may take the form of cancellation, revocation, refusal to renew, suspension, imposition of conditions or restrictions or civil fine in an amount not to exceed one thousand dollars for each day that the violation which forms the subject matter of the complaint that recommends such disciplinary action [continues after date on which the City Council establishes a date for the consideration of such complaint,] is demonstrated to have been in existence, or any combination of such actions, as the particular situation may require. The Council may also impose against the licensee the actual costs incurred, and a reasonable amount for attorney's fees, resulting from the imposition of disciplinary action. The disciplinary actions available in this Section shall be in addition to, and not exclusive of, any other civil or criminal remedy which otherwise might be available.

SECTION 2: Title 6, Chapter 88, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.88.120: (A) After the hearing of a contested matter, the City Council shall render a decision on the merits, which shall include findings of fact and conclusions of law and the penalty to be

1 imposed, if any. [, which may, without limitation, include the] The penalty may include, without
2 limitation, the following, or any combination thereof:

3 (1) The suspension or revocation of the respondent's license, approval for
4 suitability or work card, as the case may be ; [, the]

5 (2) The imposition of conditions upon the license, approval for suitability
6 or work card in question; or [the]

7 (3) The imposition of a civil fine in an amount not to exceed one thousand
8 dollars for each day that the violation which forms the subject matter of the complaint [continues after
9 the City Council approves the complaint, or combination of such suspension or revocation, imposition
10 of conditions and imposition of fine, and shall thereafter] is demonstrated to have been in existence.

11 (B) The City Council shall make and enter [its] an order in its minutes in
12 conformity to such decision. The decision of the City Council shall be served on the parties
13 personally or shall be sent to them by registered or certified mail. The decision shall become and
14 remain effective upon such service unless the City Council shall otherwise order.

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

23 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,

24 ...

25 ...

26 ...

27 ...

28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 22nd day of June, 1998.

4 APPROVED:

5 By 
6

MICHAEL J. McDONALD, MAYOR PRO-TEM

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed

5-27-98

Date

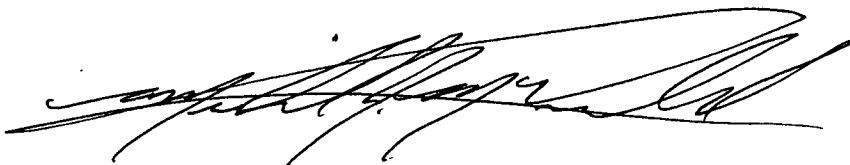
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 8th day of June, 1998 and referred to the following committee composed of Councilmen
3 McDonald and Brown for recommendation; thereafter the said committee reported favorably on
4 said ordinance on the 22nd day of June, 1998 which was a regular meeting of said Council;
5 that at said regular meeting, the proposed ordinance was read by title to the City Council as first
6 introduced and adopted by the following vote:

7 VOTING "AYE": Councilmen Adamsen, McDonald, Reese and Brown

8 VOTING "NAY": NONE

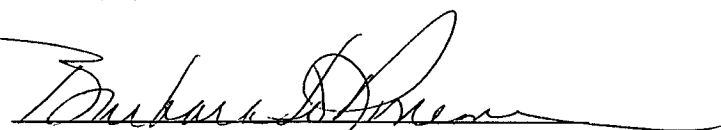
9 EXCUSED: Mayor Jones

10 APPROVED:

11 

12 MICHAEL J. MCDONALD, MAYOR PRO-TEM

13 ATTEST:

14 

15 BARBARA JO RONEMUS, City Clerk

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CITY CLERK
1998 JUN 22 P 2:56

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BILL NO 98-37
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SPONSORED BY Councilman Larry Brown
SUMMARY Authorizes the City Council, as part of a downtown licensing administrative proceeding, to impose a fine for each day the respondent is found to have been in violation of applicable ordinances and regulations
At a City Council meeting
JUNE 8, 1998
BILL NO 98-37 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE Councilmen McDonald and Brown
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 June 11, 1998
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

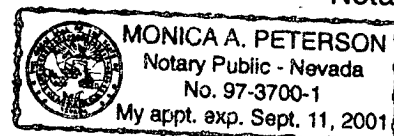
BARBARA LINFORD, being first duly sworn, deposes and says:

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 JUNE 11, 1998 to JUNE 11, 1998, on the following days:

JUNE 11, 1998

Signed.

Subscribed 11 and sworn to before me this June day of 1998
Monica A. Peterson
Notary Public



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The above and foregoing ordinance was first proposed and read by title to the City Council on the 8th day of June, 1998, and referred to the following committee composed of Councilmen McDonald and Brown for recommendation, thereafter the said committee reported favorably on said ordinance on the 22nd day of June, 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 first introduced and adopted by the following vote

VOTING "AYE" Councilmen Adamsen, McDonald, Brown and Reese

VOTING "NAY" NONE

EXCUSED Mayor Jones

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 June 25, 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 JUNE 25, 1998 to JUNE 25, 1998, on the following days:

JUNE 25, 1998

Signed:

Barbara Linford
1998 JUL 2 A
CITY CLERK

Subscribed and sworn to before me this 25th day of June, 19 98

Diana Vitti

Notary Public



DIANA VITTI
Notary Public - Nevada
My appt. exp. Sep. 11, 2000
No. 96-4393-1

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EXCUSED: Mayor Jones

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JUNE 25, 1998

Signed: Barbara Linford

Subscribed and sworn to before me this

25th day of June, 19 98



DIANA VITTI
Notary Public - Nevada
My appt. exp. Sep. 11, 2000
No. 96-4393-1



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