

BILL NO. 98-16

ORDINANCE NO. 5057

AN ORDINANCE RELATING TO ADMINISTRATIVE APPEALS OF ZONING AND PERMIT-RELATED DECISIONS; AMENDING SECTION 19A.00.070(F) 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, TO ESTABLISH A TEN-DAY APPEAL PERIOD REGARDING THE INABILITY TO OBTAIN A BUILDING PERMIT OR REGARDING AN ADMINISTRATIVE DECISION OR INTERPRETATION UNDER THE ZONING CODE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Arnie Adamsen

Summary: Establishes a 10-day appeal period regarding building permits and administrative decisions under the Zoning Code.

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

SECTION 1: Section 19A.00.070(F) of the Zoning Code of the City of Las Vegas is hereby amended to read as follows:

**F. Appeals of Interpretation**

**1. Procedure.** Any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the Board of Zoning Adjustment. An appeal must be in written form and must be filed with the Secretary of the Board of Zoning Adjustment at the offices of the Department of Planning and Development[,] within 10 days after the administrative decision is made. The appeal shall specifically describe the decision at issue and the basis for the appeal.

**2. Authority.** The authority of the Board of Zoning Adjustment to review administrative decisions is limited to the interpretation and application of the provisions of this Title. No action by the Board of Zoning Adjustment shall be deemed to alter or repeal any provision of this Title or of any other law, ordinance or regulation.

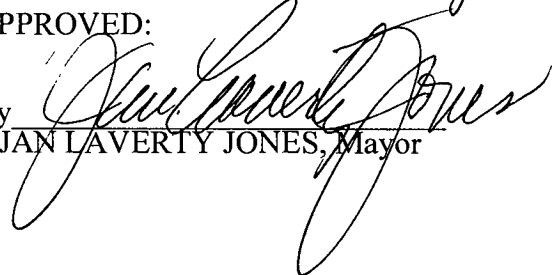
**3. Decision.** The Board of Zoning Adjustment shall promptly decide the issue and provide written notice of its decision to the appellant.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or


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

8 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this 23<sup>rd</sup> day of February, 1998.

12 APPROVED:  
13  
14 By   
JAN LAVERTY JONES, Mayor

15 ATTEST:  
16   
BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:  
18  1-27-98  
19 \_\_\_\_\_  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on  
2 the 9<sup>th</sup> day of February, 1998 and referred to the following committee composed of  
3 Councilmen Brown and Adamsen for recommendation; thereafter the said committee reported  
4 favorably on said ordinance on the 23<sup>rd</sup> day of February, 1998 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 first 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 JAN LAVERTY JONES, MAYOR

13 ATTEST:

14   
15 BARBARA JO RONEMUS, City Clerk

# AFFIDAVIT OF PUBLICATION

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 SPONSORED BY Councilman Arnie Adamsen  
 SUMMARY Establishes a 10-day appeal period regarding building permits and administrative decisions under the Zoning Code  
 At a City Council meeting  
 FEBRUARY 9, 1998  
 BILL NO 98-16 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE Councilmen Brown and Adamsen  
 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 February 12, 1998  
 Las Vegas Review-Journal

STATE OF NEVADA)  
 COUNTY OF CLARK) SS:

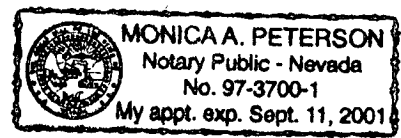
BARBARA LINFORD, being first duly sworn, deposes and says:

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

FEBRUARY 12, 1998

Signed: Barbara Linford  
 RECEIVED  
 CITY CLERK  
 1998 FEB 20 AM 11:51

Subscribed and sworn to before me this 12 day of Feb., 1998  
Monica A. Peterson  
 Notary Public



# AFFIDAVIT OF PUBLICATION

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SPONSORED BY Councilman Arnie Adamsen

SUMMARY Establishes a 10-day appeal period regarding building permits and administrative decisions under the Zoning Code

The above and foregoing ordinance was first proposed and read by title to the City Council on the 9th day of February, 1998, and referred to the following committee composed of Councilmen Brown and Adamsen for recommendation, thereafter the said committee reported favorably on said ordinance on the 23rd day of February, 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 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, 1998

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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EXCUSED: Mayor Jones  
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Heather C Daehler

Notary Public



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



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Monica A. Peterson  
Notary Public

MONICA A. PETERSON  
Notary Public - Nevada  
No. 97-3700-1  
My appt. exp. Sept. 11, 2001

