

ORDINANCE NO. 1616

AN ORDINANCE TO AMEND TITLE VI OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING SECTIONS 41 THRU 44 THEREOF; TO PROVIDE A DEFINITION OF NUISANCES AND FOR PURPOSES OF SUSPENSION OR ABATEMENT OF SAID NUISANCES; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. 1616

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

SECTION 1. Sections 41 thru 44 of Chapter 1, Title VI of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition are hereby added to read as follows:

6-1-41: NUISANCES DEFINED: Whatever is injurious to the senses, or an obstruction to the free use of property, so as essentially to interfere with the comfortable enjoyment of life or property, or is against the interest of public morales, decency, peace and order, is declared to be a nuisance.

6-1-42: NUISANCE PROHIBITED: The creation or maintenance of a nuisance is prohibited.

6-1-43: ENUMERATION: The following matters, things, substances, acts and conditions are hereby declared to be and the same are nuisances and are prohibited:

(A) Any adult oriented bookstore or adult oriented movie theatre, which holds for production, publication, sale and possession of obscene items, as defined in the Municipal Code of the City of Las Vegas, Title VI, Chapter 11, Section 1.

(B) The commission of any act within the corporate limits of the City or the failure to perform any act within such corporate limits which is made a nuisance by the laws of the State of Nevada is hereby declared to be, and shall constitute a misdemeanor.

(C) Any and all putrid or decaying carcasses, flesh, fish, vegetables, entrails, affal, filth, or other unwholesome or offensive substances of any kind left, deposited or existing upon any street, alley, private lot or ground or public place or in or about any vacant or occupied building,

except when enclosed in a receptacle as provided in Chapter 1 of Title VI of this Code.

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

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

(F) All stagnant pools or ponds.

(G) Any article or thing placed on and obstructing a street, alley or public ground except as permitted by the provisions of this Code or resolution. However, nothing in this Chapter prevents the erection or maintenance of fences, railings or guards in parking if they are well built, kept in repair, have no sharp points or corners and their tops are at least 30 inches above the ground.

(H) Any fence, railing, posts or guards having sharp points or corners or in disrepair or having a height less than 30 inches, placed upon or along any park or parking of any street or avenue, or upon private property, along and within 3 feet of any public sidewalk.

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

(J) The pollution of any well, stream, lake, river or body of water by the dumping or throwing of any sewage, industrial waste, carcass, garbage, refuse, affal or manure, except with the consent and under the direction of the Health Officer and the dumping or throwing of any of such items upon any private or public property.

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

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

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

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

(O) All open cisterns or cisterns with inadequate or improper and unsafe coverings, open basements, holes, trenches or other excavations not properly marked and precautionary measures taken to prevent injury to the public, except under such conditions as are provided by this Code.

(P) The depositing or keeping of junk and refuse such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles, wastepaper, bedsprings, discarded furniture, cleanings and bedding from animal or fowl pens, improperly covered garbage and waste receptacles, automobiles in improper working condition or in a dilapidated condition and old automobile parts.

6-1-44: NUISANCE DECLARED; NOTICE: Whenever a nuisance is found to exist upon any private property, the City Manager, or such other officer as provided by law, may cause to be served upon the owner, occupant or agent of the owner of such property, a notice in writing requiring him to abate and remove the nuisance within 24 hours. The notice to abate shall be served by the Police Department, where practical, in the manner provided by law for the service of original notices. If the agent, owner or person occupying such property is not found within the City, service of the notice may be made by posting it in a conspicuous place upon the premises where the nuisance exists. Upon failure

to comply with such notice, the City, by its officers or employees, may abate or remove such nuisance and the officer or employee abating or removing such nuisance shall certify the cost of such abatement or removal to the Commission, ~~which cost shall be paid by~~ the City and shall then be assessed against such property and certified to the County Treasurer for collection as other taxes.

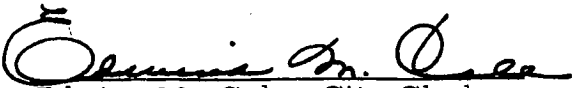
SECTION 2. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 21st day of February, 1973.

APPROVED:


~~XXXXXXXXXXXXXXXXXXXX~~
HANK THORNLEY, MAYOR PRO TEM

ATTEST:


Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of February, 1973, and referred to the following committee composed of Commissioners Morelli and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of February, 1973, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

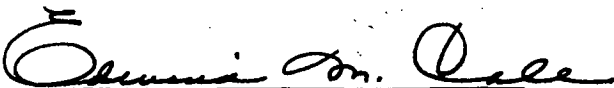
VOTING "AYE": Commissioners Franklin, Morelli, Coblentz and Mayor Pro Tem Thornley

VOTING "NAY": None ABSENT: Mayor Gragson (excused)

APPROVED:


~~XXXXXXXXXXXXXXXXXXXX~~
HANK THORNLEY, MAYOR PRO TEM

ATTEST:


Edwina M. Cole, City Clerk

RECEIVED

MAR 6 9 25 AM '73

CITY CLERK

AFFIDAVIT OF PUBLICATION

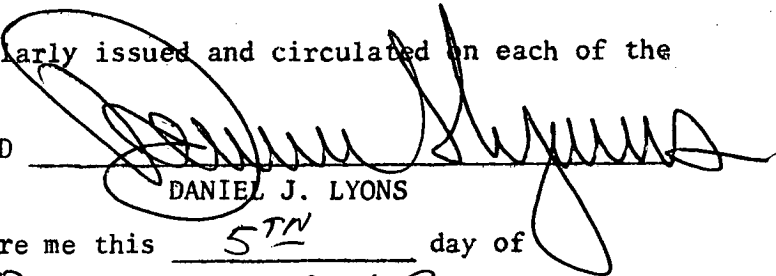
STATE OF NEVADA)
COUNTY OF CLARK) SS

Daniel J. Lyons being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 insertions from period of Feb. 24, 1973 to Mar. 3, 1973 inclusive, being the issue of said newspaper for the following dates, to wit:

Feb. 24, Mar. 3, 1973

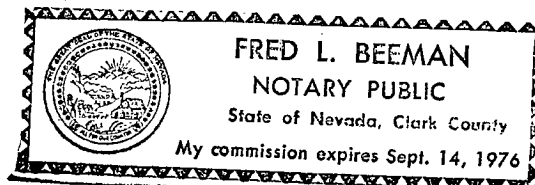
That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED


DANIEL J. LYONS

Subscribed and sworn to before me this 5TH day of MARCH, 1973.


NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA



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6-1-44:

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PASSED: ADOPTED AND APPROVED this 21st day of February, 1973.

APPROVED:

(S) HANK THORNLEY,

MAYOR PRO TEM

ATTEST:

(S) Edwina M. Cole,

City Clerk

(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of February, 1973, and referred to the following committee composed of Commissioners Morelli and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of February, 1973, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Franklin, Morelli, Coblenz and Mayor Pro Tem Thornley.

VOTING "NAY": None.

ABSENT: Mayor Gragson (excused).

APPROVED:

(S) HANK THORNLEY,

MAYOR PRO TEM

ATTEST:

(S) Edwina M. Cole,

City Clerk

(SEAL)

Feb. 24, Mar. 3, 1973