

FIRST AMENDMENT

Bill No. 97-61

Ordinance No. **5014**

AN ORDINANCE RELATING TO THE STORAGE OF VEHICLES; AMENDING TITLE 19A, CHAPTER 4, SUBCHAPTER 60, SECTION (B) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY DELETING THEREFROM THE SUBDIVISION ENTITLED "MOTOR VEHICLES" AND SUBSTITUTING THEREFOR CERTAIN REPLACEMENT PROVISIONS WHICH ESTABLISH STANDARDS AND REQUIREMENTS FOR THE STORAGE OF VEHICLES IN RESIDENTIAL ZONING DISTRICTS; 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 Gary Reese

Summary: Amends the Zoning Code to revise the regulations governing vehicle storage in residential zoning districts.

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

SECTION 1: Title 19A, Chapter 4, Subchapter 60, Section (B) of the Zoning Code of the City of Las Vegas is hereby amended by deleting the subdivision entitled "Motor Vehicles" and substituting therefor the provisions set forth in Section 2 of this Ordinance.

SECTION 2:

VEHICLES (ALL RESIDENTIAL DISTRICTS)

1. Except as otherwise provided in this Subsection, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be stored or repaired on any property in a residential zoning district, provided the same do not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. The motor vehicles shall be stored:

- a. Within a completely enclosed structure;
- b. In the front yard, either on a designated or established driveway that leads to a garage or carport, or on a surface of concrete or asphaltic paving, gravel or chat which extends the full length of the vehicle; or
- c. In the side yard, either obscured by an opaque fence six feet high, stored

1 on a designated or established driveway that leads to a garage or carport, or stored on a surface of
2 concrete or asphaltic paving, gravel or chat which extends the full length of the vehicle; provided,
3 however, that the vehicle storage complies with the other provisions set out in this Subsection.

4 2. Except as otherwise provided in Paragraph 10 below:

5 a. No more than three operable vehicles may be stored on a single-family
6 residential lot, or one vehicle per one thousand-two hundred fifty square feet of lot area, whichever
7 allows the greater number of vehicles; and

8 b. No more than six vehicles may be stored at one time on any single-
9 family residential lot.

10 3. In any residential district, a recreational vehicle or trailer may be stored:

11 a. Within an enclosed structure;

12 b. In a side or rear yard, if stored on a surface of concrete or asphaltic
13 paving, gravel or chat which extends the full length of the stored item;

14 c. In a front yard, provided that:

15 1) The side and rear yards are not reasonably accessible for storage
16 purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block
17 wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or

18 2) The recreational vehicle or trailer is stored entirely in the yard
19 area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk;
20 and

21 3) The recreational vehicle or trailer is stored on a surface of
22 concrete or asphaltic paving, gravel or chat which extends the full length of the stored item.

23 4. Any vehicle being repaired or stored in a residential district shall not be more
24 than one and one-half tons in carrying capacity, and any vehicle being repaired must be owned by a
25 permanent resident at the location where the repair takes place, except as provided in Paragraph 9
26 below.

27 5. a. Except as otherwise provided in Paragraph 10 below, any vehicle that
28 is located in a residential district and is in mechanically inoperable condition shall be stored or

1 repaired either in a garage, shed or other enclosure, in the driveway that leads to a garage or carport
2 or in a rear yard which shall be enclosed by a six-foot-high opaque fence; provided, however, that if
3 the abutting property is undeveloped, the opaque fencing shall not be required until the adjacent
4 property is developed.

5 b. In a residential district, no repair outside of an enclosure may occur later
6 than nine p.m. or earlier than seven a.m.

7 6. Except as otherwise provided in Paragraph 10 below:

8 a. In a residential district, no more than one vehicle that is in a
9 mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed
10 building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable
11 vehicles in the side yards.

12 b. A vehicle shall not be stored in a mechanically inoperable condition in
13 a residential district for more than ninety days.

14 7. There shall be no storage of junked vehicles, or parts thereof, in any residential
15 district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall
16 not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage
17 is either fully enclosed by a six-foot-high opaque fence or in a fully enclosed building; however, if the
18 abutting property is undeveloped, the opaque fencing or enclosed building shall not be required until
19 the adjacent property is developed. No more than two hundred cubic feet of space shall be used for
20 the storage of serviceable parts.

21 8. No repair of vehicles or storage of mechanically inoperable or unregistered
22 vehicles shall be permitted on a public street. The repair and storage of vehicles whose primary
23 function is other than the transportation of passengers, including but not limited to forklifts, backhoes,
24 tractors and similar types of construction and industrial equipment other than equipment used for
25 noncommercial gardening purposes, is specifically prohibited in any residential district.

26 9. Nothing in this Subsection shall be construed to permit the operation of a
27 business as defined in Title 6. There shall be no repair, restoration or modification of non-owned
28 vehicles for money or barter on the property. However, this Subsection does not prohibit the

1 temporary emergency repair of owned or non-owned vehicles which have become mechanically
2 inoperable while on the property or in the street.

3 10. On any residential lot owned by a member of a duly-recognized organization
4 of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and
5 repair set forth in Paragraphs 2, 5(a) and 6 above with respect to the restoration, refurbishing or
6 rebuilding of his or her own classic or antique vehicles if:

7 a. Any such vehicles are covered with a full-vehicle pullover top when
8 they are not being worked on; and

9 b. The owner obtains the approval of the Director of Planning and
10 Development. At the Director's discretion, the approval may take the form of a permit, and the
11 approval or permit may include a limitation on the number of vehicles being stored or worked on, as
12 well as any other appropriate limitations or conditions.

13 11. In order to facilitate vehicle inspection and enforcement under this Subsection,
14 any person engaged in the repair, restoration or modification of any vehicle shall, upon request,
15 provide to any authorized enforcement officer evidence regarding the ownership of said vehicle, such
16 as a current registration, title, bill of sale or other documentation.

17 12. The provisions of this Subsection relating to vehicles shall apply to any person
18 in control or lawful possession of any real property within a residential district, including an owner,
19 tenant, occupant, lessee or otherwise.

20 SECTION 3: Title 19A, Chapter 20, Subchapter 20 of the Zoning Code of the City of
21 Las Vegas is hereby amended by deleting therefrom the definition of the term "Vehicle, Junked" and
22 substituting therefor a new definition, reading as follows:

23 "Vehicle, Junked" means any vehicle which is wrecked, dismantled, partially
24 dismantled, inoperative, abandoned or discarded.

25 SECTION 4: Title 19A, Chapter 20, Subchapter 20 of the Zoning Code of the City of
26 Las Vegas is hereby amended by deleting therefrom the definition of the term "Vehicle, Stored" and
27 substituting therefor a new definition, reading as follows:

28 "Vehicle, Stored" means a vehicle that has remained stationary in one place on any

1 property in a residential zoning district for more than seventy-two consecutive hours.

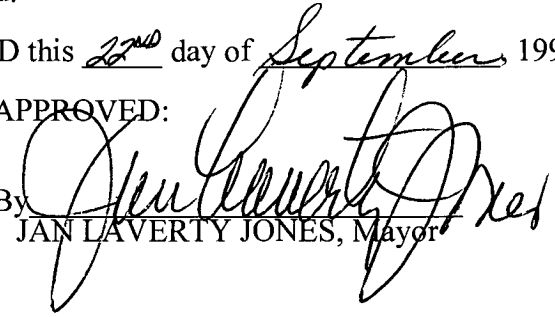
2 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
3 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
4 required or the failure to do any act is made or declared to be unlawful or an offense or a
5 misdemeanor, the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

9 SECTION 6: 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
11 or 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 hereby declares that it would have passed each section, subsection, subdivision,
14 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
15 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
16 invalid or ineffective.

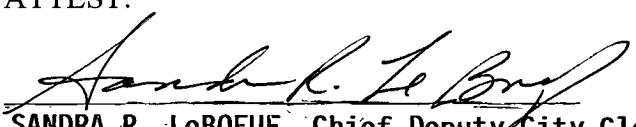
17 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this 22nd day of September, 1997.

21 APPROVED:

22 By 
23 JAN LAVERTY JONES, Mayor

24 ATTEST:

25 
26 SANDRA R. LeBOEUF, Chief Deputy City Clerk

27 APPROVED AS TO FORM:

28  9-23-97
Date

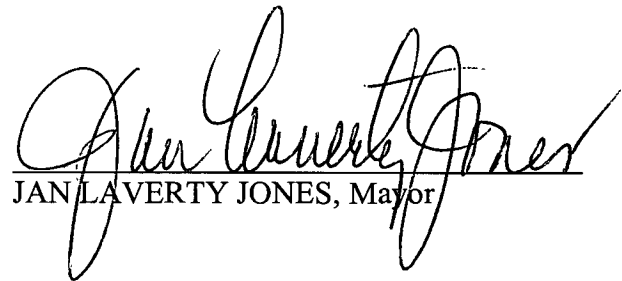
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 28th day of July, 1997 and referred to the following committee composed of the
3 Councilmen McDonald and Brown for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 22nd day of September, 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 McDonald, Reese, Brown and Mayor Jones

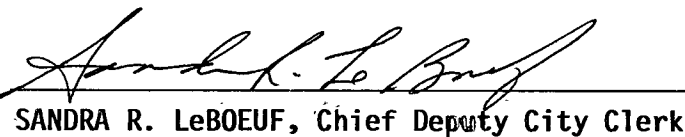
8 VOTING "NAY": NONE

9 ABSENT: Councilman Adamsen

10 APPROVED:

11 
12
13 JAN LAVERTY JONES, Mayor

14 ATTEST:

15 
16 SANDRA R. LeBOEUF, Chief Deputy City Clerk

Ordinance No. ____

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Sponsored by:
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a. In the front yard, either on a designated or established driveway that leads to a garage or carport or on a concrete or asphaltic paved surface which extends the full length of the vehicle; or

b. In the side yard, either obscured by an opaque fence six feet high or are stored either on a designated or established driveway that leads to a garage or carport or on a concrete or asphaltic paved surface which extends the full length of the vehicle, and provided, further, that the

1 use complies with the other provisions set out in this Subsection.

2 2. No more than three operable vehicles may be stored on a single-family
3 residential lot, or one vehicle per one thousand-two hundred fifty square feet of lot area, whichever
4 allows the greater number of vehicles. No more than six vehicles may be stored at one time on any
5 single-family residential lot.

6 3. In any residential district, a recreational vehicle or trailer may be stored:

7 a. Within an enclosed structure;

8 b. In a side or rear yard, if stored on a concrete or asphaltic paved surface
9 which extends the full length of the stored item;

10 c. In a front yard, provided that:

11 1) The side and rear yards are not reasonably accessible for storage
12 purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block
13 wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or

14 2) The recreational vehicle or trailer is stored entirely in the yard
15 area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk;
16 and

17 3) The recreational vehicle or trailer is stored on a concrete or
18 asphaltic paved surface which extends the full length of the stored item.

19 4. Any vehicle being repaired or stored in a residential district shall not be more
20 than one and one-half tons in carrying capacity, and any vehicle being repaired must be owned by a
21 permanent resident at the location where the repair takes place, except as provided in Paragraph 6
22 below.

23 5. In a residential district, any vehicle that is in mechanically inoperable condition
24 shall be stored or repaired either in a garage, shed or other enclosure, in the driveway that leads to a
25 garage or carport or in a rear yard which shall be enclosed by a six-foot-high opaque fence; provided,
26 however, that if the abutting property is undeveloped, the opaque fencing shall not be required until
27 the adjacent property is developed. No repair outside of an enclosure may occur later than nine p.m.
28 or earlier than seven a.m.

1 6. In a residential district, no more than one vehicle that is in a mechanically
2 inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the
3 premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the
4 side yards. A vehicle shall not be stored in a mechanically inoperable condition in a residential
5 district for more than ninety days, except for a classic or antique vehicle which is in the process of
6 being restored, refurbished or rebuilt by the property owner.

7 7. There shall be no storage of junked vehicles, or parts thereof, in any residential
8 district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall
9 not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage
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16 function is other than the transportation of passengers, including but not limited to forklifts, backhoes,
17 tractors and similar types of construction and industrial equipment other than equipment used for
18 noncommercial gardening purposes, is specifically prohibited in any residential district.

19 9. Nothing in this Subsection shall be construed to permit the operation of a
20 business as defined in Title 6. There shall be no repair, restoration or modification of non-owned
21 vehicles for money or barter on the property. However, this Subsection does not prohibit the
22 temporary emergency repair of owned or non-owned vehicles which have become mechanically
23 inoperable while on the property or in the street.

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3 SECTION 3: Title 19A, Chapter 20, Subchapter 20 of the Zoning Code of the City of
4 Las Vegas is hereby amended by deleting therefrom the definition of the term "Vehicle, Junked" and
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7 dismantled, inoperative, abandoned or discarded.

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12 property in a residential zoning district for more than seventy-two consecutive hours.

13 SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared
14 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
15 required or the failure to do any act is made or declared to be unlawful or an offense or a
16 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
17 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
18 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
19 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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

28 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,

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 ____ day of _____, 1997.

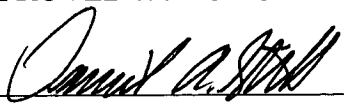
4 APPROVED:

5 By _____
6 JAN LAVERTY JONES, Mayor

7 ATTEST:

8
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11  7/16/97
12 Date

13 The above and foregoing ordinance was first proposed and read by title to the City Council on the
14 ____ day of _____, 1997, and referred to the following committee composed of
15 _____ and _____ for recommendation;
16 thereafter the said committee reported favorably on said ordinance on the ____ day of
17 _____, 1997, which was a _____ meeting of said Council; that at said
18 _____ meeting, the proposed ordinance was read by title to the City Council
19 as first introduced and adopted by the following vote:

20 VOTING "AYE": _____

21 VOTING "NAY": _____

22 ABSENT: _____

23 APPROVED:

24
25 By _____
26 JAN LAVERTY JONES, Mayor

27 ATTEST:

28 BARBARA JO RONEMUS, City Clerk

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 97-61
AN ORDINANCE RELATING TO THE STORAGE OF VEHICLES; AMENDING TITLE 19A, CHAPTER 4, SUBCHAPTER 60, SECTION (B) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY LAS VEGAS, NEVADA, 1983 EDITION, BY DELETING THEREFROM THE SUBDIVISION ENTITLED "MOTOR VEHICLES" AND SUBSTITUTING THEREFOR CERTAIN REPLACEMENT PROVISIONS WHICH ESTABLISH STANDARDS AND REQUIREMENTS FOR THE STORAGE OF VEHICLES IN RESIDENTIAL ZONING DISTRICTS, 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 Gary Reese
SUMMARY: Amends the Zoning Code to revise the regulations governing vehicle storage in residential zoning districts.
At a City Council meeting JULY 28, 1997
BILL NO. 97-61 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: August 28, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 AUGUST 28, 1997 to AUGUST 28, 1997, on the following days:

AUGUST 28, 1997

Signed: Maureen Melchiori

Subscribed and sworn to before me this

28 day of Aug, 19 97

Peggy J. Barron
Notary Public



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

AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
BILL NO. 97-61
ORDINANCE NO. 5014

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SUMMARY: Amends the Zoning Code to revise the regulations governing vehicle storage in residential zoning districts.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 28th day of July, 1997, 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 September, 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 adopted by the following vote

VOTING "AYE" Councilmen McDonald, Reese, Brown and Mayor Jones

VOTING "NAY" NONE
ABSENT Councilman Adamson
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVE
NUE, LAS VEGAS, NEVADA
PUB. September 25, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 SEPTEMBER 25, 1997 to SEPTEMBER 25, 1997, on the following days:

SEPTEMBER 25, 1997

Signed:

Maureen Melchiori

Subscribed and sworn to before me this

25

day of

Sept

, 19 97

Peggy D. Barron

Notary Public



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

AFFIDAVIT OF PUBLICATION

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AUGUST 28, 1997

Signed: *Maureena Melchert*

Subscribed and sworn to before me this

28 day of Aug, 19 97

Peggy D. Barron
Notary Public



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

