

EMERGENCY ORDINANCE NO. 692

AN EMERGENCY ORDINANCE TO AMEND EMERGENCY ORDINANCE NO. 666 ENTITLED "AN EMERGENCY ORDINANCE CREATING SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-17; PROVIDING PUBLIC IMPROVEMENTS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS, AND ALLEYS AND PORTIONS OF STREETS AND ALLEYS AND EASEMENTS THEREIN; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE STATED ENTIRE COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND THE REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH THE CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION, AND/OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE ENDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENT SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD MAKING SAID IMPROVEMENT IN SAID DISTRICT, TOWARDS ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY," BY AMENDING SECTION 3 TO PROPERLY DESCRIBE THE LOCATION OF THE IMPROVEMENTS; BY AMENDING SECTION 4 TO PROVIDE A NEW ASSESSMENT TOTAL; BY AMENDING SECTION 15 PROVIDING FOR THE METHOD AND TIME OF MAKING PAYMENTS ON THE ASSESSMENTS LEVIED; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD MAKING SAID IMPROVEMENT IN SAID DISTRICT, TOWARDS ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas, in the County of Clark and State of Nevada have created Sanitary Sewer Improvement Assessment District No. 200-17; and,

WHEREAS, said district was created by Emergency Ordinance No. 666 which Ordinance must be amended in certain particulars.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3 of Emergency Ordinance No. 666 is hereby amended to read as follows:

That the streets and alleys and parts of streets and alleys and easements in and along which the Board proposes to install vitrified clay pipe, are the following:

East-West alleys bisecting Blocks 24 and 25 Valley View Addition.

East-West alleys bisecting Blocks 20, 21, 26, 27 and 28 Valley View Addition, from the easterly line of Lot 6 of each Block eastwardly to the existing sewer in "A" Street.

ADAMS AVENUE from the intersection of "H" Street, 390 feet Westerly; WASHINGTON AVENUE from the intersection of "H" Street, 500 feet Westerly.

"H" St. from the intersection of Washington Avenue to the intersection of Adams Avenue.

The East-West alley bisecting Block 32, HFM&M Addition from the center line of "H" Street, 79½ feet eastwardly to an existing sewer in said alley.

200-17

CITY
CLERK'S
FILE

SECTION 2. Section 4 of Emergency Ordinance No. 666 is hereby amended to read as follows:

That the entire cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed by special assessments made according to the benefits against the owners and the assessable lots, premises and property specially benefited by such improvements and included withing said District, proportionately to the benefits received. The entire cost and expense of making said improvements are deemed to be \$20,207.91 and the total of the special assessments so levied shall be in that amount.

SECTION 3. Section 15 of Emergency Ordinance No. 666 is hereby amended to read as follows:

That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, Nevada, within two weeks after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of two weeks shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of the said Ex-Officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of February, 1957, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments or principal from the 1st day of February, 1956, at the same rate of interest as that provided for in the special assessment bonds to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-Officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of February, 1957, and the remainder of said annual installments of interest being due and payable on the 1st day of February in each year thereafter.

Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter bear penalty at the rate of ten per centum per annum, until the day of sale, but at any time prior to the day of sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-Officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

SECTION 4. That all action (not inconsistent with the provision of this ordinance, including the confirmation of Assessment Roll No. 36-1956, and the award of the construction contract, heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the making of said improvements by installing a sanitary sewer along certain streets, alleys and easements and portions of street, alleys and easements therein in said Sanitary Sewer Improvement Assessment District No. 200-17, toward the creation of said District, and toward levying and effecting special assessments to defray the entire cost thereof, be, and the same is hereby ratified, approved and confirmed.

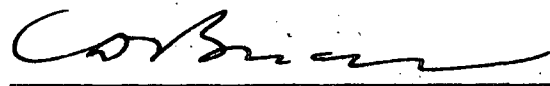
SECTION 5. That all by-laws, orders, resolutions and ordinances or parts of by-laws, orders, resolutions and ordinances in conflict with this ordinance, are hereby repealed.

SECTION 6. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or held invalid, such judgment shall not affect or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance, in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

SECTION 7. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 8. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 1st day of February 1956.


C.D. BAKER, Mayor

(SEAL)
ATTEST:


SHIRLEY BALLINGER, City Clerk

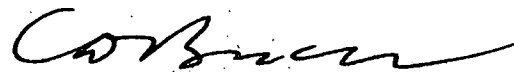
Those voting in favor of the foregoing ordinance:

Commissioners Bunker, Fountain, Sharp, Whipple & Mayor Baker

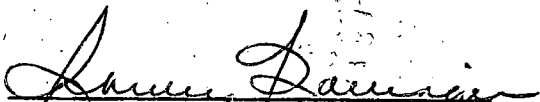
Those voting 'Nay': None

Absent: None

APPROVED:


C.D. BAKER, Mayor

ATTEST:


SHIRLEY BALLINGER, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

A. F. Schellack _____, being first duly sworn,
deposes and says: That he is Foreman of the LAS VEGAS REVIEW-JOURNAL,
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 Two (2) _____ insertions
from February 5, 1956 to February 12, 1956

inclusive, being the issues of said newspaper for the following dates, to-wit:
February 5, 12, 1956

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

SIGNED _____

A. F. Schellack

Subscribed and sworn to before me this 13th day of February, 1956.

W. G. Gilbert

NOTARY PUBLIC IN AND FOR CLARK COUNTY, NEVADA

My Commission Expires April 14, 1957.

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PASSED, ADOPTED AND APPROVED this 1st day of February, 1956.

C. D. BAKER, Mayor

(SEAL)

ATTEST:

SHIRLEY BALLINGER, City Clerk

Those voting in favor of the foregoing ordinance:

Commissioners Bunker, Fountain, Sharp,

Whipple and Mayor Baker

Those voting "Nay": None

Absent: None

APPROVED:

C. D. BAKER, Mayor

ATTEST:

SHIRLEY BALLINGER, City Clerk

Feb. 5, 12