

1 **BILL NO. 94-87**

2 **ORDINANCE NO. 3855**

3 AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4,
4 SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983
5 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY
6 ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING
7 FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL
8 ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

6 Sponsored by:
7 Councilman Scott Higginson

Summary: Authorizes the summary
abatement of certain nuisance conditions on
vacant lots.

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

11 SECTION 1: Title 9, Chapter 4, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended by adding a new section to read as follows:

13 On any vacant lot, the existence of any of the nuisance conditions described in
14 Subsections (N) and (P) of Section 9.04.030 poses a potential threat to public
15 safety, results in deterioration and blighting of the surrounding area, has an adverse
16 effect on the use and enjoyment of nearby properties, and is therefore harmful to
17 the health, safety and welfare of the community. The City may provide for the
18 summary removal or abatement of such nuisances without prior notice and at the
19 City's expense.

20 SECTION 2: Title 9, Chapter 4, Section 30, of the Municipal Code of the
21 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 9.04.030: The following matters, things, substances, acts and conditions are nuisances and
23 are prohibited:

24 (A) Any adult-oriented bookstore or adult-oriented movie theater which
25 holds for production, publication, sale or exhibition, obscene items, as defined in Section
26 10.42.010;

1 (B) The commission of any act within the corporate limits of the City
2 or failure to perform any act within such corporate limits which is made a nuisance by the laws
3 of the State of Nevada shall constitute a misdemeanor;

4 (C) Any and all putrid or decaying carcasses, flesh, fish, vegetables,
5 entrails, offal, filth, or other unwholesome or offensive substances of any kind left, deposited or
6 existing upon any street, alley, private lot or ground or public place or in or about any vacant or
7 occupied building, except when enclosed in a receptacle as provided in Chapter 9.08;

8 (D) Any deposit or pile of manure except where it is kept in a box or
9 other receptacle which is covered or screened so as not to be exposed to flies;

10 (E) All filthy water thrown or drained upon any street, alley, public or
11 private lot or ground so as to be offensive;

12 (F) All stagnant pools or ponds;

13 (G) Any article or thing placed on and obstructing a street, alley or public
14 ground except as permitted by the provisions of this Code or by resolution. However, nothing
15 in this Chapter prevents the erection or maintenance of fences, railings or guards in parking if
16 they are well-built, kept in repair, have no sharp points or corners and their tops are at least thirty
17 inches above the ground;

18 (H) Any fence, railing, posts or guards having sharp points or comers
19 or in disrepair or having a height less than thirty inches, placed upon or along any park or parking
20 of any street or avenue, or upon private property, along and within three feet of any public
21 sidewalk;

22 (I) The sweeping of the floors of stores, offices or public buildings into
23 the streets, avenues or alleys and the shaking or beating of carpets or rugs of such stores, offices
24 or buildings in or upon the streets, avenues or alleys;

25 (J) The pollution of any well, stream, lake, river or body of water by
26 the dumping or throwing of any sewage, industrial waste, carcass, garbage, refuse, offal or

1 manure, except with the consent and under the direction of the [Health Officer,] Clark County
2 Health District, and the dumping or throwing of any of such items upon any private or public
3 property;

4 (K) The hauling through the streets or alleys of garbage or other matter
5 having offensive odor, except in covered vehicles or receptacles that are tight, clean and kept free
6 from the emission of offensive odors;

7 (L) All noxious weeds, brush, vines, dense or other rank growth upon
8 public or private property;

9 (M) All buildings, walls, and other structures which have been damaged
10 by fire, decay or otherwise, and which are so situated as to endanger the safety of the public or
11 which, because of their condition or appearance, become injurious to the senses or obstruct the
12 free use of property of others;

13 (N) The storage of inflammable junk, such as old rags, rope, cordage,
14 rubber and paper;

15 (O) All open cisterns or cisterns with inadequate or improper and unsafe
16 coverings, open basements, holes, trenches or other excavations not properly marked or made
17 without taking precautionary measures to prevent injury to the public, except under such
18 conditions as are provided by this Code;

19 (P) The depositing or keeping of junk and refuse such as, but not limited
20 to, old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and
21 hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass,
22 bottles, wastepaper, bedsprings, mattresses, discarded furniture, cleanings and bedding from
23 animal or fowl pens, improperly covered garbage and waste receptacles, automobiles in improper
24 working condition or in a dilapidated condition and old automobile parts.

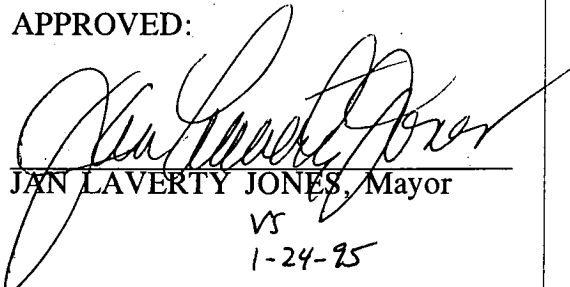
25 SECTION 3: If any section, subsection, subdivision, paragraph, sentence,
26 clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional

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

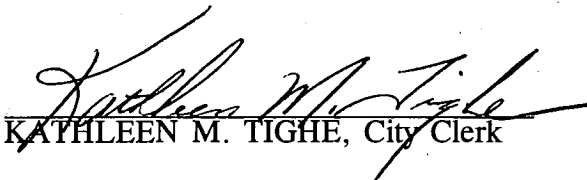
7 SECTION 4: All ordinances or parts of ordinances, sections, subsections,
8 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

10 PASSED, ADOPTED and APPROVED this 7th day of December, 1994.

11 APPROVED:

12 
13 JAN LAVERTY JONES, Mayor
14 VS
15 1-24-95

16 ATTEST:

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18 KATHLEEN M. TIGHE, City Clerk
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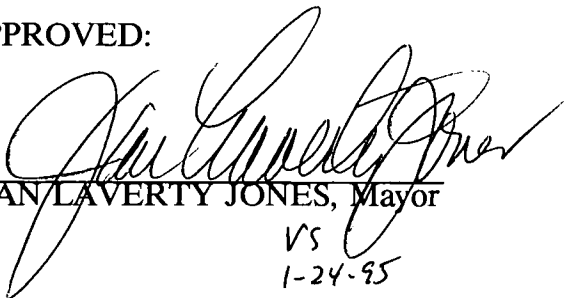
1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 2nd day of November, 1994, and referred to the following committee composed of
3 Councilman Higginson and Mayor Jones for recommendation; thereafter the said
4 committee reported favorably on said ordinance on the 7th day of December, 1994, which
5 was a regular meeting of said Council; that at said regular meeting, the proposed
6 ordinance was read by title to the City Council as first introduced and adopted by the
7 following vote:

8 VOTING "AYE": Councilmen Adamsen, Higginson, Hawkins Jr., Brass and Mayor Jones

9 VOTING "NAY": NONE

10 ABSENT: NONE

11
12 APPROVED:

13
14 By 
15 JAN LAVERTY JONES, Mayor
16 VS
17 1-24-95

18 ATTEST:

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20 
21 KATHLEEN M. TIGHE, City Clerk
22
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AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
Dec 29 3 49 PM '94

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BILL NO. 94-87
ORDINANCE NO. 3855

AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4, SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Councilman Scott Higginson
SUMMARY: Authorizes the summary abatement of certain nuisance conditions on vacant lots.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of November, 1994, and referred to the following committee composed of Mayor Jones and Councilman Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of December, 1994, 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 Adamson, Higginson, Hawkins Jr., Brass and Mayor Jones

VOTING "NAY" NONE

VOTING "ABSTAIN" NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: December 21, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, 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 DECEMBER 21, 1994 to DECEMBER 21, 1994, on the following days:

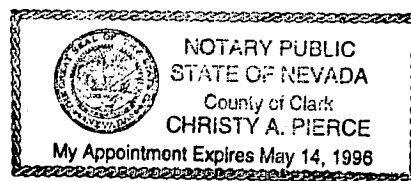
DECEMBER 21, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this

21 day of December, 19 94

Christy A. Pierce
Notary Public



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Nov 18

3 51

AFFIDAVIT OF PUBLICATION

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BILL NO. 94-87

HERE

AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4, SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

SPONSORED BY:
Councilman Scott Higginson
SUMMARY: Authorizes the summary abatement of certain nuisance conditions on vacant lots.
At a City Council meeting
NOVEMBER 2, 1994
BILL NO. 94-87 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilman Higginson and Mayor Jones
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: November 17, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, 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 NOVEMBER 17, 1994 to NOVEMBER 17, 1994, on the following days:

NOVEMBER 17, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this

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day of

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Peggy D. Barron

Notary Public



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

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Dec 29 3 49 PM '94

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BILL NO. 94-87
ORDINANCE NO. 3855

AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4, SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Councilman Scott Higginson

SUMMARY: Authorizes the summary abatement of certain nuisance conditions on vacant lots.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of November, 1994, and referred to the following committee composed of Mayor Jones and Councilman Higginson, for recommendation; there after the said committee reported favorably on said ordinance on the 7th day of December, 1994, 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 Adamson, Higginson, Hawkins Jr., Brass and Mayor Jones

VOTING "NAY" NONE

VOTING "ABSTAIN" NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: December 21, 1994

Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR 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 DECEMBER 21, 1994 to DECEMBER 21, 1994, on the following days:

DECEMBER 21, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this

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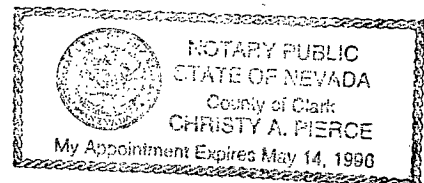
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Christy A. Pierce
Notary Public



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BILL NO. 94-87
ORDINANCE NO. 3853

AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4, SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

SPONSORED BY:
Councilman Scott Higginson
SUMMARY: Authorizes the summary abatement of certain nuisance conditions on vacant lots.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of November, 1994, and referred to the following committee composed of Mayor Jones and Councilman Higginson, for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of December, 1994, 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 Adamson, Higginson, Hawkins Jr., Brass and Mayor Jones
VOTING "NAY" NONE
VOTING "ABSTAIN" NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB: December 10, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

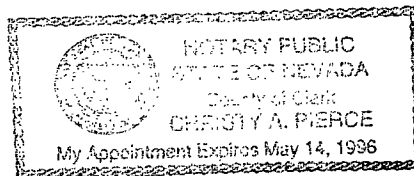
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 10, 1994 to DECEMBER 10, 1994, on the following days:

DECEMBER 10, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this 12 day of December, 19 94

Christy A. Pierce
Notary Public



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Nov 18

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BILL NO. 94-87

HERE

AN ORDINANCE RELATING TO NUISANCES; AMENDING TITLE 9, CHAPTER 4, SECTION 35 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, BY ADDING THERETO A NEW SECTION TO AUTHORIZE THE SUMMARY ABATEMENT OF CERTAIN NUISANCE CONDITIONS ON VACANT LOTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Councilman Scott Higginson
SUMMARY: Authorizes the summary abatement of certain nuisance conditions on vacant lots.

At a City Council meeting
NOVEMBER 2, 1994

BILL NO. 94-87 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Councilman Higginson and

Mayor Jones

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: November 17, 1994

Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, 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 NOVEMBER 17, 1994 to NOVEMBER 17, 1994, on the following days:

NOVEMBER 17, 1994

Signed:

Subscribed and sworn to before me this

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day of

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Peggy D. Barron

Notary Public

Notary Public
Notary State of Nevada

Clerk County

My appt. exp. Feb. 17, 1993

