

Bill No. 83-39

ORDINANCE NO. 3065

AN ORDINANCE RELATING TO LITTER CONTROL, AMENDING TITLE 9, CHAPTER 12, SECTION 80 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE THAT THE DIRECTOR OF BUILDING AND SAFETY MAY DETERMINE THAT PRIVATE PROPERTY IS BEING MAINTAINED IN VIOLATION OF TITLE 9, CHAPTER 12, AND MAY ISSUE AN ORDER TO THE OWNER REQUESTING THAT THE DESCRIBED CONDITION BE CORRECTED; AMENDING SECTION 100 OF SAID CHAPTER TO PROVIDE THAT THE DIRECTOR OF ENGINEERING SERVICES SHALL CORRECT THE VIOLATION IF THE OWNER DOES NOT COMPLY WITH THE ORDER AND FILE A LIEN AGAINST THE PROPERTY FOR THE COSTS OF THE CORRECTION; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
COUNCILMAN AL LEVY

Summary: Amends the method of ordering compliance with Litter Control Ordinances by designating the Director of Building and Safety as the person who will determine when private property is in violation and who shall issue orders to comply. Designates the Director of Engineering Services as the person who shall correct the violation if the property owner does not comply and who shall file a lien against the property for all costs incurred.

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

SECTION 1: Title 9, Chapter 12, Section 80, of the
Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,
is hereby amended to read as follows:

9.12.080: Upon determination by the Director of [Public Services]
Building and Safety that private property is maintained
or allowed to remain in violation of this Chapter, the
Director may issue an order to correct the offending
condition. Such order shall be served upon the owner
of the property, as shown by the Clark County Assessor's
records, by mailing a copy of the order by certified
mail, return receipt requested, to the address of the
owner as shown by the records of the Clark County
Assessor. The order shall describe the offending

1 condition and request correction or compliance within
2 thirty days from the date of the mailing of the
3 notice.

4 SECTION 2: Title 9, Chapter 12, Section 100, of the
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,
6 is hereby amended to read as follows:

7 9.12.100: In the event the owner fails to comply with the order
8 and correct the conditions specified therein, the
9 Director of [Public Services] Engineering Services
10 is authorized and empowered to cause or employ City
11 personnel and equipment or other persons and equipment
12 to enter upon the premises and correct the offending
13 condition. The actual costs thereof shall be charged
14 against the owner. Where the full amount due the City
15 is not paid by such owner within sixty days after the
16 disposal of such litter, as provided for in Sections
17 9.12.080 and 9.12.090, then, and in that case, the
18 Director of [Public Services] Engineering Services
19 shall cause to be recorded in the office of the County
20 Recorder a sworn statement by the Director of [Public
21 Services] Engineering Services showing the cost and
22 expense incurred for the work, the date the work was
23 done and the location of the property on which said
24 work was done. The recordation of such sworn statement
25 shall constitute a lien and privilege on the property,
26 and shall remain in full force and effect for the
27 amount due in principal and interest, accrued at the
28 rate of six percent per year, plus costs of court, if
29 any, for collection, until final payment has been made.

30 SECTION 3: If any section, subsection, subdivision,
31 paragraph, sentence, clause or phrase in this Chapter or any
32 part thereof, is for any reason held to be unconstitutional, or

1 invalid or ineffective by any court of competent jurisdiction,
2 such decision shall not affect the validity or effectiveness of
3 the remaining portions of this Chapter or any part thereof. The
4 City Council of the City of Las Vegas hereby declares that it
5 would have passed each section, subsection, subdivision, para-
6 graph, sentence, clause or phrase thereof irrespective of the
7 fact that any one or more sections, subsections, subdivisions,
8 paragraphs, sentences, clauses or phrases be declared unconstitu-
9 tional, invalid or ineffective.

10 SECTION 4: All ordinances or parts of ordinances,
11 sections, subsections, phrases, sentences, clauses or paragraphs
12 contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this 17th day of
15 August, 1983.

APPROVED:

17
18 BY William H. Briare
19 WILLIAM H. BRIARE, Mayor

20 ATTEST:

21
22 Carol Ann Hawley
23 Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed and read by
2 title to the City Council on the 20th day of July ,
3 1983, and referred to the following committee composed of
4 Councilmen Levy and Lurie
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 17th day of August ,
7 1983, which was a regular meeting of said Council;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the City Council as first introduced and
10 adopted by the following vote:

11
12 VOTING "AYE" Councilmen: Lurie, Christensen, Levy and Nolen

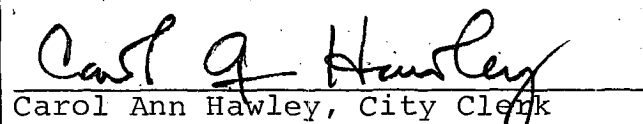
13 VOTING "NAY" Councilmen: None

14 ABSENT: Mayor Briare

15 APPROVED:

16
17 
18 WILLIAM H. BRIARE, Mayor

19 ATTEST:

20
21 
22 Carol Ann Hawley, City Clerk

BILL NO. 83-39
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Sponsored By:

Councilman Al Levy

Summary: Amends the method of ordering compliance with Litter Control Ordinances by designating the Director of Building and Safety as the person who will determine when private property is in violation and who shall issue orders to comply. Designates the Director of Engineering Services as the person who shall correct the violation if the property owner does not comply and who shall file a lien against the property for all costs incurred.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 20th day of July, 1983, and referred to the following committee composed of Councilmen Levy and Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 17th day of August, 1983, which was a regular meeting of said Council; 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:
Christensen, Levy, Lurie and Nolen

VOTING "NAY" Councilmen: None

ABSENT: Mayor Briare

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: August 20, 1983
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Coralee M. Wilson

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, 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 1 time.

from August 20, 1983 to August 20, 1983

inclusive, being the issues of said newspaper for the following dates, to-wit:

August 20, 1983.

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

Signed

Coralee M. Wilson

Subscribed and sworn to before me this 22nd
day of August 1983.

Ruth V. Deskin

My Commission Expires



Notary Public in and for Clark County, Nevada

RUTH V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

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CITY CLERK

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Sponsored By:

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At a City Council Meeting on

July 20, 1983 BILL NO. 83-39 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

COUNCILMEN Levy and Lurie.

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PUB: August 3, 1983

Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Coralee M. Wilson

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
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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 1 time.

from August 3, 1983 to August 3, 1983

inclusive, being the issues of said newspaper for the following dates, to-wit:

August 3, 1983

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

Signed

Coralee M. Wilson

Subscribed and sworn to before me this 3rd
day of August 1983.

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada
RUTHE V. DESKIN
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Expires Apr. 14, 1985

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