

BILL NO. 2000-10

ORDINANCE NO. 5201

AN ORDINANCE TO AMEND THE LAS VEGAS MUNICIPAL CODE TO CLARIFY THE TIME PERIOD FOR ACTING UPON ANY APPLICATION RELATING TO AN ADULT BOOKSTORE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: City Attorney Bradford R. Jerbic

Summary: Clarifies the time period for acting upon an application relating to an adult bookstore.

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

SECTION 1: Title 6, Chapter 6A, Section 25, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06A.025: (A) The Director shall issue or deny the bookstore license to the applicant within thirty days from receipt of [a complete] an application and the applicable fees. [upon compliance with the requirements of this Section and any applicable provisions of Title 6 of this Code.]

(B) Failure of the Director to approve or deny the license application within the thirty days shall result in the license being granted.

(C) If the application is denied, the Director shall notify the applicant with the reason(s) stated for denial. Notification shall be sent certified, United States mail, return receipt requested, to the address provided on the license application which shall be considered the correct address. Each applicant has the burden to furnish any change of address to the Director, by United States certified mail, return receipt requested.

(D) In the event that an application is denied, the applicant may file or cause to be filed in the district court a petition for judicial examination of the validity of the denial of the bookstore license as provided by Chapter 34 of NRS. If the district court has not decided the validity of the denial within thirty days after the petition is filed, the Director shall issue a temporary bookstore license. The temporary bookstore license shall remain in effect only until the district court has rendered its opinion concerning the validity of the denial.

SECTION 2: Title 1 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended add a new Chapter 28, to consist of a section designated as Section 10,

1 reading as follows:

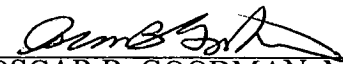
2 **1.28.010:** Notwithstanding any other provision of this Code, whenever a person submits to the
3 City an application of any kind that is necessary in order to operate an adult bookstore, as defined in
4 Section 6.06A.010, the City shall approve or deny the application within thirty days after it has been
5 filed and the applicable fees have been paid. If the City fails to do so, the application shall be deemed
6 approved.

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

15 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
16 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
17 1983 Edition, in conflict herewith are hereby repealed.

18 PASSED, ADOPTED and APPROVED this 16th day of February, 2000.

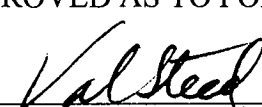
19 APPROVED:

20 By 
21 OSCAR B. GOODMAN, Mayor

22 ATTEST:

23 
24 BARBARA JO RONEMUS, City Clerk

25 APPROVED AS TO FORM:

26  1-20-2000
27 Date
28

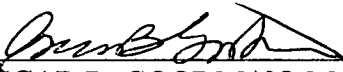
1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 2nd day of February, 2000 and referred to the following committee composed of the Full
3 Council for recommendation; thereafter the said committee reported favorably on said
4 ordinance on the 16th day of February, 2000 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
6 introduced and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, L. McDonald,
8 Weekly and Mack

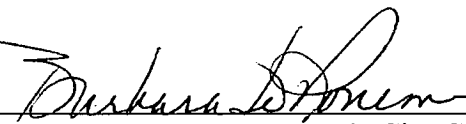
9 VOTING "NAY": NONE

10 EXCUSED: Councilmember M. McDonald

11 APPROVED:

12
13 
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 
17 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, being 1st duly sworn, deposes and says:

That she is the 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 attached for,

LV CITY CLERK
1099901

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 02/04/00 to 02/04/2000, on
the following days: FEBRUARY 4, 2000

Signed

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of

2000

Notary Public



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

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Bradford R. Jerbic
Summary: Clarifies the time period for acting upon an application relating to an adult bookstore.

At a City Council meeting
FEBRUARY 2, 2000
BILL NO. 2000-10 WAS READ BY TITLE
AND REFERRED TO RECOMMENDING
COMMITTEE:
Councilmen Weekly and Mack

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, NEVA-
DA.

PUB: February 4, 2000
Las Vegas Review-Journal

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AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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That she is the 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 attached for,

LV CITY CLERK
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2296311LV

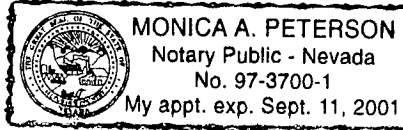
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/18/00 to 02/18/2000, on the following days: FEBRUARY 18, 2000

Signed: Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE 18

day of Feb 2000

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 2nd day of February, 2000, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of February, 2000, 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" Mayor Goodman and Councilmembers Reese, Brown, L. McDonald, Weekly and Mack
VOTING "NAY" NONE
EXCUSED: Councilmember M. McDonald

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 18, 2000
Las Vegas Review-Journal

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