

BILL NO. 95-27

Ordinance No. 3897

AN ORDINANCE RELATING TO THE ABATEMENT OF DANGEROUS BUILDINGS; REPEALING TITLE 16, CHAPTER 8, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, WHICH ADOPTED BY REFERENCE THE 1985 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; AMENDING TITLE 16 OF SAID CODE BY ADDING THERETO A NEW CHAPTER, DESIGNATED AS CHAPTER 8, ADOPTING BY REFERENCE THE 1994 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AS PART 1 OF SAID CHAPTER, AND ADOPTING BY REFERENCE A SUPPLEMENTAL DOCUMENT ENTITLED: "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION", AS PART 2 OF SAID CHAPTER, WHICH ADDS TO, DELETES FROM AND AMENDS VARIOUS PROVISIONS OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Mayor Jan Laverty Jones

Summary: Adopts the 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, together with a Supplemental Document which provides additions thereto, deletions therefrom and amendments thereto.

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

SECTION 1: Title 16, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 16 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 8, consisting of the provisions set forth as Section 3 of this Ordinance.

SECTION 3: Those certain documents, three copies of each being on file in the Office of the City Clerk and designated as follows, are adopted by reference and made a part of this Code, to the same effect as if set forth at length herein:

(A) Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, designated as Part 1 of this Chapter;

1 (B) A supplemental document which amends, by adding to and deleting
2 from, the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, designated as
3 Part 2 of this Chapter.

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

12 SECTION 5: Whenever in this ordinance any act is prohibited or is made
13 or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the
14 doing of any act is required or the failure to do any act is made or declared to be unlawful or an
15 offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required
16 act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not
17 more than \$1,000.00 or by imprisonment for a term of not more than six months, or by any
18 combination of such fine and imprisonment. Any day of any violation of this ordinance shall
19 constitute a separate offense.

20 SECTION 6: All ordinances or parts of ordinances, sections, subsections,
21 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las

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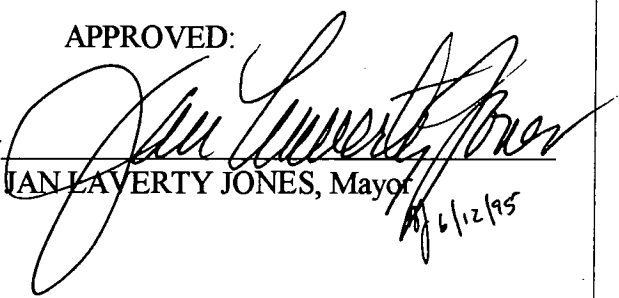
25 . . .

26 . . .

Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

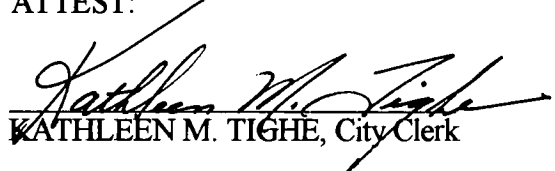
PASSED, ADOPTED and APPROVED this 7th day of June, 1995.

APPROVED:

By 
JAN LAVERTY JONES, Mayor

6/12/95

ATTEST:


KATHLEEN M. TIGHE, City Clerk

The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of May, 1995, and referred to the following committee composed of Councilmen Callister and Adamsen for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of June, 1995, 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:

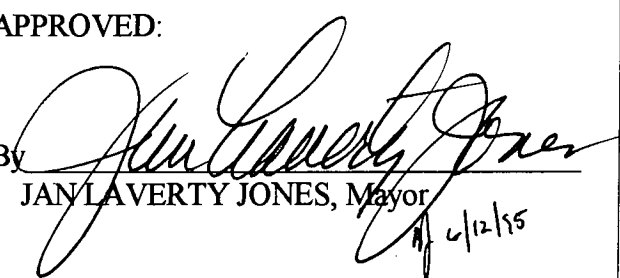
VOTING "AYE": Councilmen Adamsen, Hawkins Jr., Brass and Mayor Jones

VOTING "NAY": NONE

ABSENT: NONE

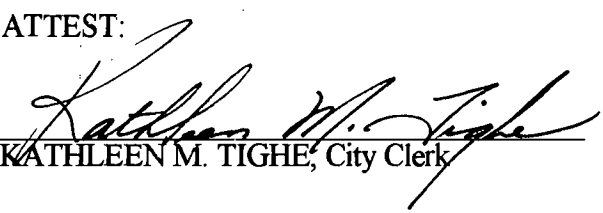
DID NOT VOTE: Councilman Callister

APPROVED:

By 
JAN LAVERTY JONES, Mayor

6/12/95

ATTEST:


KATHLEEN M. TIGHE, City Clerk

**A SUPPLEMENTAL DOCUMENT AMENDING THE
UNIFORM CODE FOR THE ABATEMENT OF
DANGEROUS BUILDINGS, 1994 EDITION**

SECTION 1: Amendments. The Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, as adopted in Chapter 16.08 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as hereinafter provided.

SECTION 2: References to Code. Any reference to the "Uniform Code for the Abatement of Dangerous Buildings", "Uniform Code", "Code for the Abatement of Dangerous Buildings", "Dangerous Buildings Code" or "Code" in this Supplemental Document means the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, as amended by this Supplemental Document.

SECTION 3: Effect on Other Laws. Nothing in this Code shall affect the application of other existing laws, ordinances and regulations, including zoning, building and fire regulations.

SECTION 4: Building Official Designated. The Director of Building and Safety (or a successor or authorized representative) is designated as the building official and as the director of public works, as those terms are used in the Uniform Code for the Abatement of Dangerous Buildings.

SECTION 5: Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is hereby deleted and replaced with a new Section 205, reading as follows:

205. Appeals Boards.

(a) The Administrative Appeals Board, as established in the City's Supplemental Document to the Uniform Administrative Code, is hereby designated to hear and decide initial appeals from orders, decisions and determinations of the building official under this Code.

(b) The City Council is hereby designated to hear subsequent appeals under this Code. Appeals shall be processed in accordance with Chapters 5 and 6 of the Code, after appeal remedies with the Administrative Appeals Board have been exhausted.

(c) Any reference in this Code to the board of appeals or the board shall be interpreted to refer to one or both of the boards described in this Section, depending on the context and the status of the appeal.

SECTION 6: Section 302 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by amending Subsection 17 thereof to read as follows:

17. Whenever any building or structure is in such a condition as to constitute a public

nuisance known to the common law or in equity jurisprudence, or as specified in Chapter 9.04 of the Las Vegas Municipal Code, as it may be amended from time to time.

SECTION 7: Section 302 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new subsection, designated as Subsection 19, reading as follows:

19. Whenever any building or structure, or portion thereof, whether partially or completely constructed, has become so dilapidated or deteriorated in condition or appearance, or is maintained in such a condition, as to endanger the safety of the public, be injurious to the senses, obstruct the free use of property of others or have a deleterious effect on the values of neighboring properties.

SECTION 8: Section 401.2 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding to Paragraph 3 thereof a new subparagraph, designated as Subparagraph 3.4, reading as follows:

3.4 In the case of any order to vacate or any order with respect to a vacant building, the order may require the building or structure to be secured and the premises cleaned within such time as the building official determines is reasonable.

SECTION 9: Section 401.2 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by deleting Paragraph 5 thereof and replacing it with a new Paragraph 5, reading as follows:

5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order (or any action of the building official) to the Administrative Appeals Board, provided the appeal is made in writing as provided in this Code, and filed with the building official within 10 days after the date of service of the written notice and order (or action), and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

SECTION 10: Section 403 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto two new subsections, designated as Subsections (3) and (4) reading as follows:

3. If any building is vacated in order for repairs to be made in compliance with an order issued under this Code, a certificate of occupancy must be obtained upon completion of the repairs before reoccupancy will be permitted.

4. Whenever required permits are not taken out for repairs ordered to be made under this Code within the time specified therefor, or repair work is done without the benefit of any required permit, the building official is authorized to charge and collect, in connection with the issuance of permits, an administrative fee of one hundred dollars for

each noncomplying single family dwelling unit and fifty dollars for each noncomplying dwelling unit within a multiple family dwelling.

SECTION 11: Section 404 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new subsection, designated as Subsection 404.3, reading as follows:

404.3 Utility Disconnection. In connection with a failure to vacate, the building official may authorize the disconnection of power to the dwelling unit(s) ordered to be vacated. The building official shall cause a notice of proposed disconnection (including the basis therefor) to be posted on the property and served personally or by mail on the owner or person in charge of the property at least 10 days before disconnection may occur.

SECTION 12: Section 501 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by deleting Subsection 501.1 and replacing it with a new Subsection 501.1, reading as follows:

501.1 Form of Appeal. Any person entitled to service under Section 401.3 may appeal from any notice and order or any action of the building official under this Code by filing at the office of the building official a written appeal containing:

1. A heading in the words: "Before the Administrative Board of Appeals [or City Council] of the City of Las Vegas."
2. A caption reading: "Appeal of _____," giving the names of the appellant(s) participating in the appeal.
3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order or other action.
4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant(s).
5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed that the protested order or action should be reversed, modified or otherwise set aside.
6. The signature of all parties named as appellants and their official mailing addresses.
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 10 days after the date of the service of the written notice and order (or action) of the building official.

SECTION 13: Section 504 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new sentence, reading as follows:

In the case of a notice and/or order to vacate in the interest of protecting life, limb, property or safety, the building official may order the immediate vacation and securing of a structure pending the disposition of an appeal.

SECTION 14: Section 802 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new subsection, designated as Subsection 802.3, reading as follows:

802.3 Other Funding. Nothing in this Chapter shall be construed to prevent the City from using funds from other sources to accomplish the work of repair or demolition.

SECTION 15: Section 901 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new sentence to read as follows:

The City may add to and include in the cost of the work an administrative processing fee of seventy-five dollars.

SECTION 16: Section 905 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding thereto a new subsection, designated as Subsection 905.4, reading as follows:

905.4 Discretion Regarding Means of Collection. Notwithstanding any other provision of this Chapter, in individual cases or in certain types of cases as may be specified, the City Council may authorize the building official or other person or department responsible for the collection of repair and demolition expenses to use any reasonable combination or sequence of collection activities, including but not limited to installment payments, property liens to secure repayment, deferred property liens to be filed if repayment arrangements are not met, and the assessment liens described in this Chapter.

AFFIDAVIT OF PUBLICATION

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BILL NO. 95-27
ORDINANCE NO. 3897

AN ORDINANCE RELATING TO THE ABATEMENT OF DANGEROUS BUILDINGS; REPEALING TITLE 16, CHAPTER 8, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, WHICH ADOPTED BY REFERENCE THE 1985 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; AMENDING TITLE 16, OF SAID CODE BY ADDING THERETO A NEW CHAPTER, DESIGNATED AS CHAPTER 9, ADOPTING BY REFERENCE THE 1994 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AS PART 1 OF SAID CHAPTER, AND ADOPTING BY REFERENCE A SUPPLEMENTAL DOCUMENT ENTITLED: "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION", AS PART 2 OF SAID CHAPTER, WHICH ADDS TO, DELETES FROM AND AMENDS VARIOUS PROVISIONS OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994

EDITION, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Jan Loverly Jones
SUMMARY: Adopts the 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, together with a Supplemental Document which provides additions thereto, deletions therefrom and amendments thereto.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of May, 1995, and referred to the following committee composed of Councilmen Callister and Adamsen, for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of June, 1995, 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, Hawkins Jr., Bross, and Mayor Jones
VOTING "NAY": NONE
VOTING "ABSTAIN": NONE
DID NOT VOTE: Councilman Callister
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: June 10, 1995
Las Vegas Review-Journal

ommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of June, 1995, 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, Hawkins Jr., Bross, and Mayor Jones
VOTING "NAY": NONE
VOTING "ABSTAIN": NONE
DID NOT VOTE: Councilman Callister
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: June 10, 1995
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 JUNE 10, 1995 to JUNE 10, 1995, on the following days:

JUNE 10, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 12 day of June, 1995
Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1999

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CITY CLERK

May 30 11 21 AM '95

AFFIDAVIT OF PUBLICATION

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BILL NO. 95-27

AN ORDINANCE RELATING TO THE ABATEMENT OF DANGEROUS BUILDINGS; REPEALING TITLE 16, CHAPTER 8, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, WHICH ADOPTED BY REFERENCE THE 1985 EDITION OF

THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; AMENDING TITLE 16 OF SAID CODE BY ADDING THERETO A NEW CHAPTER, DESIGNATED AS CHAPTER 8, ADOPTING BY REFERENCE THE 1994 EDITION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, AS PART 1 OF SAID CHAPTER, AND ADOPTING BY REFERENCE A SUPPLEMENTAL DOCUMENT ENTITLED: "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION", AS PART 2 OF SAID CHAPTER, WHICH ADDS TO, DELETES AND AMENDS VARIOUS PROVISIONS OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1994 EDITION; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Jon Laverly Jones
SUMMARY: Adopts the 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, together with a Supplemental Document which provides additions thereto, deletions therefrom and amendments thereto.

At a City Council meeting
May 3, 1995
BILL NO. 95-27 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen Callister and Adamsen
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: May 19, 1995
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 MAY 19, 1995 to MAY 19, 1995, on the following days:

MAY 19, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

19 day of May, 1995

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1999